

REFERENCE TITLE: sentence reductions; offenders under twenty-one

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

SB 1319

Introduced by
Senators Ortiz: Gonzales, Kuby

AN ACT

AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING SECTION
13-722; RELATING TO SENTENCING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 7, Arizona Revised Statutes, is
3 amended by adding section 13-722, to read:

4 13-722. Sentence reduction for offenses committed by persons
5 twenty-one years of age and under

6 A. NOTWITHSTANDING ANY OTHER LAW, THE COURT SHALL REDUCE A TERM OF
7 IMPRISONMENT IMPOSED ON A DEFENDANT WHO WAS CONVICTED OF OR ADJUDICATED
8 DELINQUENT FOR A FELONY OFFENSE THAT WAS COMMITTED ON OR BEFORE THE
9 DEFENDANT'S TWENTY-FIRST BIRTHDAY AND WHO HAS SERVED AT LEAST FIFTEEN
10 YEARS OR AT LEAST FIFTY PERCENT OF THE SENTENCE IMPOSED IF THE COURT
11 FINDS, AFTER CONSIDERING THE FACTORS SET FORTH IN SUBSECTION B OF THIS
12 SECTION, BOTH THAT:

13 1. THE DEFENDANT IS NOT A DANGER TO THE SAFETY OF ANY PERSON OR THE
14 COMMUNITY.

15 2. THE INTERESTS OF JUSTICE WARRANT A SENTENCE REDUCTION.

16 B. IN DETERMINING WHETHER TO REDUCE A TERM OF IMPRISONMENT PURSUANT
17 TO SUBSECTION A OF THIS SECTION, THE COURT SHALL CONSIDER THE FOLLOWING
18 FACTORS:

19 1. THE DEFENDANT'S AGE AT THE TIME OF THE COMMISSION OF THE
20 OFFENSE.

21 2. THE HISTORY AND CHARACTERISTICS OF THE DEFENDANT.

22 3. THE VIEWS OF THE VICTIM.

23 4. WHETHER THE DEFENDANT HAS DEMONSTRATED MATURITY, REHABILITATION
24 AND A FITNESS TO REENTER SOCIETY SUFFICIENT TO JUSTIFY A SENTENCE
25 REDUCTION.

26 5. ANY REPORTS OF PHYSICAL, MENTAL OR PSYCHIATRIC EXAMINATIONS OF
27 THE DEFENDANT THAT ARE CONDUCTED BY LICENSED HEALTH CARE PROFESSIONALS.

28 6. THE DEFENDANT'S FAMILY AND COMMUNITY CIRCUMSTANCES AT THE TIME
29 OF THE COMMISSION OF THE OFFENSE, INCLUDING ANY HISTORY OF ABUSE, TRAUMA
30 OR INVOLVEMENT IN THE CHILD WELFARE SYSTEM.

31 7. THE EXTENT OF THE DEFENDANT'S ROLE IN THE OFFENSE AND WHETHER
32 AND TO WHAT EXTENT ANOTHER PERSON WAS INVOLVED IN THE OFFENSE.

33 8. THE DIMINISHED CULPABILITY OF JUVENILES AND PERSONS WHO ARE
34 TWENTY-ONE YEARS OF AGE AND UNDER AS COMPARED TO THAT OF OLDER ADULTS, AND
35 THE HALLMARK FEATURES OF YOUTH, INCLUDING IMMATURITY, IMPETUOSITY AND THE
36 FAILURE TO APPRECIATE RISKS AND CONSEQUENCES.

37 9. ANY OTHER INFORMATION THAT THE COURT DEEMS RELEVANT.

38 C. A DEFENDANT WHO WAS CONVICTED AS AN ADULT PURSUANT TO SECTION
39 8-327 OR 13-501, INCLUDING A DEFENDANT WHO IS CURRENTLY SERVING A TERM OF
40 IMPRISONMENT, MAY FILE A MOTION WITH THE SENTENCING COURT TO REQUEST A
41 SENTENCE REDUCTION UNDER THIS SECTION. THE MOTION MAY INCLUDE AFFIDAVITS
42 OR OTHER WRITTEN MATERIAL. THE SENTENCING COURT SHALL HOLD A HEARING ON
43 THE MOTION AT WHICH THE DEFENDANT AND THE DEFENDANT'S COUNSEL SHALL BE
44 GIVEN AN OPPORTUNITY TO SPEAK ON THE DEFENDANT'S BEHALF. THE COURT MAY
45 ALLOW THE PARTIES TO INTRODUCE EVIDENCE AND MAY CONSIDER ANY RECORDS THAT

1 ARE RELATED TO THE UNDERLYING OFFENSE. THE COURT SHALL STATE ITS REASONS
2 FOR GRANTING OR DENYING THE APPLICATION IN WRITING. IF THE COURT GRANTS
3 THE APPLICATION, THE COURT SHALL RESENTENCE THE DEFENDANT TO A REDUCED
4 TERM OF IMPRISONMENT.

5 D. WHEN RESENTENCING A DEFENDANT TO A REDUCED TERM OF IMPRISONMENT
6 PURSUANT TO THIS SECTION, THE COURT:

7 1. MAY IMPOSE A SENTENCE THAT IS LESS THAN THE MINIMUM TERM
8 OTHERWISE PRESCRIBED BY LAW.

9 2. MAY NOT IMPOSE A NATURAL LIFE SENTENCE.

10 E. THE NOTICE TO THE VICTIM PRESCRIBED IN SECTION 13-4409 AND ALL
11 OTHER RIGHTS UNDER THE VICTIMS' BILL OF RIGHTS, ARTICLE II, SECTION 2.1,
12 CONSTITUTION OF ARIZONA, APPLY TO THIS SECTION.