

REFERENCE TITLE: **religious leader; personal information; confidentiality**

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

HB 2123

Introduced by
Representatives Willoughby: Biasiucci, Carbone, Montenegro

AN ACT

AMENDING SECTIONS 11-483, 11-484, 13-2401, 16-153, 28-454, 39-123 AND 39-124, ARIZONA REVISED STATUTES; RELATING TO RECORDS CONFIDENTIALITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 11-483, Arizona Revised Statutes, is amended to
3 read:

4 11-483. Records maintained by county recorder;
5 confidentiality; definitions

6 A. Notwithstanding any other provision of this article, in any
7 county an eligible person may request that the general public be
8 prohibited from accessing the unique identifier and the recording date
9 contained in indexes of recorded instruments maintained by the county
10 recorder and may request the county recorder to prohibit access to that
11 person's identifying information, including any of the following:

12 1. That person's documents, instruments or writings recorded by the
13 county recorder.

14 2. If the person is a public official, the address of a property
15 held in trust by the public official.

16 B. An eligible person may request this action by filing an
17 affidavit that states all of the following on an application form
18 developed by the administrative office of the courts in agreement with an
19 association of counties, an organization of peace officers and the motor
20 vehicle division of the department of transportation:

21 1. The person's full legal name and residential address.

22 2. The full legal description and parcel number of the person's
23 property.

24 3. Unless the person is the spouse of a peace officer or the spouse
25 or minor child of a deceased peace officer or the person is a former
26 public official or former judge, the position the person currently holds
27 and a description of the person's duties, except that an eligible person
28 who is protected under an order of protection or injunction against
29 harassment shall instead attach a copy of the order of protection or
30 injunction against harassment or an eligible person who is a participant
31 in the address confidentiality program shall instead attach a copy of the
32 participant's current and valid address confidentiality program
33 authorization card issued pursuant to section 41-163 and a statement of
34 certification provided by the secretary of state's office.

35 4. The reasons the person reasonably believes that the person's
36 life or safety or that of another person is in danger and that restricting
37 access pursuant to this section will serve to reduce the danger.

38 5. The document locator number and recording date of each
39 instrument for which the person requests access restriction pursuant to
40 this section.

41 6. A copy of pages from each instrument that includes the document
42 locator number and the person's identifying information, including the
43 person's full legal name and residential address or full legal name and
44 telephone number.

1 C. If an eligible person is also requesting pursuant to section
2 11-484 that the general public be prohibited from accessing records
3 maintained by the county assessor and county treasurer, the eligible
4 person may combine the request pursuant to subsection B of this section
5 with the request pursuant to section 11-484 by filing one affidavit. The
6 affidavit and subsequent action by the appropriate authorities shall meet
7 all of the requirements of this section and section 11-484.

8 D. The affidavit shall be filed with the presiding judge of the
9 superior court in the county in which the affiant resides. To prevent
10 multiple filings, an eligible person who is a peace officer, spouse of a
11 peace officer, spouse or minor child of a deceased peace officer, public
12 defender, prosecutor, code enforcement officer, corrections or detention
13 officer, corrections support staff member or law enforcement support staff
14 member shall deliver the affidavit to the peace officer's commanding
15 officer, or to the head of the prosecuting, public defender, code
16 enforcement, law enforcement, corrections or detention agency, as
17 applicable, or that person's designee, who shall file the affidavits at
18 one time. In the absence of an affidavit that contains a request for
19 immediate action and that is supported by facts justifying an earlier
20 presentation, the commanding officer, or the head of the prosecuting,
21 public defender, code enforcement, law enforcement, corrections or
22 detention agency, as applicable, or that person's designee, shall not file
23 affidavits more often than quarterly.

24 E. On receipt of an affidavit or affidavits, the presiding judge of
25 the superior court shall file with the clerk of the superior court a
26 petition on behalf of all requesting affiants. Each affidavit presented
27 shall be attached to the petition. In the absence of an affidavit that
28 contains a request for immediate action and that is supported by facts
29 justifying an earlier consideration, the presiding judge may accumulate
30 affidavits and file a petition at the end of each quarter.

31 F. The presiding judge of the superior court shall review the
32 petition and each attached affidavit to determine whether the action
33 requested by each affiant should be granted. If the presiding judge of
34 the superior court concludes that the action requested by the affiant will
35 reduce a danger to the life or safety of the affiant or another person,
36 the presiding judge of the superior court shall order that the county
37 recorder prohibit access for five years to the affiant's identifying
38 information, including any of that person's documents, instruments or
39 writings recorded by the county recorder and made available on the
40 internet. If the presiding judge of the superior court concludes that the
41 affiant or another person is in actual danger of physical harm from a
42 person or persons with whom the affiant has had official dealings and that
43 action pursuant to this section will reduce a danger to the life or safety
44 of the affiant or another person, the presiding judge of the superior

1 court shall order that the general public be prohibited for five years
2 from accessing the unique identifier and the recording date contained in
3 indexes of recorded instruments maintained by the county recorder and
4 identified pursuant to subsection B of this section.

5 G. On motion to the court, if the presiding judge of the superior
6 court concludes that an instrument or writing recorded by the county
7 recorder has been redacted or sealed in error, that the original affiant
8 no longer lives at the address listed in the original affidavit, that the
9 cause for the original affidavit no longer exists or that temporary access
10 to the instrument or writing is needed, the presiding judge may
11 temporarily stay or permanently vacate all or part of the court order
12 prohibiting public access to the recorded instrument or writing.

13 H. On entry of the court order, the clerk of the superior court
14 shall file the court order and a copy of the affidavit required by
15 subsection B of this section with the county recorder. Not more than ten
16 days after the date on which the county recorder receives the court order,
17 the county recorder shall restrict access to the information as required
18 by subsection F of this section.

19 I. If the court denies an affiant's request pursuant to this
20 section, the affiant may request a court hearing. The hearing shall be
21 conducted by the court in the county where the petition was filed.

22 J. The county recorder shall remove the restrictions on all records
23 restricted pursuant to this section by January 5 in the year after the
24 court order expires. The county recorder shall send by mail one notice to
25 either the RELIGIOUS LEADER, health professional, election officer, public
26 official, former public official, peace officer, spouse of a peace
27 officer, spouse or minor child of a deceased peace officer, public
28 defender, prosecutor, code enforcement officer, corrections or detention
29 officer, corrections support staff member, law enforcement support staff
30 member, employee of the department of child safety or employee of adult
31 protective services who has direct contact with families in the course of
32 employment or the employing agency of the peace officer, public defender,
33 prosecutor, code enforcement officer, corrections or detention officer,
34 corrections support staff member, law enforcement support staff member or
35 employee of adult protective services who was granted an order pursuant to
36 this section of the order's expiration date at least six months before the
37 expiration date. If the notice is sent to the employing agency, the
38 employing agency shall immediately notify the person who was granted the
39 order of the upcoming expiration date. The county recorder may coordinate
40 with the county assessor and county treasurer to prevent multiple notices
41 from being sent to the same person.

