

REFERENCE TITLE: aggravated assault; utility workers

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

SB 1448

Introduced by
Senator Shope

AN ACT

AMENDING SECTION 13-1204 ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2025, CHAPTER 172, SECTION 1; AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2025, CHAPTER 172, SECTION 2; RELATING TO ASSAULT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-1204, Arizona Revised Statutes, as amended by
3 Laws 2025, chapter 172, section 1, is amended to read:

4 13-1204. Aggravated assault; classification; definitions

5 A. Until January 1, 2033, a person commits aggravated assault if
6 the person commits assault as prescribed by section 13-1203 under any of
7 the following circumstances:

8 1. If the person causes serious physical injury to another.

9 2. If the person uses a deadly weapon or dangerous instrument.

10 3. If the person commits the assault by any means of force that
11 causes temporary but substantial disfigurement, temporary but substantial
12 loss or impairment of any body organ or part or a fracture of any body
13 part.

14 4. If the person commits the assault while the victim is bound or
15 otherwise physically restrained or while the victim's capacity to resist
16 is substantially impaired.

17 5. If the person commits the assault after entering the private
18 home of another with the intent to commit the assault.

19 6. If the person is eighteen years of age or older and commits the
20 assault on a minor under fifteen years of age.

21 7. If the person commits assault as prescribed by section 13-1203,
22 subsection A, paragraph 1 or 3 and the person is in violation of an order
23 of protection issued against the person pursuant to section 13-3602 or
24 13-3624.

25 8. If the person commits the assault knowing or having reason to
26 know that the victim is any of the following:

27 (a) A first responder or a person summoned and directed by the
28 first responder.

29 (b) A constable or a person summoned and directed by the constable
30 while engaged in the execution of any official duties or if the assault
31 results from the execution of the constable's official duties.

32 (c) A teacher or other person employed by any school and the
33 teacher or other employee is on the grounds of a school or grounds
34 adjacent to the school or is in any part of a building or vehicle used for
35 school purposes, any teacher or school nurse visiting a private home in
36 the course of the teacher's or nurse's professional duties or any teacher
37 engaged in any authorized and organized classroom activity held on other
38 than school grounds.

39 (d) A health care worker while engaged in the health care worker's
40 work duties or a health care practitioner who is certified or licensed
41 pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned
42 and directed by the licensed health care practitioner while engaged in the
43 person's professional duties. This subdivision does not apply if the
44 person who commits the assault does not have the ability to form the
45 culpable mental state because of a mental disability, developmental

1 disability or cognitive disability or because the person is seriously
2 mentally ill, as defined in section 36-550.

3 (e) A prosecutor while engaged in the execution of any official
4 duties or if the assault results from the execution of the prosecutor's
5 official duties.

6 (f) A code enforcement officer as defined in section 39-123 while
7 engaged in the execution of any official duties or if the assault results
8 from the execution of the code enforcement officer's official duties.

9 (g) A state or municipal park ranger while engaged in the execution
10 of any official duties or if the assault results from the execution of the
11 park ranger's official duties.

12 (h) A public defender while engaged in the execution of any
13 official duties or if the assault results from the execution of the public
14 defender's official duties.

15 (i) A judicial officer while engaged in the execution of any
16 official duties or if the assault results from the execution of the
17 judicial officer's official duties.

18 (j) An employee of a law enforcement agency, other than a peace
19 officer, while engaged in the execution of any official duties.

20 (k) A public transit employee who performs duties on and off a
21 vehicle while engaged in transferring members of the community to and from
22 destinations in a bus, van or shuttle.

23 (l) An airport employee who interacts with the public while engaged
24 in the airport employee's work duties.

25 (m) A railway worker while engaged in operating a train, light rail
26 or passenger rail or performing track maintenance.

27 (n) AN EMPLOYEE OF ONE OF THE FOLLOWING WHO IS ENGAGED IN THE
28 EMPLOYEE'S WORK DUTIES:

29 (i) A PUBLIC UTILITY AS PRESCRIBED IN SECTION 44-1376.

30 (ii) A LICENSED TELECOMMUNICATIONS PROVIDER.

31 (iii) A LICENSED VIDEO SERVICE PROVIDER.

