

~~schools; libraries; explicit materials; classification~~
(now: schools; libraries; explicit materials; training)

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

SENATE BILL 1435

AN ACT

AMENDING SECTION 15-120.03, ARIZONA REVISED STATUTES; AMENDING TITLE 34,
CHAPTER 5, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 2; RELATING TO
SEXUALLY EXPLICIT MATERIAL.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 15-120.03, Arizona Revised Statutes, is amended
3 to read:
4 15-120.03. Sexually explicit materials; prohibition;
5 exemptions; violation; classification;
6 acknowledgement; definition
7 A. Except as prescribed in section 15-711, a public school in this
8 state may not refer students to or use any sexually explicit material in
9 any manner.
10 B. Materials may be exempted from the provisions of subsection A OF
11 THIS SECTION if all of the following requirements are met:
12 1. The exempted material possesses serious educational value for
13 minors or possesses serious literary, artistic, political or scientific
14 value.
15 2. The public school requires written parental consent before the
16 public school refers a student to or uses the exempted material. The
17 public school shall require parental consent on a per-material basis.
18 3. The public school provides students for whom parental consent is
19 not secured under paragraph 2 of this subsection with an alternative
20 assignment that does not contain sexually explicit material.
21 C. AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF A PUBLIC SCHOOL WHO
22 ACTING WITH CRIMINAL NEGLIGENCE VIOLATES THIS SECTION IS GUILTY OF A
23 CLASS 5 FELONY.
24 D. EACH PUBLIC SCHOOL IN THIS STATE SHALL REQUIRE ANY INDIVIDUAL
25 WHO IS HIRED AS AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF THE PUBLIC SCHOOL
26 ON OR AFTER THE EFFECTIVE DATE OF THIS AMENDMENT TO THIS SECTION TO SIGN A
27 FORM ACKNOWLEDGING THAT THE INDIVIDUAL HAS READ THIS SECTION ON THE DATE
28 THAT THE INDIVIDUAL IS HIRED.
29 ~~E.~~ E. For the purposes of this section, "sexually explicit
30 materials" includes textual, visual or audio materials or materials
31 accessed via any other medium that depict any of the following:
32 1. Sexual conduct. For the purposes of this paragraph, "sexual
33 conduct" means acts of masturbation, sexual intercourse or physical
34 contact with a person's clothed or unclothed genitals, pubic area,
35 buttocks or, if such person is a female, breast.
36 2. Sexual excitement. For the purposes of this paragraph, "sexual
37 excitement" means the condition of human male or female genitals when in a
38 state of sexual stimulation or arousal.
39 3. Ultimate sexual acts. For the purposes of this paragraph,
40 "ultimate sexual acts" means sexual intercourse, vaginal or anal,
41 fellatio, cunnilingus, bestiality or sodomy. A sexual act is simulated
42 when it depicts explicit sexual activity that gives the appearance of
43 consummation of ultimate sexual acts.

1 Sec. 2. Heading changes

2 A. The chapter heading of title 34, chapter 5, Arizona Revised
3 Statutes, is changed from "COMPUTER ACCESS" to "PUBLIC ACCESS TO COMPUTERS
4 AND LIBRARIES".

5 B. The article heading of title 34, chapter 5, article 1, Arizona
6 Revised Statutes, is changed from "ACCESS BY MINORS" to "COMPUTER ACCESS
7 BY MINORS".

8 Sec. 3. Title 34, chapter 5, Arizona Revised Statutes, is amended
9 by adding article 2, to read:

10 ARTICLE 2. LIBRARY ACCESS BY MINORS

11 34-521. Library access; sexually explicit materials;
12 prohibition; violation; classification;
13 acknowledgement; definitions

14 A. AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF A PUBLIC LIBRARY IN
15 THIS STATE MAY NOT REFER AN UNEMANCIPATED MINOR TO ANY SEXUALLY EXPLICIT
16 MATERIAL IN ANY MANNER.

