

PROPOSED

HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1408

(Reference to Senate engrossed bill)

1 Strike everything after the enacting clause and insert:

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

- 1 2. ASSIST THE PERSON WITH FLEEING FROM A PEACE OFFICER WHO IS
- 2 ATTEMPTING TO LAWFULLY ARREST OR DETAIN THE PERSON."
- 3 Amend title to conform

CORY MCGARR

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