42 K. To include subsequent recordings in the court order, the
43 eligible person shall present to the county recorder at the time of
44 recordation a certified copy of the court order or shall provide to the

1 county recorder the recording number of the court order. The county
2 recorder shall ensure that public access is restricted pursuant to
3 subsection A of this section.

4 L. This section does not restrict access to public records for the
5 purposes of perfecting a lien pursuant to title 12, chapter 9, article 2.

6 M. This section does not prohibit access to the records of the
7 county recorder by parties to the instrument, a law enforcement officer
8 performing the officer's official duties pursuant to subsection N of this
9 section, a title insurer, a title insurance agent or an escrow agent
10 licensed by the department of insurance and financial institutions.

11 N. A law enforcement officer is deemed to be performing the
12 officer's official duties if the officer provides a subpoena, court order
13 or search warrant for the records.

14 O. For the purposes of this section:

15 1. "Code enforcement officer" means a person who is employed by a
16 state or local government and whose duties include performing field
17 inspections of buildings, structures or property to ensure compliance with
18 and enforce national, state and local laws, ordinances and codes.

19 2. "Commissioner" means a commissioner of the superior court or
20 municipal court.

21 3. "Corrections support staff member" means an adult or juvenile
22 corrections employee who has direct contact with inmates.

23 4. "Election officer" means a state, county or municipal employee
24 who holds an election officer's certificate issued pursuant to section
25 16-407.

26 5. "Eligible person" means a RELIGIOUS LEADER, health professional,
27 election officer, public official, former public official, peace officer,
28 spouse of a peace officer, spouse or minor child of a deceased peace
29 officer, justice, judge, commissioner, hearing officer, public defender,
30 prosecutor, code enforcement officer, adult or juvenile corrections
31 officer, corrections support staff member, probation officer, member of
32 the commission on appellate court appointments, member of the board of
33 executive clemency, law enforcement support staff member, employee of the
34 department of child safety or employee of adult protective services who
35 has direct contact with families in the course of employment, national
36 guard member who is acting in support of a law enforcement agency, person
37 who is protected under an order of protection or injunction against
38 harassment, person who is a participant in the address confidentiality
39 program pursuant to title 41, chapter 1, article 3 or firefighter who is
40 assigned to the Arizona counter terrorism information center in the
41 department of public safety.

42 6. "Former public official" means a person who was duly elected or
43 appointed to Congress, the legislature or a statewide office, who ceased

1 serving in that capacity and who was the victim of a dangerous offense as
2 defined in section 13-105 while in office.

3 7. "Health professional" means an individual who is licensed
4 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

5 8. "Hearing officer" means a hearing officer who is appointed
6 pursuant to section 28-1553.

7 9. "Indexes" means only those indexes that are maintained by and
8 located in the office of the county recorder, that are accessed
9 electronically and that contain information beginning from and after
10 January 1, 1987.

11 10. "Judge" means a judge or former judge of the United States
12 district court, the United States court of appeals, the United States
13 magistrate court, the United States bankruptcy court, the United States
14 immigration court, the Arizona court of appeals, the superior court or a
15 municipal court.

16 11. "Justice" means a justice of the United States or Arizona
17 supreme court or a justice of the peace.

18 12. "Law enforcement support staff member" means a person who
19 serves in the role of an investigator or prosecutorial assistant in an
20 agency that investigates or prosecutes crimes, who is integral to the
21 investigation or prosecution of crimes and whose name or identity will be
22 revealed in the course of public proceedings.

23 13. "Peace officer":

24 (a) Means any person vested by law, or formerly vested by law, with
25 a duty to maintain public order and make arrests.

26 (b) Includes a federal law enforcement officer or agent who resides
27 in this state and who has the power to make arrests pursuant to federal
28 law.

29 14. "Prosecutor" means a current or former county attorney,
30 municipal prosecutor, attorney general or United States attorney and
31 includes a current or former assistant or deputy United States attorney,
32 county attorney, municipal prosecutor or attorney general.

33 15. "Public defender" means a federal public defender, county
34 public defender, county legal defender or county contract indigent defense
35 counsel and includes an assistant or deputy federal public defender,
36 county public defender or county legal defender.

37 16. "Public official" means a person who is duly elected or
38 appointed to Congress, the legislature, a statewide office or a county,
39 city or town office.

40 17. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
41 MINISTER WHO LEADS ANY OF THE FOLLOWING:

42 (a) A HOUSE OF WORSHIP.

43 (b) A CHURCH.

44 (c) A SYNAGOGUE.

- 1 (d) A SHRINE.
- 2 (e) A MOSQUE.
- 3 (f) A TEMPLE.
- 4 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
- 5 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
- 6 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
- 7 OTHER HOUSE OF WORSHIP.

8 Sec. 2. Section 11-484, Arizona Revised Statutes, is amended to
9 read:

10 11-484. Records maintained by county assessor and county
11 treasurer; redaction; definitions

12 A. Notwithstanding any other provision of this article, in any
13 county an eligible person may request that the general public be
14 prohibited from accessing that person's identifying information, including
15 any of the following:

16 1. That person's documents, instruments, writings and information
17 maintained by the county assessor and the county treasurer.

18 2. If the person is a public official, the address of a property
19 held in trust by the public official.

20 B. An eligible person may request this action by filing an
21 affidavit that states all of the following on an application form
22 developed by the administrative office of the courts in agreement with an
23 association of counties, an organization of peace officers and the motor
24 vehicle division of the department of transportation:

25 1. The person's full legal name and residential address.

26 2. The full legal description and parcel number of the person's
27 property.

28 3. Unless the person is the spouse of a peace officer or the spouse
29 or minor child of a deceased peace officer or the person is a former
30 public official or former judge, the position the person currently holds
31 and a description of the person's duties, except that an eligible person
32 who is protected under an order of protection or injunction against
33 harassment shall attach a copy of the order of protection or injunction
34 against harassment or an eligible person who is a participant in the
35 address confidentiality program shall instead attach a copy of the
36 participant's current and valid address confidentiality program
37 authorization card issued pursuant to section 41-163 and a statement of
38 certification provided by the secretary of state's office.

