

REFERENCE TITLE: aggressive solicitation; sign requirement

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

SB 1612

Introduced by
Senator Wadsack: Representative Hernandez C

AN ACT

AMENDING SECTION 13-2914, ARIZONA REVISED STATUTES; RELATING TO OFFENSES
AGAINST PUBLIC ORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2914, Arizona Revised Statutes, is amended to
3 read:

4 13-2914. Aggressive solicitation; classification; sign
5 requirement; definitions

6 A. It is unlawful for a person to solicit any money or other thing
7 of value or solicit the sale of goods or services:

8 1. Within fifteen feet of any bank entrance or exit or any
9 automated teller machine if the person does not have permission to be
10 there from the bank or the owner of the property on which the automated
11 teller machine is located.

12 2. In a public area by:

13 (a) Intentionally, knowingly or recklessly making any physical
14 contact with or touching another person in the course of the solicitation
15 without the person's consent.

16 (b) Approaching or following the person being solicited in a manner
17 that is intended or is likely to cause a reasonable person to fear
18 imminent bodily harm to oneself or another or damage to or loss of
19 property or that is reasonably likely to intimidate the person being
20 solicited into responding affirmatively to the solicitation.

21 (c) Continuing to solicit the person after the person being
22 solicited has clearly communicated a request that the solicitation stop.

23 (d) Intentionally, knowingly or recklessly obstructing the safe or
24 free passage of the person being solicited or requiring the person to take
25 evasive action to avoid physical contact with the person making the
26 solicitation. This subdivision does not apply to acts that are authorized
27 as an exercise of one's constitutional right to picket or protest.

28 (e) Intentionally, knowingly or recklessly using obscene or abusive
29 language or gestures that are intended or likely to cause a reasonable
30 person to fear imminent bodily harm or that are reasonably likely to
31 intimidate the person being solicited into responding affirmatively to the
32 solicitation.

33 B. THIS STATE AND EACH POLITICAL SUBDIVISION IN THIS STATE SHALL
34 DETERMINE THE LOCATIONS IN WHICH FREQUENT VIOLATIONS OF THIS SECTION OCCUR
35 AND SHALL POST IN THOSE LOCATIONS A SIGN THAT PROVIDES A NOTICE OF THE
36 PENALTIES FOR A VIOLATION OF THIS SECTION.

37 ~~B.~~ C. A violation of this section is a petty offense.

38 ~~C.~~ D. For the purposes of this section:

39 1. "Automated teller machine" has the same meaning prescribed in
40 section 6-101.

41 2. "Bank" means a bank, credit union or other similar financial
42 institution.

1 3. "Public area" means an area that the public or a substantial
2 group of persons has access to and includes alleys, bridges, buildings,
3 driveways, parking lots, parks, playgrounds, plazas, sidewalks and streets
4 open to the general public, and the doorways and entrances to buildings
5 and dwellings and the grounds enclosing them.
6 4. "Solicit" means using any means of communication, including by
7 spoken, written or printed word, to request an immediate donation or
8 exchange of money or other thing of value from another person regardless
9 of the solicitor's purpose or intended use of the money or other thing of
10 value.