17 B. AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF A PUBLIC LIBRARY IN
18 THIS STATE MAY NOT FACILITATE AN UNEMANCIPATED MINOR'S ACCESS TO ANY
19 SEXUALLY EXPLICIT MATERIAL IN ANY MANNER.

20 C. AN EMPLOYEE OR INDEPENDENT CONTRACTOR OF A PUBLIC LIBRARY WHO
21 ACTING WITH CRIMINAL NEGLIGENCE VIOLATES THIS SECTION IS GUILTY OF A CLASS
22 5 FELONY.

23 D. EACH PUBLIC LIBRARY IN THIS STATE SHALL REQUIRE ANY INDIVIDUAL
24 WHO IS HIRED ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION TO SIGN A FORM
25 ACKNOWLEDGING THAT THE INDIVIDUAL HAS READ THIS SECTION ON THE DATE THAT
26 THE INDIVIDUAL IS HIRED.

27 E. FOR THE PURPOSES OF THIS SECTION:

28 1. "PUBLIC LIBRARY":

29 (a) MEANS ANY LIBRARY THAT IS OPEN TO MEMBERS OF THE PUBLIC AND
30 THAT IS SUPPORTED, IN WHOLE OR IN PART, BY MONIES DISTRIBUTED BY THIS
31 STATE OR ANY POLITICAL SUBDIVISION OF THIS STATE.

32 (b) INCLUDES ALL OF THE FOLLOWING:

33 (i) A FREE PUBLIC LIBRARY OF A CITY OR TOWN AS PRESCRIBED BY TITLE
34 9, CHAPTER 4, ARTICLE 2.

35 (ii) A COUNTY FREE LIBRARY AS PRESCRIBED BY TITLE 11, CHAPTER 7,
36 ARTICLE 1.

37 (iii) THE STATE LIBRARY AS PRESCRIBED BY TITLE 41, CHAPTER 1,
38 ARTICLE 2.1.

39 2. "SEXUALLY EXPLICIT MATERIALS" INCLUDES TEXTUAL, VISUAL OR AUDIO
40 MATERIALS OR MATERIALS ACCESSED VIA ANY OTHER MEDIUM THAT DEPICT ANY OF
41 THE FOLLOWING:

42 (a) SEXUAL CONDUCT. FOR THE PURPOSES OF THIS SUBDIVISION, "SEXUAL
43 CONDUCT" MEANS ACTS OF MASTURBATION, SEXUAL INTERCOURSE OR PHYSICAL
44 CONTACT WITH A PERSON'S CLOTHED OR UNCLOTHED GENITALS, PUBIC AREA,
45 BUTTOCKS OR, IF THE PERSON IS A FEMALE, BREAST.

1 (b) SEXUAL EXCITEMENT. FOR THE PURPOSES OF THIS SUBDIVISION,
2 "SEXUAL EXCITEMENT" MEANS THE CONDITION OF HUMAN MALE OR FEMALE GENITALS
3 WHEN IN A STATE OF SEXUAL STIMULATION OR AROUSAL.

4 (c) ULTIMATE SEXUAL ACTS. FOR THE PURPOSES OF THIS SUBDIVISION,
5 "ULTIMATE SEXUAL ACTS" MEANS SEXUAL INTERCOURSE, VAGINAL OR ANAL,
6 FELLATIO, CUNNILINGUS, BESTIALITY OR SODOMY.

7 Sec. 4. Implementation

8 A. Each public school in this state shall require each individual
9 who is employed as an employee or independent contractor of the public
10 school on the effective date of this act to sign a form acknowledging that
11 the individual has read section 15-120.03, Arizona Revised Statutes, as
12 amended by this act.

13 B. Each public library in this state shall require each individual
14 who is employed by the public library on the effective date of this act to
15 sign a form acknowledging that the individual has read section 34-521,
16 Arizona Revised Statutes, as added by this act.