39 4. The reasons the person reasonably believes that the person's
40 life or safety or that of another person is in danger and that redacting
41 the person's identifying information, including the residential address
42 and telephone number, will serve to reduce the danger.

43 C. If an eligible person is also requesting pursuant to section
44 11-483 that the general public be prohibited from accessing records

1 maintained by the county recorder, the eligible person may combine the
 2 request pursuant to subsection B of this section with the request pursuant
 3 to section 11-483 by filing one affidavit. The affidavit and subsequent
 4 action by the appropriate authorities shall meet all of the requirements
 5 of this section and section 11-483.

6 D. The affidavit shall be filed with the presiding judge of the
 7 superior court in the county in which the affiant resides. To prevent
 8 multiple filings, an eligible person who is a peace officer, spouse of a
 9 peace officer, spouse or minor child of a deceased peace officer, public
 10 defender, prosecutor, code enforcement officer, corrections or detention
 11 officer, corrections support staff member or law enforcement support staff
 12 member shall deliver the affidavit to the peace officer's commanding
 13 officer, or to the head of the prosecuting, public defender, code
 14 enforcement, law enforcement, corrections or detention agency, as
 15 applicable, or that person's designee, who shall file the affidavits at
 16 one time. In the absence of an affidavit that contains a request for
 17 immediate action and that is supported by facts justifying an earlier
 18 presentation, the commanding officer, or the head of the prosecuting,
 19 public defender, code enforcement, law enforcement, corrections or
 20 detention agency, as applicable, or that person's designee, shall not file
 21 affidavits more often than quarterly.

22 E. On receipt of an affidavit or affidavits, the presiding judge of
 23 the superior court shall file with the clerk of the superior court a
 24 petition on behalf of all requesting affiants. Each affidavit presented
 25 shall be attached to the petition. In the absence of an affidavit that
 26 contains a request for immediate action and that is supported by facts
 27 justifying an earlier consideration, the presiding judge may accumulate
 28 affidavits and file a petition at the end of each quarter.

29 F. The presiding judge of the superior court shall review the
 30 petition and each attached affidavit to determine whether the action
 31 requested by each affiant should be granted. If the presiding judge of
 32 the superior court concludes that the action requested by the affiant will
 33 reduce a danger to the life or safety of the affiant or another person,
 34 the presiding judge of the superior court shall order the redaction of the
 35 affiant's identifying information, including any of that person's
 36 documents, instruments, writings and information maintained by the county
 37 assessor and the county treasurer. The redaction shall be in effect for
 38 five years.

39 G. On motion to the court, if the presiding judge of the superior
 40 court concludes that an instrument or writing maintained by the county
 41 assessor or the county treasurer has been redacted or sealed in error,
 42 that the original affiant no longer lives at the address listed in the
 43 original affidavit, that the cause for the original affidavit no longer
 44 exists or that temporary access to the instrument or writing is needed,

1 the presiding judge may temporarily stay or permanently vacate all or part
2 of the court order prohibiting public access to the instrument or writing.

3 H. On entry of the court order, the clerk of the superior court
4 shall file the court order and a copy of the affidavit required by
5 subsection B of this section with the county assessor and the county
6 treasurer. Not more than ten days after the date on which the county
7 assessor and the county treasurer receive the court order, the county
8 assessor and the county treasurer shall restrict access to the information
9 as required by subsection F of this section.

10 I. If the court denies an affiant's request pursuant to this
11 section, the affiant may request a court hearing. The hearing shall be
12 conducted by the court in the county where the petition was filed.

13 J. The county assessor and the county treasurer shall remove the
14 restrictions on all records that are redacted pursuant to this section by
15 January 5 in the year after the court order expires. The county assessor
16 or the county treasurer shall send by mail one notice to either the
17 RELIGIOUS LEADER, health professional, election officer, public official,
18 former public official, peace officer, spouse of a peace officer, spouse
19 or minor child of a deceased peace officer, public defender, prosecutor,
20 code enforcement officer, corrections or detention officer, corrections
21 support staff member, law enforcement support staff member, employee of
22 the department of child safety or employee of adult protective services
23 who has direct contact with families in the course of employment or the
24 employing agency of the peace officer, public defender, prosecutor, code
25 enforcement officer, corrections or detention officer, corrections support
26 staff member, law enforcement support staff member or employee of adult
27 protective services who was granted an order pursuant to this section of
28 the order's expiration date at least six months before the expiration
29 date. If the notice is sent to the employing agency, the employing agency
30 shall immediately notify the person who was granted the order of the
31 upcoming expiration date. The county assessor or county treasurer may
32 coordinate with the county recorder to prevent multiple notices from being
33 sent to the same person.

34 K. For the purposes of this section:

35 1. "Code enforcement officer" means a person who is employed by a
36 state or local government and whose duties include performing field
37 inspections of buildings, structures or property to ensure compliance with
38 and enforce national, state and local laws, ordinances and codes.

39 2. "Commissioner" means a commissioner of the superior court or
40 municipal court.

41 3. "Corrections support staff member" means an adult or juvenile
42 corrections employee who has direct contact with inmates.

1 4. "Election officer" means a state, county or municipal employee
2 who holds an election officer's certificate issued pursuant to section
3 16-407.

4 5. "Eligible person" means a RELIGIOUS LEADER, health professional,
5 election officer, public official, former public official, peace officer,
6 spouse of a peace officer, spouse or minor child of a deceased peace
7 officer, justice, judge, commissioner, hearing officer, public defender,
8 prosecutor, code enforcement officer, adult or juvenile corrections
9 officer, corrections support staff member, probation officer, member of
10 the commission on appellate court appointments, member of the board of
11 executive clemency, law enforcement support staff member, employee of the
12 department of child safety or employee of adult protective services who
13 has direct contact with families in the course of employment, national
14 guard member who is acting in support of a law enforcement agency, person
15 who is protected under an order of protection or injunction against
16 harassment, person who is a participant in the address confidentiality
17 program pursuant to title 41, chapter 1, article 3, or firefighter who is
18 assigned to the Arizona counter terrorism information center in the
19 department of public safety.

20 6. "Former public official" means a person who was duly elected or
21 appointed to Congress, the legislature or a statewide office, who ceased
22 serving in that capacity and who was the victim of a dangerous offense as
23 defined in section 13-105 while in office.

24 7. "Health professional" means an individual who is licensed
25 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

26 8. "Hearing officer" means a hearing officer who is appointed
27 pursuant to section 28-1553.

