

House Engrossed Senate Bill

~~human smuggling; electronic applications~~
(now: electronic applications; human smuggling)

State of Arizona
Senate
Fifty-sixth Legislature
First Regular Session
2023

SENATE BILL 1408

AN ACT

AMENDING TITLE 13, CHAPTER 23, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2324; RELATING TO SMUGGLING.

(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 23, Arizona Revised Statutes, is
3 amended by adding section 13-2324, to read:

4 13-2324. Unlawful use of an electronic device to smuggle;
5 classification; definition

6 A. IT IS UNLAWFUL FOR A PERSON TO USE A TELEPHONE OR COMPUTER
7 APPLICATION OR PROGRAM TO KNOWINGLY ASSIST IN THE SMUGGLING OF HUMAN
8 BEINGS.

9 B. CHAPTER 10 OF THIS TITLE DOES NOT APPLY TO A VIOLATION OF THIS
10 SECTION.

11 C. A VIOLATION OF THIS SECTION IS A CLASS 2 FELONY AND THE PERSON
12 IS NOT ELIGIBLE FOR SUSPENSION OF SENTENCE, PROBATION, PARDON OR RELEASE
13 FROM CONFINEMENT ON ANY OTHER BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED
14 PURSUANT TO SECTION 31-233, SUBSECTION A OR B UNTIL THE SENTENCE IMPOSED
15 BY THE COURT IS SERVED, THE PERSON IS ELIGIBLE FOR RELEASE PURSUANT TO
16 SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

17 D. FOR THE PURPOSES OF THIS SECTION, "SMUGGLING OF HUMAN BEINGS"
18 MEANS THE TRANSPORTATION, PROCUREMENT OF TRANSPORTATION OR USE OF PROPERTY
19 OR REAL PROPERTY BY A PERSON OR AN ENTITY WITH THE INTENT TO DO EITHER OF
20 THE FOLLOWING:

21 1. CONCEAL THE PERSON FROM A PEACE OFFICER.

22 2. ASSIST THE PERSON WITH FLEEING FROM A PEACE OFFICER WHO IS
23 ATTEMPTING TO LAWFULLY ARREST OR DETAIN THE PERSON.