32 9. If the person knowingly takes or attempts to exercise control
33 over any of the following:

34 (a) A first responder's or other officer's firearm and the person
35 knows or has reason to know that the victim is a first responder or other
36 officer employed by one of the agencies listed in paragraph 10,
37 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

38 (b) Any weapon other than a firearm that is being used by a first
39 responder or other officer or that the first responder or other officer is
40 attempting to use, and the person knows or has reason to know that the
41 victim is a first responder or other officer employed by one of the
42 agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii),
43 (iv) or (v) of this subsection.

44 (c) Any implement that is being used by a first responder or other
45 officer or that the first responder or other officer is attempting to use,

1 and the person knows or has reason to know that the victim is a first
 2 responder or other officer employed by one of the agencies listed in
 3 paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this
 4 subsection. For the purposes of this subdivision, "implement" means an
 5 object that is designed for or that is capable of restraining or injuring
 6 an individual. Implement does not include handcuffs.

7 10. If the person meets both of the following conditions:

8 (a) Is imprisoned or otherwise subject to the custody of any of the
 9 following:

10 (i) The state department of corrections.

11 (ii) The department of juvenile corrections.

12 (iii) A law enforcement agency.

13 (iv) A county or city jail or an adult or juvenile detention
 14 facility of a city or county.

15 (v) Any other entity that is contracting with the state department
 16 of corrections, the department of juvenile corrections, a law enforcement
 17 agency, another state, any private correctional facility, a county, a city
 18 or the federal bureau of prisons or other federal agency that has
 19 responsibility for sentenced or unsentenced prisoners.

20 (b) Commits an assault knowing or having reason to know that the
 21 victim is acting in an official capacity as an employee of any of the
 22 entities listed in subdivision (a) of this paragraph.

23 11. If the person uses a simulated deadly weapon.

24 12. If the person is aided by two or more accomplices who aid in
 25 committing the assault, the assault is directed at a single person and the
 26 assault results in physical injury.

27 B. Until January 1, 2033, a person commits aggravated assault if
 28 the person commits assault by either intentionally, knowingly or
 29 recklessly causing any physical injury to another person, intentionally
 30 placing another person in reasonable apprehension of imminent physical
 31 injury or knowingly touching another person with the intent to injure the
 32 person, and both of the following occur:

33 1. The person intentionally or knowingly impedes the normal
 34 breathing or circulation of blood of another person by applying pressure
 35 to the throat or neck or by obstructing the nose and mouth either manually
 36 or through the use of an instrument.

37 2. Any of the circumstances exists that are set forth in section
 38 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

39 C. A person who is convicted of intentionally or knowingly
 40 committing aggravated assault on a first responder pursuant to subsection
 41 A, paragraph 1 or 2 of this section shall be sentenced to imprisonment for
 42 not less than the presumptive sentence authorized under chapter 7 of this
 43 title and is not eligible for suspension of sentence, commutation or
 44 release on any basis until the sentence imposed is served.

1 D. If a person is convicted of committing aggravated assault on a
2 peace officer pursuant to this section and the trier of fact determines
3 that section 13-701, subsection D, paragraph 17 applies, the person shall
4 be sentenced to two years more than would otherwise be imposed for the
5 offense. The additional sentence imposed under this subsection is in
6 addition to any enhanced punishment that may be applicable under this
7 section or chapter 7 of this title. The person is not eligible for
8 suspension of sentence, commutation or release from confinement on any
9 basis, except as specifically authorized by section 31-233, subsection A
10 or B until the sentence imposed is served, the person is eligible for
11 release pursuant to section 41-1604.07 or the sentence is commuted.

12 E. It is not a defense to a prosecution for assaulting a peace
13 officer or a mitigating circumstance that the peace officer was not on
14 duty or engaged in the execution of any official duties.

15 F. Except pursuant to subsections G, H and I of this section,
16 aggravated assault pursuant to subsection A, paragraph 1 or 2, paragraph
17 9, subdivision (a) or paragraph 11 of this section is a class 3 felony
18 except if the aggravated assault is a violation of subsection A, paragraph
19 1 or 2 of this section and the victim is under fifteen years of age it is
20 a class 2 felony punishable pursuant to section 13-705. Aggravated
21 assault pursuant to subsection A, paragraph 3 or 12 or subsection B of
22 this section is a class 4 felony. Aggravated assault pursuant to
23 subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section
24 is a class 5 felony. Aggravated assault pursuant to subsection A,
25 paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section
26 is a class 6 felony.

