

REFERENCE TITLE: justification; criminal offenses.

State of Arizona  
House of Representatives  
Fifty-sixth Legislature  
First Regular Session  
2023

## **HB 2088**

Introduced by  
Representative Payne

AN ACT

AMENDING SECTION 13-401, ARIZONA REVISED STATUTES; RELATING TO  
JUSTIFICATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-401, Arizona Revised Statutes, is amended to  
3 read:

4 13-401. Unavailability of justification defense;  
5 justification as defense

6 A. Even though a person is justified under this chapter in  
7 threatening or using physical force or deadly physical force against  
8 another, if in doing so such person recklessly injures or kills an  
9 innocent third person, the justification afforded by this chapter is  
10 unavailable in a prosecution for the reckless injury or killing of the  
11 innocent third person.

12 B. Except as provided in subsection A **OF THIS SECTION**,  
13 justification, as ~~defined~~ **PRESCRIBED** in this chapter, is a defense in any  
14 prosecution for ~~an~~ **A CRIMINAL** offense ~~pursuant to this title~~.