28 9. "Judge" means a judge or former judge of the United States
29 district court, the United States court of appeals, the United States
30 magistrate court, the United States bankruptcy court, the United States
31 immigration court, the Arizona court of appeals, the superior court or a
32 municipal court.

33 10. "Justice" means a justice of the United States or Arizona
34 supreme court or a justice of the peace.

35 11. "Law enforcement support staff member" means a person who
36 serves in the role of an investigator or prosecutorial assistant in an
37 agency that investigates or prosecutes crimes, who is integral to the
38 investigation or prosecution of crimes and whose name or identity will be
39 revealed in the course of public proceedings.

40 12. "Peace officer":

41 (a) Means any person vested by law, or formerly vested by law, with
42 a duty to maintain public order and make arrests.

1 (b) Includes a federal law enforcement officer or agent who resides
2 in this state and who has the power to make arrests pursuant to federal
3 law.

4 13. "Prosecutor" means a current or former county attorney,
5 municipal prosecutor, attorney general or United States attorney and
6 includes a current or former assistant or deputy United States attorney,
7 county attorney, municipal prosecutor or attorney general.

8 14. "Public defender" means a federal public defender, county
9 public defender, county legal defender or county contract indigent defense
10 counsel and includes an assistant or deputy federal public defender,
11 county public defender or county legal defender.

12 15. "Public official" means a person who is duly elected or
13 appointed to Congress, the legislature, a statewide office or a county,
14 city or town office.

15 16. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
16 MINISTER WHO LEADS ANY OF THE FOLLOWING:

17 (a) A HOUSE OF WORSHIP.

18 (b) A CHURCH.

19 (c) A SYNAGOGUE.

20 (d) A SHRINE.

21 (e) A MOSQUE.

22 (f) A TEMPLE.

23 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
24 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
25 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
26 OTHER HOUSE OF WORSHIP.

27 Sec. 3. Section 13-2401, Arizona Revised Statutes, is amended to
28 read:

29 13-2401. Personal information on the internet; exception;
30 classification; definitions

31 A. It is unlawful for a person to knowingly make available on the
32 internet the personal information of a RELIGIOUS LEADER, health
33 professional, election officer, public official, peace officer, justice,
34 judge, commissioner, hearing officer, public defender, member of the
35 commission on appellate court appointments, employee of the department of
36 child safety or employee of adult protective services who has direct
37 contact with families in the course of employment or prosecutor if the
38 dissemination of the personal information poses an imminent and serious
39 threat to the RELIGIOUS LEADER'S, health professional's, election
40 officer's, public official's, peace officer's, justice's, judge's,
41 commissioner's, hearing officer's, public defender's, member's, department
42 of child safety employee's, adult protective services employee's or
43 prosecutor's safety or the safety of that person's immediate family and
44 the threat is reasonably apparent to the person making the information

1 available on the internet to be serious and imminent. For the purposes of
2 this subsection, "personal information" includes the address of a property
3 held in trust by a public official.

4 B. It is not a violation of this section if an employee of a county
5 recorder, county treasurer or county assessor publishes personal
6 information, in good faith, on the website of the county recorder, county
7 treasurer or county assessor in the ordinary course of carrying out public
8 functions.

9 C. A violation of subsection A of this section is a class 5 felony.

10 D. For the purposes of this section:

11 1. "Commissioner" means a commissioner of the superior court or
12 municipal court.

13 2. "Election officer" means a state, county or municipal employee
14 who holds an election officer's certificate issued pursuant to section
15 16-407.

16 3. "Health professional" means an individual who is licensed
17 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

18 4. "Hearing officer" means a hearing officer who is appointed
19 pursuant to section 28-1553.

20 5. "Immediate family" means a RELIGIOUS LEADER'S, health
21 professional's, peace officer's, justice's, judge's, commissioner's,
22 public defender's or prosecutor's spouse, child or parent and any other
23 adult who lives in the same residence as the person.

24 6. "Judge" means a judge of the United States district court, the
25 United States court of appeals, the United States magistrate court, the
26 United States bankruptcy court, the Arizona court of appeals, the superior
27 court or a municipal court.

28 7. "Justice" means a justice of the United States or Arizona
29 supreme court or a justice of the peace.

30 8. "Personal information" means a RELIGIOUS LEADER'S, health
31 professional's, election officer's, public official's, peace officer's,
32 justice's, judge's, commissioner's, hearing officer's, public defender's,
33 commission on appellate court appointments member's or prosecutor's home
34 address, home telephone number, pager number or personal photograph,
35 directions to the person's home or photographs of the person's home or
36 vehicle.

37 9. "Prosecutor" means a current or former county attorney,
38 municipal prosecutor, attorney general or United States attorney and
39 includes a current or former assistant or deputy United States attorney,
40 county attorney, municipal prosecutor or attorney general.

41 10. "Public defender" means a federal public defender, county
42 public defender, county legal defender or county contract indigent defense
43 counsel and includes an assistant or deputy federal public defender,
44 county public defender or county legal defender.

1 11. "Public official" means a person who is duly elected or
2 appointed to Congress, the legislature, a statewide office or a county,
3 city or town office.

4 12. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
5 MINISTER WHO LEADS ANY OF THE FOLLOWING:

6 (a) A HOUSE OF WORSHIP.

7 (b) A CHURCH.

8 (c) A SYNAGOGUE.

9 (d) A SHRINE.

10 (e) A MOSQUE.

11 (f) A TEMPLE.

12 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
13 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
14 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
15 OTHER HOUSE OF WORSHIP.

16 Sec. 4. Section 16-153, Arizona Revised Statutes, is amended to
17 read:

18 16-153. Voter registration; confidentiality; definitions

19 A. Eligible persons, and any other registered voter who resides at
20 the same residence address as the eligible person, may request that the
21 general public be prohibited from accessing the eligible person's
22 identifying information, including any of the following:

23 1. That person's documents and voting precinct number contained in
24 that person's voter registration record.

25 2. If the person is a public official, the address of a property
26 held in trust by the public official.

27 B. Eligible persons may request this action by filing an affidavit
28 that states all of the following on an application form developed by the
29 administrative office of the courts in agreement with an association of
30 counties and an organization of peace officers:

31 1. The person's full legal name, residential address and date of
32 birth.

33 2. Unless the person is the spouse of a peace officer or the spouse
34 or minor child of a deceased peace officer or the person is a former
35 public official or former judge, the position the person currently holds
36 and a description of the person's duties, except that an eligible person
37 who is protected under an order of protection or injunction against
38 harassment shall instead attach a copy of the order of protection or
39 injunction against harassment.