27 G. Aggravated assault pursuant to subsection A, paragraph 1 or 2 of
28 this section committed on a first responder is a class 2 felony.
29 Aggravated assault pursuant to subsection A, paragraph 3 of this section
30 committed on a first responder is a class 3 felony. Aggravated assault
31 pursuant to subsection A, paragraph 8, subdivision (a) of this section
32 committed on a first responder is a class 4 felony unless the assault
33 results in any physical injury to the first responder, in which case it is
34 a class 3 felony.

35 H. Aggravated assault pursuant to subsection A, paragraph 1 or 2 of
36 this section committed on an employee of a law enforcement agency is a
37 class 2 felony. Aggravated assault pursuant to subsection A, paragraph 3
38 of this section committed on an employee of a law enforcement agency is a
39 class 3 felony. Aggravated assault pursuant to subsection A, paragraph 8,
40 subdivision (j) of this section committed on an employee of a law
41 enforcement agency is a class 5 felony unless the assault results in any
42 physical injury to the employee, in which case it is a class 4 felony.

43 I. Aggravated assault pursuant to:

44 1. Subsection A, paragraph 1 or 2 of this section is a class 2
45 felony if committed on a prosecutor.

2. Subsection A, paragraph 3 of this section is a class 3 felony if committed on a prosecutor.

3. Subsection A, paragraph 8, subdivision (e) of this section is a class 5 felony if the assault results in physical injury to a prosecutor.

J. For the purposes of this section:

1. "Cognitive disability" has the same meaning prescribed in section 36-551.

2. "Developmental disability" has the same meaning prescribed in section 36-551.

3. "First responder" means:

(a) A peace officer.

(b) A firefighter, a fire marshal, a fire inspector, an emergency medical care technician or a paramedic who is engaged in the execution of any official duties.

(c) A tribal police officer.

4. "Health care worker" means:

(a) A person who is employed by or contracted to work at a health care institution that is licensed pursuant to title 36.

(b) A person who is employed or contracted to provide health care or related services in a fieldwork setting, including:

(i) Home health care, home-based hospice and home-based social work, unless the worker is employed or contracted by an individual who privately employs, in the individual's residence, the worker to perform covered services for the individual or a family member of the individual.

(ii) Any emergency services and transport, including the services provided by firefighters and emergency responders.

5. "Judicial officer" means a justice of the supreme court, judge, justice of the peace or magistrate or a commissioner or hearing officer of a state, county or municipal court.

6. "Mental disability" means a disabling neurological condition, or brain injury, or involuntary impairment as a result of a medication that is administered by a health care provider or a medical procedure that is performed at a health care treatment site.

7. "Prosecutor" means a county attorney, a municipal prosecutor or the attorney general and includes an assistant or deputy county attorney, municipal prosecutor or attorney general.

Sec. 2. Section 13-1204, Arizona Revised Statutes, as amended by Laws 2025, chapter 172, section 2, is amended to read:

13-1204. Aggravated assault; classification; definitions

A. Beginning from and after December 31, 2032, a person commits aggravated assault if the person commits assault as prescribed by section 13-1203 under any of the following circumstances:

1. If the person causes serious physical injury to another.

2. If the person uses a deadly weapon or dangerous instrument.

1 3. If the person commits the assault by any means of force that
2 causes temporary but substantial disfigurement, temporary but substantial
3 loss or impairment of any body organ or part or a fracture of any body
4 part.

5 4. If the person commits the assault while the victim is bound or
6 otherwise physically restrained or while the victim's capacity to resist
7 is substantially impaired.

8 5. If the person commits the assault after entering the private
9 home of another with the intent to commit the assault.

10 6. If the person is eighteen years of age or older and commits the
11 assault on a minor under fifteen years of age.

12 7. If the person commits assault as prescribed by section 13-1203,
13 subsection A, paragraph 1 or 3 and the person is in violation of an order
14 of protection issued against the person pursuant to section 13-3602 or
15 13-3624.

16 8. If the person commits the assault knowing or having reason to
17 know that the victim is any of the following:

18 (a) A peace officer or a person summoned and directed by the
19 officer.

20 (b) A constable or a person summoned and directed by the constable
21 while engaged in the execution of any official duties or if the assault
22 results from the execution of the constable's official duties.

23 (c) A firefighter, fire investigator, fire inspector, emergency
24 medical technician or paramedic engaged in the execution of any official
25 duties or a person summoned and directed by such individual while engaged
26 in the execution of any official duties or if the assault results from the
27 execution of the official duties of the firefighter, fire investigator,
28 fire inspector, emergency medical technician or paramedic.

