

REFERENCE TITLE: offenses; lifetime injunction

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

SB 1436

Introduced by
Senator Bolick

AN ACT

AMENDING SECTION 13-719, 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 13-719, Arizona Revised Statutes, is amended to
3 read:

4 13-719. Lifetime injunction; offenses; registration;
5 previously sentenced defendants

6 A. At the time of sentencing, on the request of the victim or the
7 prosecutor, the court shall issue an injunction that prohibits the
8 defendant from contacting the victim if the defendant is convicted of any
9 of the following offenses, whether completed or preparatory:

10 1. A dangerous offense as defined in section 13-105 that is a
11 felony.

12 2. A serious offense or violent or aggravated felony as defined in
13 section 13-706.

14 3. A felony offense included in chapter 14 or 35.1 of this title.

15 4. AN OFFENSE AS SET FORTH IN SECTION 13-1204, SUBSECTION B.

16 5. AN OFFENSE AS SET FORTH IN SECTION 13-1424.

17 6. AN OFFENSE AS SET FORTH IN SECTION 13-2923.

18 B. An injunction issued pursuant to subsection A of this section is
19 effective immediately and shall be served on the defendant at the time of
20 sentencing.

21 C. The court shall provide information to the department of public
22 safety to register the injunction with the national crime information
23 center and shall notify the victim of the injunction.

24 D. If the victim did not request an injunction at the time of
25 sentencing pursuant to subsection A of this section or the sentencing
26 occurred before September 24, 2022, the victim may submit a petition to
27 the court requesting an injunction against a defendant who was sentenced
28 for an offense listed in subsection A of this section, and the court may
29 not charge a fee for filing the petition. A law enforcement agency shall
30 serve an injunction issued pursuant to this subsection at no charge to the
31 victim.

32 E. An injunction that is issued pursuant to this section does not
33 expire and is valid for the defendant's natural lifetime unless any of the
34 following occurs:

35 1. The defendant makes a showing to the court that either:

36 (a) The victim has died.

37 (b) The conviction has been dismissed, expunged or overturned or
38 the defendant has been pardoned.

39 2. The victim submits a written request to the court for an early
40 expiration. The court may hold a hearing to verify the victim's request
41 to dismiss the injunction.

42 F. Notwithstanding any other law, a conviction that is set aside
43 pursuant to section 13-905 or sealed pursuant to section 13-911 does not
44 affect the validity of a lifetime injunction that is issued pursuant to
45 this section and does not prohibit a victim from submitting a petition to
46 the court requesting a lifetime injunction.