40 3. The reasons for reasonably believing that the person's life or
41 safety or that of another person is in danger and that sealing the
42 identifying information and voting precinct number of the person's voting
43 record will serve to reduce the danger.

1 C. The affidavit shall be filed with the presiding judge of the
 2 superior court in the county in which the affiant resides. To prevent
 3 multiple filings, an eligible person who is a peace officer, prosecutor,
 4 public defender, code enforcement officer, corrections or detention
 5 officer, corrections support staff member or law enforcement support staff
 6 member shall deliver the affidavit to the peace officer's commanding
 7 officer, or to the head of the prosecuting, public defender, code
 8 enforcement, law enforcement, corrections or detention agency, as
 9 applicable, or that person's designee, who shall file the affidavits at
 10 one time. In the absence of an affidavit that contains a request for
 11 immediate action and is supported by facts justifying an earlier
 12 presentation, the commanding officer, or the head of the prosecuting,
 13 public defender, code enforcement, law enforcement, corrections or
 14 detention agency, as applicable, or that person's designee, shall not file
 15 affidavits more often than quarterly.

16 D. On receipt of an affidavit or affidavits, the presiding judge of
 17 the superior court shall file with the clerk of the superior court a
 18 petition on behalf of all requesting affiants. The petition shall have
 19 attached each affidavit presented. In the absence of an affidavit that
 20 contains a request for immediate action and that is supported by facts
 21 justifying an earlier consideration, the presiding judge may accumulate
 22 affidavits and file a petition at the end of each quarter.

23 E. The presiding judge of the superior court shall review the
 24 petition and each attached affidavit to determine whether the action
 25 requested by each affiant should be granted. The presiding judge of the
 26 superior court shall order the sealing for five years of the information
 27 contained in the voter record of the affiant and, on request, any other
 28 registered voter who resides at the same residence address if the
 29 presiding judge concludes that this action will reduce a danger to the
 30 life or safety of the affiant.

31 F. The recorder shall remove the restrictions on all voter records
 32 submitted pursuant to subsection E of this section by January 5 in the
 33 year after the court order expires. The county recorder shall send by
 34 mail one notice to either the RELIGIOUS LEADER, health professional,
 35 election officer, public official, former public official, peace officer,
 36 spouse of a peace officer, spouse or minor child of a deceased peace
 37 officer, public defender, prosecutor, code enforcement officer,
 38 corrections or detention officer, corrections support staff member, law
 39 enforcement support staff member, employee of the department of child
 40 safety or employee of adult protective services who has direct contact
 41 with families in the course of employment or the employing agency of the
 42 peace officer, public defender, prosecutor, code enforcement officer,
 43 corrections or detention officer, corrections support staff member or law
 44 enforcement support staff member who was granted an order pursuant to this

1 section of the order's expiration date at least six months before the
2 January 5 removal date. If the notice is sent to the employing agency,
3 the employing agency shall immediately notify the person who was granted
4 the order of the upcoming expiration date. The county recorder may
5 coordinate with the county assessor and county treasurer to prevent
6 multiple notices from being sent to the same person.

7 G. On entry of the court order, the clerk of the superior court
8 shall file the court order with the county recorder. On receipt of the
9 court order the county recorder shall seal the voter registration of the
10 persons listed in the court order not later than one hundred twenty days
11 from the date of receipt of the court order. To include a subsequent
12 voter registration in the court order, a person listed in the court order
13 shall present to the county recorder at the time of registration a
14 certified copy of the court order or shall provide the county recorder the
15 recording number of the court order. The information in the registration
16 shall not be disclosed and is not a public record.

17 H. If the court denies an affiant's requested sealing of the voter
18 registration record, the affiant may request a court hearing. The hearing
19 shall be conducted by the court where the petition was filed.

20 I. On motion to the court, if the presiding judge of the superior
21 court concludes that a voter registration record has been sealed in error
22 or that the cause for the original affidavit no longer exists, the
23 presiding judge may vacate the court order prohibiting public access to
24 the voter registration record.

25 J. On request by a person who is protected under an order of
26 protection or injunction against harassment and presentation of an order
27 of protection issued pursuant to section 13-3602, an injunction against
28 harassment issued pursuant to section 12-1809 or an order of protection or
29 injunction against harassment issued by a court in another state or a
30 program participant in the address confidentiality program pursuant to
31 title 41, chapter 1, article 3, the county recorder shall seal the voter
32 registration record of the person who is protected and, on request, any
33 other registered voter who resides at the residence address of the
34 protected person. The record shall be sealed not later than one hundred
35 twenty days from the date of receipt of the court order. The information
36 in the registration shall not be disclosed and is not a public record.

37 K. For the purposes of this section:

38 1. "Code enforcement officer" means a person who is employed by a
39 state or local government and whose duties include performing field
40 inspections of buildings, structures or property to ensure compliance with
41 and enforce national, state and local laws, ordinances and codes.

42 2. "Commissioner" means a commissioner of the superior court or
43 municipal court.

1 3. "Corrections support staff member" means an adult or juvenile
2 corrections employee who has direct contact with inmates.

3 4. "Election officer" means a state, county or municipal employee
4 who holds an election officer's certificate issued pursuant to section
5 16-407.

6 5. "Eligible person" means a RELIGIOUS LEADER, health professional,
7 election officer, public official, former public official, peace officer,
8 spouse of a peace officer, spouse or minor child of a deceased peace
9 officer, justice, judge, commissioner, hearing officer, public defender,
10 prosecutor, member of the commission on appellate court appointments, code
11 enforcement officer, adult or juvenile corrections officer, corrections
12 support staff member, probation officer, member of the board of executive
13 clemency, law enforcement support staff member, employee of the department
14 of child safety or employee of adult protective services who has direct
15 contact with families in the course of employment, national guard member
16 who is acting in support of a law enforcement agency, person who is
17 protected under an order of protection or injunction against harassment or
18 firefighter who is assigned to the Arizona counter terrorism information
19 center in the department of public safety.

20 6. "Former public official" means a person who was duly elected or
21 appointed to Congress, the legislature or a statewide office, who ceased
22 serving in that capacity and who was the victim of a dangerous offense as
23 defined in section 13-105 while in office.

24 7. "Health professional" means an individual who is licensed
25 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

26 8. "Hearing officer" means a hearing officer who is appointed
27 pursuant to section 28-1553.