29 (d) A teacher or other person employed by any school and the
30 teacher or other employee is on the grounds of a school or grounds
31 adjacent to the school or is in any part of a building or vehicle used for
32 school purposes, any teacher or school nurse visiting a private home in
33 the course of the teacher's or nurse's professional duties or any teacher
34 engaged in any authorized and organized classroom activity held on other
35 than school grounds.

36 (e) A health care worker while engaged in the health care worker's
37 work duties or a health care practitioner who is certified or licensed
38 pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned
39 and directed by the licensed health care practitioner while engaged in the
40 person's professional duties. This subdivision does not apply if the
41 person who commits the assault does not have the ability to form the
42 culpable mental state because of a mental disability, developmental
43 disability or cognitive disability or because the person is seriously
44 mentally ill, as defined in section 36-550.

(f) A prosecutor while engaged in the execution of any official duties or if the assault results from the execution of the prosecutor's official duties.

(g) A code enforcement officer as defined in section 39-123 while engaged in the execution of any official duties or if the assault results from the execution of the code enforcement officer's official duties.

(h) A state or municipal park ranger while engaged in the execution of any official duties or if the assault results from the execution of the park ranger's official duties.

(i) A public defender while engaged in the execution of any official duties or if the assault results from the execution of the public defender's official duties.

(j) A judicial officer while engaged in the execution of any official duties or if the assault results from the execution of the judicial officer's official duties.

(k) An employee of a law enforcement agency, other than a peace officer, while engaged in the execution of any official duties.

(l) A public transit employee who performs duties on and off a vehicle while engaged in transferring members of the community to and from destinations in a bus, van or shuttle.

(m) An airport employee who interacts with the public while engaged in the airport employee's work duties.

(n) A railway worker while engaged in operating a train, light rail or passenger rail or performing track maintenance.

(o) AN EMPLOYEE OF ONE OF THE FOLLOWING WHO IS ENGAGED IN THE EMPLOYEE'S WORK DUTIES:

(i) A PUBLIC UTILITY AS PRESCRIBED IN SECTION 44-1376.

(ii) A LICENSED TELECOMMUNICATIONS PROVIDER.

(iii) A LICENSED VIDEO SERVICE PROVIDER.

9. If the person knowingly takes or attempts to exercise control over any of the following:

(a) A peace officer's or other officer's firearm and the person knows or has reason to know that the victim is a peace officer or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

(b) Any weapon other than a firearm that is being used by a peace officer or other officer or that the officer is attempting to use, and the person knows or has reason to know that the victim is a peace officer or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

(c) Any implement that is being used by a peace officer or other officer or that the officer is attempting to use, and the person knows or has reason to know that the victim is a peace officer or other officer employed by one of the agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection. For the purposes

of this subdivision, "implement" means an object that is designed for or that is capable of restraining or injuring an individual. Implement does not include handcuffs.

10. If the person meets both of the following conditions:

(a) Is imprisoned or otherwise subject to the custody of any of the following:

(i) The state department of corrections.

(ii) The department of juvenile corrections.

(iii) A law enforcement agency.

(iv) A county or city jail or an adult or juvenile detention facility of a city or county.

(v) Any other entity that is contracting with the state department of corrections, the department of juvenile corrections, a law enforcement agency, another state, any private correctional facility, a county, a city or the federal bureau of prisons or other federal agency that has responsibility for sentenced or unsentenced prisoners.

(b) Commits an assault knowing or having reason to know that the victim is acting in an official capacity as an employee of any of the entities listed in subdivision (a) of this paragraph.

11. If the person uses a simulated deadly weapon.

12. If the person is aided by two or more accomplices WHO aid in committing the assault, the assault is directed at a single person and the assault results in physical injury.

B. Beginning from and after December 31, 2032, a person commits aggravated assault if the person commits assault by either intentionally, knowingly or recklessly causing any physical injury to another person, intentionally placing another person in reasonable apprehension of imminent physical injury or knowingly touching another person with the intent to injure the person, and both of the following occur:

1. The person intentionally or knowingly impedes the normal breathing or circulation of blood of another person by applying pressure to the throat or neck or by obstructing the nose and mouth either manually or through the use of an instrument.

2. Any of the circumstances exists that are set forth in section 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

C. A person who is convicted of intentionally or knowingly committing aggravated assault on a peace officer pursuant to subsection A, paragraph 1 or 2 of this section shall be sentenced to imprisonment for not less than the presumptive sentence authorized under chapter 7 of this title and is not eligible for suspension of sentence, commutation or release on any basis until the sentence imposed is served.

