

REFERENCE TITLE: definition; defenses; sexual offenses

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

SB 1676

Introduced by
Senator Payne

AN ACT

PROVIDING FOR THE RETROACTIVITY OF LAWS RELATING TO SEXUAL OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Retroactivity

3 Sections 13-1401, 13-1407 and 13-3560, Arizona Revised Statutes, as
4 amended by Laws 2018, chapter 266, apply retroactively to from and after
5 December 31, 2004.

6 Sec. 2. Legislative intent

7 The legislature finds and declares that the purpose of this act is
8 to make the following provisions of sections 13-1401 and 13-1407, Arizona
9 Revised Statutes, as amended by Laws 2018, chapter 266, apply
10 retroactively to a subset of applicable cases dating from the effective
11 date of Laws 1990, chapter 384, section 3:

12 1. Removing the affirmative defense to sexual abuse and molestation
13 of a child that the defendant was not motivated by a sexual interest.

14 2. Excluding from the definition of sexual contact direct or
15 indirect touching or manipulation during caretaking responsibilities or
16 interactions with a minor or vulnerable adult that an objective,
17 reasonable person would recognize as normal and reasonable under the
18 circumstances.