28 9. "Judge" means a judge or former judge of the United States
29 district court, the United States court of appeals, the United States
30 magistrate court, the United States bankruptcy court, the United States
31 immigration court, the Arizona court of appeals, the superior court or a
32 municipal court.

33 10. "Justice" means a justice of the United States or Arizona
34 supreme court or a justice of the peace.

35 11. "Law enforcement support staff member" means a person who
36 serves in the role of an investigator or prosecutorial assistant in an
37 agency that investigates or prosecutes crimes, who is integral to the
38 investigation or prosecution of crimes and whose name or identity will be
39 revealed in the course of public proceedings.

40 12. "Peace officer":

41 (a) Has the same meaning prescribed in section 1-215.

42 (b) Includes a federal law enforcement officer or agent who resides
43 in this state and who has the power to make arrests pursuant to federal
44 law.

1 13. "Prosecutor" means a current or former United States attorney,
2 county attorney, municipal prosecutor or attorney general and includes a
3 current or former assistant or deputy United States attorney, county
4 attorney, municipal prosecutor or attorney general.

5 14. "Public defender" means a federal public defender, county
6 public defender, county legal defender or county contract indigent defense
7 counsel and includes an assistant or deputy federal public defender,
8 county public defender or county legal defender.

9 15. "Public official" means a person who is duly elected or
10 appointed to Congress, the legislature, a statewide office or a county,
11 city or town office.

12 16. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
13 MINISTER WHO LEADS ANY OF THE FOLLOWING:

14 (a) A HOUSE OF WORSHIP.

15 (b) A CHURCH.

16 (c) A SYNAGOGUE.

17 (d) A SHRINE.

18 (e) A MOSQUE.

19 (f) A TEMPLE.

20 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
21 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
22 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
23 OTHER HOUSE OF WORSHIP.

24 Sec. 5. Section 28-454, Arizona Revised Statutes, is amended to
25 read:

26 28-454. Records maintained by department of transportation:
27 redaction; definitions

28 A. Notwithstanding sections 28-447 and 28-455, an eligible person
29 may request that persons be prohibited from accessing the eligible
30 person's identifying information, including any of the following:

31 1. That person's documents, contained in any record maintained by
32 the department.

33 2. If the person is a public official, the address of a property
34 held in trust by the public official.

35 B. An eligible person may request this action by filing an
36 affidavit that states all of the following on an application form
37 developed by the administrative office of the courts in agreement with an
38 association of counties, an organization of peace officers and the
39 department:

40 1. The person's full legal name and residential address.

41 2. Unless the person is the spouse of a peace officer or the spouse
42 or minor child of a deceased peace officer or the person is a former
43 public official or former judge, the position the person currently holds
44 and a description of the person's duties, except that an eligible person

1 who is protected under an order of protection or injunction against
2 harassment shall attach a copy of the order of protection or injunction
3 against harassment.

4 3. The reasons the person reasonably believes that the person's
5 life or safety or that of another person is in danger and that redacting
6 the identifying information from the department's public records will
7 serve to reduce the danger.

8 C. The affidavit shall be filed with the presiding judge of the
9 superior court in the county in which the affiant resides. To prevent
10 multiple filings, an eligible person who is a peace officer, spouse of a
11 peace officer, spouse or minor child of a deceased peace officer,
12 prosecutor, code enforcement officer, corrections or detention officer,
13 corrections support staff member or law enforcement support staff member
14 shall deliver the affidavit to the peace officer's commanding officer, or
15 to the head of the prosecuting, code enforcement, law enforcement,
16 corrections or detention agency, as applicable, or that person's designee,
17 who shall file the affidavits at one time. In the absence of an affidavit
18 that contains a request for immediate action and that is supported by
19 facts justifying an earlier presentation, the commanding officer, or the
20 head of the prosecuting, code enforcement, law enforcement, corrections or
21 detention agency, as applicable, or that person's designee, shall not file
22 affidavits more often than quarterly.

23 D. On receipt of an affidavit or affidavits, the presiding judge of
24 the superior court shall file with the clerk of the superior court a
25 petition on behalf of all requesting affiants. Each affidavit presented
26 shall be attached to the petition. In the absence of an affidavit that
27 contains a request for immediate action and that is supported by facts
28 justifying an earlier consideration, the presiding judge may accumulate
29 affidavits and file a petition at the end of each quarter.

30 E. The presiding judge of the superior court shall review the
31 petition and each attached affidavit to determine whether the action
32 requested by each affiant should be granted. The presiding judge of the
33 superior court shall order the redaction of the residence address and
34 telephone number from the public records maintained by the department if
35 the judge concludes that this action will reduce a danger to the life or
36 safety of the affiant or another person.

37 F. On entry of the court order, the clerk of the superior court
38 shall file the court order with the department. Not more than one hundred
39 fifty days after the date the department receives the court order, the
40 department shall redact the identifying information of the affiants listed
41 in the court order from the public records of the department. The
42 identifying information shall not be disclosed and is not part of a public
43 record.

1 G. If the court denies an affiant's request pursuant to this
2 section, the affiant may request a court hearing. The hearing shall be
3 conducted by the court in the county where the petition was filed.

4 H. On motion to the court, if the presiding judge of the superior
5 court concludes that identifying information has been sealed in error or
6 that the cause for the original affidavit no longer exists, the presiding
7 judge may vacate the court order prohibiting public access to the
8 identifying information.

9 I. Notwithstanding sections 28-447 and 28-455, the department shall
10 not release a photograph of a peace officer if the peace officer has made
11 a request as prescribed in this section that persons be prohibited from
12 accessing the peace officer's identifying information in any record
13 maintained by the department.

14 J. This section does not prohibit the use of a peace officer's
15 photograph that is either:

16 1. Used by a law enforcement agency to assist a person who has a
17 complaint against an officer to identify the officer.

18 2. Obtained from a source other than the department.

19 K. For the purposes of this section:

20 1. "Code enforcement officer" means a person who is employed by a
21 state or local government and whose duties include performing field
22 inspections of buildings, structures or property to ensure compliance with
23 and enforce national, state and local laws, ordinances and codes.

24 2. "Commissioner" means a commissioner of the superior court or
25 municipal court.

26 3. "Corrections support staff member" means an adult or juvenile
27 corrections employee who has direct contact with inmates.

28 4. "Election officer" means a state, county or municipal employee
29 who holds an election officer's certificate issued pursuant to section
30 16-407.

