

REFERENCE TITLE: juvenile sentenced as adult; sentencing

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

SB 1778

Introduced by
Senator Gonzales

AN ACT

AMENDING SECTION 13-501, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL RESPONSIBILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-501, Arizona Revised Statutes, is amended to
3 read:

4 13-501. Persons under eighteen years of age; felony charging;
5 definitions

6 A. The county attorney shall bring a criminal prosecution against a
7 juvenile in the same manner as an adult if the juvenile is fifteen,
8 sixteen or seventeen years of age at the time the alleged offense is
9 committed and the juvenile is accused of any of the following offenses:

- 10 1. First degree murder in violation of section 13-1105.
- 11 2. Second degree murder in violation of section 13-1104.
- 12 3. Forcible sexual assault in violation of section 13-1406.
- 13 4. Armed robbery in violation of section 13-1904.
- 14 5. Any other violent felony offense.
- 15 6. Any felony offense committed by a chronic felony offender.
- 16 7. Any offense that is properly joined to an offense listed in this

17 subsection.

18 B. Except as provided in subsection A of this section, the county
19 attorney may bring a criminal prosecution against a juvenile in the same
20 manner as an adult if the juvenile is at least fourteen years of age at
21 the time the alleged offense is committed and the juvenile is accused of
22 any of the following offenses:

- 23 1. A class 1 felony.
- 24 2. A class 2 felony.
- 25 3. A class 3 felony in violation of any offense in chapters 10
26 through 17 or chapter 19 or 23 of this title.
- 27 4. A class 3, 4, 5 or 6 felony involving a dangerous offense.
- 28 5. Any felony offense committed by a chronic felony offender.
- 29 6. Any offense that is properly joined to an offense listed in this

30 subsection.

31 C. A criminal prosecution shall be brought against a juvenile in
32 the same manner as an adult if the juvenile has been accused of a criminal
33 offense and has a historical prior felony conviction.

34 D. At the time the county attorney files a complaint or indictment
35 the county attorney shall file a notice stating that the juvenile is a
36 chronic felony offender. Subject to subsection E of this section, the
37 notice shall establish and confer jurisdiction over the juvenile as a
38 chronic felony offender.

39 E. On motion of the juvenile the court shall hold a hearing after
40 arraignment and before trial to determine if a juvenile is a chronic
41 felony offender. At the hearing the state shall prove by a preponderance
42 of the evidence that the juvenile is a chronic felony offender. If the
43 court does not find that the juvenile is a chronic felony offender, the
44 court shall transfer the juvenile to the juvenile court pursuant to
45 section 8-302. If the court finds that the juvenile is a chronic felony

1 offender or if the juvenile does not file a motion to determine if the
2 juvenile is a chronic felony offender, the criminal prosecution shall
3 continue.

4 F. Except as provided in section 13-921, a person who is charged
5 pursuant to this section shall be sentenced in the criminal court in the
6 same manner as an adult for any offense for which the person is convicted.

7 G. Unless otherwise provided by law, ~~nothing in~~ this section ~~shall~~
8 ~~be construed as to~~ DOES NOT confer jurisdiction in the juvenile court over
9 any person who is eighteen years of age or older.

10 H. NOTWITHSTANDING ANY OTHER LAW, WHEN SENTENCING A JUVENILE WHO
11 HAS BEEN CONVICTED AS AN ADULT, THE COURT:

12 1. MAY IMPOSE A SENTENCE THAT IS LESS THAN THE MINIMUM TERM
13 REQUIRED UNDER LAW.

14 2. MAY NOT IMPOSE ANY OF THE FOLLOWING SENTENCES:

15 (a) DEATH.

16 (b) NATURAL LIFE.

17 (c) DE FACTO LIFE.

18 (d) LIFE WITHOUT THE POSSIBILITY OF PAROLE OR RELEASE.

19 ~~H.~~ I. For the purposes of this section:

20 1. "Accused" means a juvenile against whom a complaint, information
21 or indictment is filed.

22 2. "Chronic felony offender" means a juvenile who has had two prior
23 and separate adjudications and dispositions for conduct that would
24 constitute a historical prior felony conviction if the juvenile had been
25 tried as an adult.

26 3. "DE FACTO LIFE" MEANS A SENTENCE OR CONSECUTIVE SENTENCES THAT
27 TOTAL TWENTY-FIVE YEARS OR MORE.

28 ~~3.~~ 4. "Forcible sexual assault" means sexual assault pursuant to
29 section 13-1406 that is committed without consent as defined in section
30 13-1401, SUBSECTION A, paragraph 7, subdivision (a).

31 ~~4.~~ 5. "Other violent felony offense" means:

32 (a) Aggravated assault pursuant to section 13-1204, subsection A,
33 paragraph 1.

34 (b) Aggravated assault pursuant to section 13-1204, subsection A,
35 paragraph 2 involving the use of a deadly weapon.

36 (c) Drive by shooting pursuant to section 13-1209.

37 (d) Discharging a firearm at a structure pursuant to section
38 13-1211.