

REFERENCE TITLE: law enforcement; identification; masks; prohibitions.

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SB 1263

Introduced by

Senators Miranda: Alston, Diaz, Gabaldón, Hatathlie, Ortiz, Sears,
Sundareshan; Representatives Aguilar, Austin, Cavero, Sandoval, Villegas

AN ACT

AMENDING SECTIONS 13-1203, 13-1303, 13-2406 AND 13-2411, ARIZONA REVISED
STATUTES; AMENDING TITLE 13, CHAPTER 24, ARIZONA REVISED STATUTES, BY
ADDING SECTION 13-2415; RELATING TO LAW ENFORCEMENT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 13-1203, Arizona Revised Statutes, is amended to
3 read:

4 13-1203. Assault; classification

5 A. A person commits assault by:

6 1. Intentionally, knowingly or recklessly causing any physical
7 injury to another person; or

8 2. Intentionally placing another person in reasonable apprehension
9 of imminent physical injury; or

10 3. Knowingly touching another person with the intent to injure,
11 insult or provoke such person; OR

12 4. PERFORMING LAW ENFORCEMENT DUTIES AS A PEACE OFFICER IN
13 VIOLATION OF THE WRITTEN POLICY REQUIRED BY SECTION 13-2411 OR 13-2415.

14 B. Assault committed intentionally or knowingly pursuant to
15 subsection A, paragraph 1 OR 4 is a class 1 misdemeanor. Assault
16 committed recklessly pursuant to subsection A, paragraph 1 OR 4 is a class
17 2 misdemeanor. Assault committed pursuant to subsection A, paragraph 2 or
18 3 is a class 3 misdemeanor.

19 Sec. 2. Section 13-1303, Arizona Revised Statutes, is amended to
20 read:

21 13-1303. Unlawful imprisonment; classification; definition

22 A. A person commits unlawful imprisonment by knowingly restraining
23 another person.

24 B. In any prosecution for unlawful imprisonment, it is a defense
25 that:

26 1. The restraint was accomplished by a peace officer or detention
27 officer acting in good faith in the lawful performance of ~~his~~ THE
28 OFFICER'S duty AND IN COMPLIANCE WITH THE WRITTEN POLICIES REQUIRED BY
29 SECTIONS 13-2411 AND 13-2415; or

30 2. The defendant is a relative of the person restrained and the
31 defendant's sole intent is to assume lawful custody of that person and the
32 restraint was accomplished without physical injury.

33 C. Unlawful imprisonment is a class 6 felony unless the victim is
34 released voluntarily by the defendant without physical injury in a safe
35 place before arrest in which case it is a class 1 misdemeanor.

36 D. For the purposes of this section, "detention officer" means a
37 person other than an elected official who is employed by a county, city or
38 town and who is responsible for the supervision, protection, care, custody
39 or control of inmates in a county or municipal correctional institution.
40 Detention officer does not include counselors or secretarial, clerical or
41 professionally trained personnel.

1 Sec. 3. Section 13-2406, Arizona Revised Statutes, is amended to
2 read:

3 13-2406. Impersonating a public servant; classification;
4 definition

5 A. A person commits impersonating a public servant if such person
6 pretends to be a public servant and engages in any conduct, **INCLUDING THE**
7 **FRAUDULENT DISPLAY OF GOVERNMENT EMPLOYEE IDENTIFICATION**, with the intent
8 to induce another to submit to his pretended official authority or to rely
9 on his pretended official acts.

10 B. It is ~~not~~ **NOT A** defense to a prosecution under this section that
11 the office the person pretended to hold did not in fact exist or that the
12 pretended office did not in fact possess the authority claimed for it.

13 C. Impersonating a public servant is a class 1 misdemeanor.

14 D. For the purposes of this section, "public servant" includes a
15 notary public.

16 Sec. 4. Section 13-2411, Arizona Revised Statutes, is amended to
17 read:

18 13-2411. Peace officer identification required; written
19 policy; exceptions; impersonating a peace officer;
20 classification; definition

21 A. **EACH AGENCY OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS**
22 **STATE THAT EMPLOYS ONE OR MORE PEACE OFFICERS SHALL ADOPT A WRITTEN POLICY**
23 **REQUIRING THAT ALL PEACE OFFICERS WHO ARE EMPLOYED BY THE AGENCY VISIBLY**
24 **DISPLAY IDENTIFICATION THAT INCLUDES THE AGENCY NAME AND THE PEACE**
25 **OFFICER'S NAME OR BADGE NUMBER, OR BOTH NAME AND BADGE NUMBER, WHEN**
26 **PERFORMING LAW ENFORCEMENT DUTIES. THE POLICY MAY ALLOW A PEACE OFFICER**
27 **TO PERFORM LAW ENFORCEMENT DUTIES WITHOUT VISIBLY DISPLAYING THE**
28 **IDENTIFICATION ONLY IN THE FOLLOWING CIRCUMSTANCES:**