31 5. "Eligible person" means a RELIGIOUS LEADER, health professional,
32 election officer, public official, former public official, peace officer,
33 spouse of a peace officer, spouse or minor child of a deceased public
34 PEACE officer, justice, judge or former judge, commissioner, hearing
35 officer, public defender, prosecutor, code enforcement officer, adult or
36 juvenile corrections officer, corrections support staff member, probation
37 officer, member of the commission on appellate court appointments, member
38 of the board of executive clemency, law enforcement support staff member,
39 employee of the department of child safety or employee of adult protective
40 services who has direct contact with families in the course of employment,
41 national guard member who is acting in support of a law enforcement
42 agency, person who is protected under an order of protection or injunction
43 against harassment or firefighter who is assigned to the Arizona counter
44 terrorism information center in the department of public safety.

1 6. "Former public official" means a person who was duly elected or
2 appointed to Congress, the legislature or a statewide office, who ceased
3 serving in that capacity and who was the victim of a dangerous offense as
4 defined in section 13-105 while in office.

5 7. "Health professional" means an individual who is licensed
6 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.

7 8. "Hearing officer" means a hearing officer who is appointed
8 pursuant to section 28-1553.

9 9. "Judge" means a judge or former judge of the United States
10 district court, the United States court of appeals, the United States
11 magistrate court, the United States bankruptcy court, the United States
12 immigration court, the Arizona court of appeals, the superior court or a
13 municipal court.

14 10. "Justice" means a justice of the United States supreme court or
15 the Arizona supreme court or a justice of the peace.

16 11. "Law enforcement support staff member" means a person who
17 serves in the role of an investigator or prosecutorial assistant in an
18 agency that investigates or prosecutes crimes, who is integral to the
19 investigation or prosecution of crimes and whose name or identity will be
20 revealed in the course of public proceedings.

21 12. "Peace officer":

22 (a) Has the same meaning prescribed in section 1-215.

23 (b) Includes a federal law enforcement officer or agent who resides
24 in this state and who has the power to make arrests pursuant to federal
25 law.

26 13. "Prosecutor" means a current or former United States attorney,
27 county attorney, municipal prosecutor or attorney general and includes a
28 current or former assistant or deputy United States attorney, county
29 attorney, municipal prosecutor or attorney general.

30 14. "Public official" means a person who is duly elected or
31 appointed to Congress, the legislature, a statewide office or a county,
32 city or town office.

33 15. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
34 MINISTER WHO LEADS ANY OF THE FOLLOWING:

35 (a) A HOUSE OF WORSHIP.

36 (b) A CHURCH.

37 (c) A SYNAGOGUE.

38 (d) A SHRINE.

39 (e) A MOSQUE.

40 (f) A TEMPLE.

41 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
42 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
43 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
44 OTHER HOUSE OF WORSHIP.

1 Sec. 6. Section 39-123, Arizona Revised Statutes, is amended to
2 read:

3 39-123. Information identifying eligible persons;
4 confidentiality; definitions

5 A. ~~Nothing in~~ This chapter ~~requires~~ **DOES NOT REQUIRE** disclosure
6 from a personnel file by a law enforcement agency or employing state or
7 local governmental entity of the home address or home telephone number of
8 eligible persons or the address of a property held in trust by a public
9 official.

10 B. The agency or governmental entity may release the information in
11 subsection A of this section only if either:

12 1. The person consents in writing to the release.

13 2. The custodian of records of the agency or governmental entity
14 determines that release of the information does not create a reasonable
15 risk of physical injury to the person or the person's immediate family or
16 damage to the property of the person or the person's immediate family.

17 C. A law enforcement agency may release a photograph of a peace
18 officer if either:

19 1. The peace officer has been arrested or has been formally charged
20 by complaint, information or indictment for a misdemeanor or a felony
21 offense.

22 2. The photograph is requested by a representative of a newspaper
23 for a specific newsworthy event unless:

24 (a) The peace officer is serving in an undercover capacity or is
25 scheduled to be serving in an undercover capacity within sixty days.

26 (b) The release of the photograph is not in the best interest of
27 this state after taking into consideration the privacy, confidentiality
28 and safety of the peace officer.

29 (c) An order pursuant to section 28-454 is in effect.

30 D. This section does not prohibit the use of a peace officer's
31 photograph that is either:

32 1. Used by a law enforcement agency to assist a person who has a
33 complaint against an officer to identify the officer.

34 2. Obtained from a source other than the law enforcement agency.

35 E. This section does not apply to a certified peace officer or code
36 enforcement officer who is no longer employed as a peace officer or code
37 enforcement officer by a state or local government entity.

38 F. For the purposes of this section:

39 1. "Code enforcement officer" means a person who is employed by a
40 state or local government and whose duties include performing field
41 inspections of buildings, structures or property to ensure compliance with
42 and enforce national, state and local laws, ordinances and codes.

43 2. "Commissioner" means a commissioner of the superior court or
44 municipal court.

- 1 3. "Corrections support staff member" means an adult or juvenile
2 corrections employee who has direct contact with inmates.
- 3 4. "Election officer" means a state, county or municipal employee
4 who holds an election officer's certificate issued pursuant to section
5 16-407.
- 6 5. "Eligible person" means a RELIGIOUS LEADER, health professional,
7 election officer, public official, former public official, peace officer,
8 spouse of a peace officer, spouse or minor child of a deceased peace
9 officer, border patrol agent, justice, judge, commissioner, hearing
10 officer, public defender, prosecutor, code enforcement officer, adult or
11 juvenile corrections officer, corrections support staff member, probation
12 officer, member of the commission on appellate court appointments, member
13 of the board of executive clemency, law enforcement support staff member,
14 employee of the department of child safety or employee of adult protective
15 services who has direct contact with families in the course of employment,
16 national guard member who is acting in support of a law enforcement
17 agency, person who is protected under an order of protection or injunction
18 against harassment, firefighter who is assigned to the Arizona counter
19 terrorism information center in the department of public safety or victim
20 of domestic violence or stalking who is protected under an order of
21 protection or injunction against harassment.
- 22 6. "Former public official" means a person who was duly elected or
23 appointed to Congress, the legislature or a statewide office, who ceased
24 serving in that capacity and who was the victim of a dangerous offense as
25 defined in section 13-105 while in office.
- 26 7. "Health professional" means an individual who is licensed
27 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.
- 28 8. "Hearing officer" means a hearing officer who is appointed
29 pursuant to section 28-1553.
- 30 9. "Judge" means a judge or former judge of the United States
31 district court, the United States court of appeals, the United States
32 magistrate court, the United States bankruptcy court, the United States
33 immigration court, the Arizona court of appeals, the superior court or a
34 municipal court.
- 35 10. "Justice" means a justice of the United States or Arizona
36 supreme court or a justice of the peace.
- 37 11. "Law enforcement support staff member" means a person who
38 serves in the role of an investigator or prosecutorial assistant in an
39 agency that investigates or prosecutes crimes, who is integral to the
40 investigation or prosecution of crimes and whose name or identity will be
41 revealed in the course of public proceedings.
- 42 12. "Peace officer" has the same meaning prescribed in section
43 13-105.

