

House Engrossed

school safety zone; offenses; sentencing

State of Arizona
House of Representatives
Fifty-sixth Legislature
Second Regular Session
2024

HOUSE BILL 2064

AN ACT

AMENDING SECTION 13-709, ARIZONA REVISED STATUTES; RELATING TO SENTENCING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-709, Arizona Revised Statutes, is amended to
3 read:

4 13-709. Offenses committed in school safety zone; sentences;
5 definitions

6 A. Except as otherwise prescribed in section 13-3411, a person who
7 is convicted of a felony offense that is committed in a school safety zone
8 is guilty of the same class of felony that the person would otherwise be
9 guilty of if the violation had not occurred within a school safety zone,
10 except that the court may impose a sentence that is one year longer than
11 the minimum, maximum and presumptive sentence for that violation if the
12 person is not a criminal street gang member or up to five years longer
13 than the minimum, maximum and presumptive sentence for that violation if
14 THE PERSON IS IN A POSITION OF TRUST AS DEFINED IN SECTION 13-1401 AND IS
15 CONVICTED OF AN OFFENSE LISTED IN SECTION 13-3212 OR CHAPTER 14 OR 35.1 OF
16 THIS TITLE OR the person is a criminal street gang member. The additional
17 sentence imposed under this subsection is in addition to any other
18 enhanced punishment that may be applicable under section 13-703, section
19 13-704, section 13-706, section 13-708, subsection D or chapter 34 of this
20 title.

21 B. In addition to any other penalty prescribed by this title, the
22 court may order a person who is subject to subsection A of this section to
23 pay a fine of ~~not less than two thousand dollars~~ AT LEAST \$2,000 and not
24 more than the maximum authorized by chapter 8 of this title.

25 C. Each school district governing board or its designee, or chief
26 administrative officer in the case of a nonpublic or charter school, may
27 place and maintain permanently affixed signs that are located in a visible
28 manner at the main entrance of each school and that identify the school
29 and its accompanying grounds as a school safety zone. A school may
30 include information regarding the school safety zone boundaries on a sign
31 that identifies the area as a drug free zone and not post separate school
32 safety zone signs.

33 D. For the purposes of this section:

34 1. "School" means any public or nonpublic kindergarten program,
35 common school or high school.

36 2. "School safety zone" means any of the following:

37 (a) The area within three hundred feet of a school or its
38 accompanying grounds.

39 (b) Any public property within one thousand feet of a school or its
40 accompanying grounds.

41 (c) Any school bus.

1 (d) A bus contracted to transport pupils to any school during the
2 time when the contracted vehicle is transporting pupils on behalf of the
3 school.

4 (e) A school bus stop.

5 (f) Any bus stop where school children are awaiting, boarding or
6 exiting a bus contracted to transport pupils to any school.