

REFERENCE TITLE: **violent crime allegations; conviction withheld**

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

HB 2830

Introduced by
Representative Payne

AN ACT

**AMENDING SECTION 13-901.03, ARIZONA REVISED STATUTES; RELATING TO
RESTORATION OF CIVIL RIGHTS.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-901.03, Arizona Revised Statutes, is amended
3 to read:

4 13-901.03. Violent crimes; allegation; definition

5 A. The allegation that the defendant committed a violent crime
6 shall be charged in the indictment or information and admitted or found by
7 the court. The court shall allow the allegation that the defendant
8 committed a violent crime at any time before the date the case is actually
9 tried unless the allegation is filed fewer than twenty days before the
10 case is actually tried and the court finds on the record that the
11 defendant was in fact prejudiced by the untimely filing and states the
12 reasons for these findings.

13 B. THE COURT SHALL ALLOW THE ALLEGATION THAT THE DEFENDANT
14 COMMITTED A VIOLENT CRIME REGARDLESS OF WHETHER THE DEFENDANT IS
15 PARTICIPATING OR HAS PARTICIPATED IN ANY FIRST OFFENDER OR DEFERRED
16 ADJUDICATION PROGRAM OR ANY OTHER SIMILAR PROGRAM WHERE JUDGMENT OF
17 CONVICTION IS WITHHELD.

18 ~~B.~~ C. For the purpose of this section, "violent crime" includes
19 any criminal act that results in death or physical injury or any criminal
20 use of a deadly weapon or dangerous instrument.