1 13. "Prosecutor" means a current or former county attorney,
2 municipal prosecutor, attorney general or United States attorney and
3 includes a current or former assistant or deputy United States attorney,
4 county attorney, municipal prosecutor or attorney general.

5 14. "Public defender" means a federal public defender, county
6 public defender, county legal defender or county contract indigent defense
7 counsel and includes an assistant or deputy federal public defender,
8 county public defender or county legal defender.

9 15. "Public official" means a person who is duly elected or
10 appointed to Congress, the legislature, a statewide office or a county,
11 city or town office.

12 16. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
13 MINISTER WHO LEADS ANY OF THE FOLLOWING:

14 (a) A HOUSE OF WORSHIP.

15 (b) A CHURCH.

16 (c) A SYNAGOGUE.

17 (d) A SHRINE.

18 (e) A MOSQUE.

19 (f) A TEMPLE.

20 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
21 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
22 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
23 OTHER HOUSE OF WORSHIP.

24 Sec. 7. Section 39-124, Arizona Revised Statutes, is amended to
25 read:

26 39-124. Releasing information identifying an eligible person;
27 violations; classification; definitions

28 A. Any person who is employed by a state or local government entity
29 and who, in violation of section 39-123, knowingly releases the home
30 address or home telephone number of an eligible person or the address of a
31 property held in trust by a public official with the intent to hinder an
32 investigation, cause physical injury to an eligible person or the eligible
33 person's immediate family or cause damage to the property of an eligible
34 person or the eligible person's immediate family is guilty of a class 6
35 felony.

36 B. Any person who is employed by a state or local government entity
37 and who, in violation of section 39-123, knowingly releases a photograph
38 of a peace officer with the intent to hinder an investigation, cause
39 physical injury to a peace officer or the peace officer's immediate family
40 or cause damage to the property of a peace officer or the peace officer's
41 immediate family is guilty of a class 6 felony.

42 C. For the purposes of this section:

43 1. "Code enforcement officer" means a person who is employed by a
44 state or local government and whose duties include performing field

- 1 inspections of buildings, structures or property to ensure compliance with
2 and enforce national, state and local laws, ordinances and codes.
- 3 2. "Commissioner" means a commissioner of the superior court or
4 municipal court.
- 5 3. "Corrections support staff member" means an adult or juvenile
6 corrections employee who has direct contact with inmates.
- 7 4. "Election officer" means a state, county or municipal employee
8 who holds an election officer's certificate issued pursuant to section
9 16-407.
- 10 5. "Eligible person" means a RELIGIOUS LEADER, health professional,
11 election officer, public official, former public official, peace officer,
12 spouse of a peace officer, spouse or minor child of a deceased peace
13 officer, border patrol agent, justice, judge, commissioner, hearing
14 officer, public defender, prosecutor, code enforcement officer, adult or
15 juvenile corrections officer, corrections support staff member, probation
16 officer, MEMBER OF THE COMMISSION ON APPELLATE COURT APPOINTMENTS, member
17 of the board of executive clemency, law enforcement support staff member,
18 employee of the department of child safety or employee of adult protective
19 services who has direct contact with families in the course of employment,
20 national guard member who is acting in support of a law enforcement
21 agency, person who is protected under an order of protection or injunction
22 against harassment, firefighter who is assigned to the Arizona counter
23 terrorism information center in the department of public safety or victim
24 of domestic violence or stalking who is protected under an order of
25 protection or injunction against harassment.
- 26 6. "Former public official" means a person who was duly elected or
27 appointed to Congress, the legislature or a statewide office, who ceased
28 serving in that capacity and who was the victim of a dangerous offense as
29 defined in section 13-105 while in office.
- 30 7. "Health professional" means an individual who is licensed
31 pursuant to title 32, chapter 13, 15, 17, 19.1, 25 or 33.
- 32 8. "Hearing officer" means a hearing officer who is appointed
33 pursuant to section 28-1553.
- 34 9. "Judge" means a judge or former judge of the United States
35 district court, the United States court of appeals, the United States
36 magistrate court, the United States bankruptcy court, the United States
37 immigration court, the Arizona court of appeals, the superior court or a
38 municipal court.
- 39 10. "Justice" means a justice of the United States or Arizona
40 supreme court or a justice of the peace.
- 41 11. "Law enforcement support staff member" means a person who
42 serves in the role of an investigator or prosecutorial assistant in an
43 agency that investigates or prosecutes crimes, who is integral to the

1 investigation or prosecution of crimes and whose name or identity will be
2 revealed in the course of public proceedings.

3 12. "Peace officer" has the same meaning prescribed in section
4 13-105.

5 13. "Prosecutor" means a current or former county attorney,
6 municipal prosecutor, attorney general or United States attorney and
7 includes a current or former assistant or deputy United States attorney,
8 county attorney, municipal prosecutor or attorney general.

9 14. "Public defender" means a federal public defender, county
10 public defender, county legal defender or county contract indigent defense
11 counsel and includes an assistant or deputy federal public defender,
12 county public defender or county legal defender.

13 15. "Public official" means a person who is duly elected or
14 appointed to Congress, the legislature, a statewide office or a county,
15 city or town office.

16 16. "RELIGIOUS LEADER" MEANS A RELIGIOUS LEADER, THE CLERGY OR A
17 MINISTER WHO LEADS ANY OF THE FOLLOWING:

18 (a) A HOUSE OF WORSHIP.

19 (b) A CHURCH.

20 (c) A SYNAGOGUE.

21 (d) A SHRINE.

22 (e) A MOSQUE.

23 (f) A TEMPLE.

24 (g) A RELIGIOUS GROUP, CORPORATION, ASSOCIATION, SCHOOL OR
25 EDUCATIONAL INSTITUTION, MINISTRY, ORDER OR SOCIETY OR A SIMILAR ENTITY,
26 REGARDLESS OF WHETHER IT IS INTEGRATED OR AFFILIATED WITH A CHURCH OR
27 OTHER HOUSE OF WORSHIP.