D. If a person is convicted of committing aggravated assault on a peace officer pursuant to this section and the trier of fact determines that section 13-701, subsection D, paragraph 17 applies, the person shall be sentenced to two years more than would otherwise be imposed for the

1 offense. The additional sentence imposed under this subsection is in
2 addition to any enhanced punishment that may be applicable under this
3 section or chapter 7 of this title. The person is not eligible for
4 suspension of sentence, commutation or release from confinement on any
5 basis, except as specifically authorized by section 31-233, subsection A
6 or B until the sentence imposed is served, the person is eligible for
7 release pursuant to section 41-1604.07 or the sentence is commuted.

8 E. It is not a defense to a prosecution for assaulting a peace
9 officer or a mitigating circumstance that the peace officer was not on
10 duty or engaged in the execution of any official duties.

11 F. Except pursuant to subsections G, H and I of this section,
12 aggravated assault pursuant to subsection A, paragraph 1 or 2, paragraph
13 9, subdivision (a) or paragraph 11 of this section is a class 3 felony
14 except if the aggravated assault is a violation of subsection A, paragraph
15 1 or 2 of this section and the victim is under fifteen years of age it is
16 a class 2 felony punishable pursuant to section 13-705. Aggravated
17 assault pursuant to subsection A, paragraph 3 or 12 or subsection B of
18 this section is a class 4 felony. Aggravated assault pursuant to
19 subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section
20 is a class 5 felony. Aggravated assault pursuant to subsection A,
21 paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section
22 is a class 6 felony.

23 G. Aggravated assault pursuant to subsection A, paragraph 1 or 2 of
24 this section committed on a peace officer is a class 2 felony. Aggravated
25 assault pursuant to subsection A, paragraph 3 of this section committed on
26 a peace officer is a class 3 felony. Aggravated assault pursuant to
27 subsection A, paragraph 8, subdivision (a) of this section committed on a
28 peace officer is a class 5 felony unless the assault results in any
29 physical injury to the peace officer, in which case it is a class 4
30 felony.

31 H. Aggravated assault pursuant to subsection A, paragraph 1 or 2 of
32 this section committed on an employee of a law enforcement agency is a
33 class 2 felony. Aggravated assault pursuant to subsection A, paragraph 3
34 of this section committed on an employee of a law enforcement agency is a
35 class 3 felony. Aggravated assault pursuant to subsection A, paragraph 8,
36 subdivision (j) of this section committed on an employee of a law
37 enforcement agency is a class 5 felony unless the assault results in any
38 physical injury to the employee, in which case it is a class 4 felony.

39 I. Aggravated assault pursuant to:

40 1. Subsection A, paragraph 1 or 2 of this section is a class 2
41 felony if committed on a prosecutor.

42 2. Subsection A, paragraph 3 of this section is a class 3 felony if
43 committed on a prosecutor.

44 3. Subsection A, paragraph 8, subdivision (f) of this section is a
45 class 5 felony if the assault results in physical injury to a prosecutor.

1 J. For the purposes of this section:

2 1. "Cognitive disability" has the same meaning prescribed in
3 section 36-551.

4 2. "Developmental disability" has the same meaning prescribed in
5 section 36-551.

6 3. "Health care worker" means:

7 (a) A person who is employed by or contracted to work at a health
8 care institution that is licensed pursuant to title 36.

9 (b) A person who is employed or contracted to provide health care
10 or related services in a fieldwork setting, including:

11 (i) Home health care, home-based hospice and home-based social
12 work, unless the worker is employed or contracted by an individual who
13 privately employs, in the individual's residence, the worker to perform
14 covered services for the individual or a family member of the individual.

15 (ii) Any emergency services and transport, including the services
16 provided by firefighters and emergency responders.

17 4. "Judicial officer" means a justice of the supreme court, judge,
18 justice of the peace or magistrate or a commissioner or hearing officer of
19 a state, county or municipal court.

20 5. "Mental disability" means a disabling neurological condition, or
21 brain injury, or involuntary impairment as a result of a medication that
22 is administered by a health care provider or a medical procedure that is
23 performed at a health care treatment site.

24 6. "Prosecutor" means a county attorney, a municipal prosecutor or
25 the attorney general and includes an assistant or deputy county attorney,
26 municipal prosecutor or attorney general.