

REFERENCE TITLE: harassment; intent; defense

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HB 2043

Introduced by
Representative Kolodin

AN ACT

AMENDING SECTION 13-2921, 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 13-2921, Arizona Revised Statutes, is amended to
3 read:
4 13-2921. Harassment; classification; definition
5 A. A person commits harassment if the person knowingly and
6 repeatedly commits an act or acts that harass another person or the person
7 knowingly commits any one of the following acts ~~in a manner that harasses~~
8 **WITH THE INTENT TO HARASS ANOTHER PERSON:**
9 1. Contacts or causes a communication with another person by
10 verbal, electronic, mechanical, telegraphic, telephonic or written means.
11 2. Continues to follow another person in or about a public place
12 after being asked by that person to desist.
13 3. Surveils or causes a person to surveil another person.
14 4. Makes a false report to a law enforcement, credit or social
15 service agency against another person.
16 5. Interferes with the delivery of any public or regulated utility
17 to another person.
18 B. A person commits harassment against a public officer or employee
19 if the person, with intent to harass, files a nonconsensual lien against
20 any public officer or employee that is not accompanied by an order or a
21 judgment from a court of competent jurisdiction authorizing the filing of
22 the lien or is not issued by a governmental entity or political
23 subdivision or agency pursuant to its statutory authority, a validly
24 licensed utility or water delivery company, a mechanics' lien claimant or
25 an entity created under covenants, conditions, restrictions or
26 declarations affecting real property.
27 **C. IT IS A DEFENSE TO A PROSECUTION UNDER SUBSECTION A, PARAGRAPHS**
28 **1 AND 2 OF THIS SECTION THAT THE PERSON AT WHOM THE CONDUCT WAS DIRECTED**
29 **WAS A PUBLIC OFFICER OR EMPLOYEE AND THE ACTS COMPLAINED OF CONSTITUTED**
30 **CRITICISM OF THE PUBLIC OFFICER OR EMPLOYEE.**
31 D. This section does not apply to any of the following:
32 1. A lawful demonstration, assembly or picketing.
33 2. A ~~professional~~ **PRIVATE** investigator or peace officer who is
34 ~~licensed~~ **REGULATED** by this state and who is acting within the scope of the
35 investigator's or officer's duties in connection with any criminal or
36 civil investigation.
37 3. A certified and duly authorized process server who is acting
38 within the scope of the process server's duties in connection with any
39 judicial or administrative action or proceeding.
40 ~~E.~~ **E.** Harassment under subsection A **OF THIS SECTION** is a class 1
41 misdemeanor. Harassment under subsection B **OF THIS SECTION** is a class 5
42 felony.

1 ~~E.~~ F. For the purposes of this section, "harass" means conduct
2 that is directed at a specific person and that would cause a reasonable
3 person to be seriously alarmed, annoyed, humiliated or mentally distressed
4 and the conduct in fact seriously alarms, annoys, humiliates or mentally
5 distresses the person.