29 1. **THE PEACE OFFICER IS ENGAGED IN ACTIVE UNDERCOVER OPERATIONS OR**
30 **INVESTIGATIVE ACTIVITIES.**

31 2. **THE PEACE OFFICER IS ENGAGED IN A PLAINCLOTHES OPERATION.**

32 3. **THE PEACE OFFICER IS WEARING PERSONAL PROTECTIVE OR TACTICAL**
33 **TEAM EQUIPMENT THAT PREVENTS DISPLAY OF THE IDENTIFICATION.**

34 4. **THE PEACE OFFICER IS ENGAGED IN PROTECTIVE OPERATIONS INVOLVING**
35 **ELECTED OFFICIALS OR OTHER DIGNITARIES.**

36 5. **EXIGENT CIRCUMSTANCES INVOLVING AN IMMINENT DANGER TO PERSONS OR**
37 **PROPERTY, THE ESCAPE OF A PERPETRATOR OR THE DESTRUCTION OF EVIDENCE**
38 **EXIST, INCLUDING SITUATIONS WHERE THE PEACE OFFICER IS RESPONDING TO THE**
39 **EXIGENT CIRCUMSTANCES WHILE OFF DUTY.**

40 6. **THERE IS A SPECIFIC, ARTICULABLE AND PARTICULARIZED REASON TO**
41 **BELIEVE IDENTIFICATION WOULD POSE A SIGNIFICANT DANGER TO THE PHYSICAL**
42 **SAFETY OF THE PEACE OFFICER.**

~~A.~~ B. A person commits impersonating a peace officer if the person, without lawful authority, pretends to be a peace officer and engages in any conduct, **INCLUDING THE FRAUDULENT DISPLAY OF GOVERNMENT EMPLOYEE IDENTIFICATION**, with the intent to induce another to submit to the person's pretended authority or to rely on the person's pretended acts.

~~B.~~ C. It is not a defense to a prosecution under this section that the law enforcement agency the person pretended to represent did not in fact exist or that the law enforcement agency the person pretended to represent did not in fact possess the authority claimed for it.

D. A PEACE OFFICER WHO VIOLATES A WRITTEN POLICY ADOPTED PURSUANT TO THIS SECTION AND WHO IS FOUND TO HAVE COMMITTED ASSAULT OR UNLAWFUL IMPRISONMENT MAY NOT ASSERT ANY PRIVILEGE OR IMMUNITY FOR THE PEACE OFFICER'S CONDUCT AGAINST A CLAIM OF CIVIL LIABILITY AND IS LIABLE TO THE PERSON INJURED BY THE PEACE OFFICER'S CONDUCT IN THE AMOUNT OF \$10,000 OR ACTUAL DAMAGES, WHICHEVER IS GREATER.

~~C.~~ E. Impersonating a peace officer is a class 6 felony, except that impersonating a peace officer during the commission of any of the following felonies is a class 4 felony:

1. Negligent homicide.
2. Manslaughter.
3. First degree murder.
4. Second degree murder.
5. Assault.
6. Aggravated assault.
7. Sexual assault.
8. Violent sexual assault.
9. Sexual abuse.
10. Unlawfully administering intoxicating liquors, narcotic drugs or dangerous drugs.
11. Attack by a person's vicious animal as prescribed in section 13-1208.
12. Drive by shooting.
13. Discharging a firearm at a structure.
14. Aggravated criminal damage.
15. Theft.
16. Theft by extortion.
17. Theft of a credit card or obtaining a credit card by fraudulent means.
18. Misconduct involving weapons.
19. Misconduct involving explosives.
20. Depositing explosives.
21. Procuring or placing persons in a house of prostitution.
22. Dangerous crimes against children as prescribed in section 13-705.

- 1 23. Burglary.
- 2 24. Arson.
- 3 25. Kidnapping.
- 4 26. Robbery.

5 ~~D.~~ F. For the purposes of this section, "peace officer" has the
6 same meaning prescribed in section 1-215 and includes any federal law
7 enforcement officer or agent who has the power to make arrests pursuant to
8 federal law.

