

COMMITTEE ON MILITARY AFFAIRS, PUBLIC SAFETY AND BORDER SECURITY

SENATE AMENDMENTS TO S.B. 1047

(Reference to printed bill)

1 Strike everything after the enacting clause and insert:

2 "Section 1. Section 13-1502, Arizona Revised Statutes, is amended to  
3 read:

4 13-1502. Criminal trespass in the third degree; classification

5 A. A person commits criminal trespass in the third degree by:

6 1. Knowingly entering or remaining unlawfully on any real property  
7 after a reasonable request to leave by a law enforcement officer, the owner  
8 or any other person having lawful control over such property, or reasonable  
9 notice prohibiting entry.

10 2. Knowingly entering or remaining unlawfully on the right-of-way  
11 for tracks, or the storage or switching yards or rolling stock of a  
12 railroad company.

13 3. WITHOUT LAWFUL AUTHORITY, KNOWINGLY ENTERING OR REMAINING IN ANY  
14 OF THE FOLLOWING LOCATIONS:

15 (a) IN AN AREA THAT LAW ENFORCEMENT DESIGNATES AS "NO TRESPASSING"  
16 BY PLACING POLICE TAPE, A BARRIER OR A BARRICADE.

17 (b) AT THE SITE OF A NATURAL DISASTER, A TRAFFIC ACCIDENT OR ANOTHER  
18 TYPE OF ACCIDENT, A CIVIL DISTURBANCE OR AN ACTIVE POLICE INVESTIGATION OR  
19 AT A SITE WHERE THERE IS ACTIVE POLICE INTERVENTION INTO CRIMINAL ACTIVITY.

20 B. Pursuant to subsection A, paragraph 1 of this section, a request  
21 to leave by a law enforcement officer acting at the request of the owner of  
22 the property or any other person having lawful control over the property  
23 has the same legal effect as a request made by the property owner or other  
24 person having lawful control of the property.

25 C. Criminal trespass in the third degree is a class 3 misdemeanor.

1           Sec. 2. Section 13-2403, Arizona Revised Statutes, is amended to  
2 read:

3           13-2403. Refusing to aid a peace officer; classification

4           A. A person commits refusing to aid a peace officer if, ~~upon~~ ON a  
5 reasonable command by a person reasonably known to be a peace officer, ~~such~~  
6 THE person knowingly refuses or fails to aid ~~such~~ THE peace officer ~~in~~ WITH  
7 ANY OF THE FOLLOWING:

8           1. Effectuating or securing an arrest. ~~; or~~

9           2. Preventing the commission by another of any offense.

10           3. REMAINING AT A REASONABLE DISTANCE, AS DETERMINED BY THE PEACE  
11 OFFICER, FROM THE LOCATION WHERE THE PEACE OFFICER IS ACTIVELY INTERVENING  
12 IN A DANGEROUS OR POTENTIALLY VIOLENT CRIMINAL OCCURRENCE WITH ANOTHER  
13 PERSON WHO IS THREATENING OR AGITATED OR WHO APPEARS TO BE EMOTIONALLY  
14 UNSTABLE.

15           B. A person who complies with this section by aiding a peace officer  
16 shall not be held liable to any person for damages resulting therefrom,  
17 ~~provided such~~ IF THE person acted reasonably under the circumstances known  
18 to ~~him~~ THE PERSON at the time.

19           C. Refusing to aid a peace officer is a class 1 misdemeanor."

20 Amend title to conform

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02/06/2023  
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