9 Sec. 5. Title 13, chapter 24, Arizona Revised Statutes, is amended
10 by adding section 13-2415, to read:

11 13-2415. Peace officers; masks; written policy; prohibition;
12 definitions

13 A. EACH AGENCY OF THIS STATE OR A POLITICAL SUBDIVISION OF THIS
14 STATE THAT EMPLOYS ONE OR MORE PEACE OFFICERS SHALL ADOPT A WRITTEN POLICY
15 THAT PROHIBITS EACH PEACE OFFICER WHO IS EMPLOYED BY THE AGENCY FROM
16 WEARING A FACIAL COVERING THAT CONCEALS OR OBSCURES THE PEACE OFFICER'S
17 FACIAL IDENTITY WHEN PERFORMING LAW ENFORCEMENT DUTIES. THE POLICY MAY
18 ALLOW A PEACE OFFICER TO PERFORM LAW ENFORCEMENT DUTIES WITH A FACIAL
19 COVERING ONLY IN THE FOLLOWING CIRCUMSTANCES:

- 20 1. THE PEACE OFFICER IS ENGAGED IN ACTIVE UNDERCOVER OPERATIONS.
- 21 2. THE PEACE OFFICER IS ENGAGED IN A TACTICAL OPERATION WHERE
- 22 PROTECTIVE GEAR IS REQUIRED FOR THE PHYSICAL SAFETY OF THE PEACE OFFICER.
- 23 3. TO PROTECT THE PEACE OFFICER'S IDENTITY DURING A COURT
- 24 PROCEEDING.
- 25 4. THE PEACE OFFICER IS WEARING PERSONAL PROTECTIVE EQUIPMENT
- 26 ALLOWED OR REQUIRED UNDER APPLICABLE OCCUPATIONAL HEALTH AND SAFETY OR
- 27 REASONABLE ACCOMMODATION LAWS.

28 B. A PEACE OFFICER WHO VIOLATES A WRITTEN POLICY ADOPTED PURSUANT
29 TO THIS SECTION AND WHO IS FOUND TO HAVE COMMITTED ASSAULT OR UNLAWFUL
30 IMPRISONMENT MAY NOT ASSERT ANY PRIVILEGE OR IMMUNITY FOR THE PEACE
31 OFFICER'S CONDUCT AGAINST A CLAIM OF CIVIL LIABILITY AND IS LIABLE TO THE
32 PERSON INJURED BY THE PEACE OFFICER'S CONDUCT IN THE AMOUNT OF \$10,000 OR
33 ACTUAL DAMAGES, WHICHEVER IS GREATER.

34 C. FOR THE PURPOSES OF THIS SECTION:

35 1. "FACIAL COVERING":

36 (a) MEANS AN OPAQUE MASK, GARMENT, HELMET, HEADGEAR OR OTHER ITEM
37 THAT CONCEALS OR OBSCURES THE FACIAL IDENTITY OF AN INDIVIDUAL, INCLUDING
38 A BALACLAVA, TACTICAL MASK, GATOR OR SKI MASK.

39 (b) DOES NOT INCLUDE ANY OF THE FOLLOWING:

40 (i) A TRANSLUCENT FACE SHIELD OR CLEAR MASK THAT DOES NOT CONCEAL A
41 PEACE OFFICER'S FACIAL IDENTITY AND THAT IS USED IN COMPLIANCE WITH THE
42 AGENCY'S WRITTEN POLICY.

43 (ii) A MEDICAL MASK OR SURGICAL MASK THAT IS USED TO PROTECT
44 AGAINST TRANSMISSION OF DISEASE OR INFECTION.

1 (iii) A MASK, HELMET OR DEVICE, INCLUDING AN AIR PURIFYING
2 RESPIRATOR, FULL OR HALF MASK OR SELF-CONTAINED BREATHING APPARATUS, THAT
3 IS NECESSARY TO PROTECT AGAINST EXPOSURE TO ANY TOXIN, GAS, SMOKE,
4 INCLEMENT WEATHER OR OTHER HAZARDOUS OR HARMFUL ENVIRONMENTAL CONDITION.

5 (iv) A MASK, HELMET OR DEVICE, INCLUDING A SELF-CONTAINED BREATHING
6 APPARATUS, THAT IS NECESSARY FOR UNDERWATER USE.

7 (v) A MOTORCYCLE HELMET WHEN WORN BY A PEACE OFFICER USING A
8 MOTORCYCLE OR OTHER VEHICLE THAT REQUIRES A HELMET FOR SAFE OPERATIONS
9 WHILE IN THE PERFORMANCE OF LAW ENFORCEMENT DUTIES.

10 (vi) EYEWEAR THAT IS NECESSARY TO PROTECT FROM THE USE OF RETINAL
11 WEAPONS, INCLUDING LASERS.

12 2. "PEACE OFFICER" HAS THE SAME MEANING PRESCRIBED IN SECTION 1-215
13 AND INCLUDES ANY FEDERAL LAW ENFORCEMENT OFFICER OR AGENT WHO HAS THE
14 POWER TO MAKE ARRESTS PURSUANT TO FEDERAL LAW.