

REFERENCE TITLE: aggravated assault; commission; certain officials

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1038

Introduced by
Senator Kavanagh

AN ACT

AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY 2024 PROPOSITION 311, SECTION 3; AMENDING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY 2024 PROPOSITION 311, SECTION 4; REPEALING SECTION 13-1204, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2024, CHAPTER 113, SECTION 1 AND CHAPTER 257, SECTION 2; RELATING TO ASSAULT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-1204, Arizona Revised Statutes, as amended by
3 2024 proposition 311, section 3, is amended to read:

4 13-1204. Aggravated assault; classification; definitions

5 A. Until January 1, 2033, a person commits aggravated assault if
6 the person commits assault as prescribed by section 13-1203 under any of
7 the following circumstances:

8 1. If the person causes serious physical injury to another.

9 2. If the person uses a deadly weapon or dangerous instrument.

10 3. If the person commits the assault by any means of force that
11 causes temporary but substantial disfigurement, temporary but substantial
12 loss or impairment of any body organ or part or a fracture of any body
13 part.

14 4. If the person commits the assault while the victim is bound or
15 otherwise physically restrained or while the victim's capacity to resist
16 is substantially impaired.

17 5. If the person commits the assault after entering the private
18 home of another with the intent to commit the assault.

19 6. If the person is eighteen years of age or older and commits the
20 assault on a minor under fifteen years of age.

21 7. If the person commits assault as prescribed by section 13-1203,
22 subsection A, paragraph 1 or 3 and the person is in violation of an order
23 of protection issued against the person pursuant to section 13-3602 or
24 13-3624.

25 8. If the person commits the assault knowing or having reason to
26 know that the victim is any of the following:

27 (a) A first responder or a person summoned and directed by the
28 first responder.

29 (b) A constable or a person summoned and directed by the constable
30 while engaged in the execution of any official duties or if the assault
31 results from the execution of the constable's official duties.

32 (c) A teacher or other person employed by any school and the
33 teacher or other employee is on the grounds of a school or grounds
34 adjacent to the school or is in any part of a building or vehicle used for
35 school purposes, any teacher or school nurse visiting a private home in
36 the course of the teacher's or nurse's professional duties or any teacher
37 engaged in any authorized and organized classroom activity held on other
38 than school grounds.

39 (d) A health care worker while engaged in the health care worker's
40 work duties or a health care practitioner who is certified or licensed
41 pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned
42 and directed by the licensed health care practitioner while engaged in the
43 person's professional duties. This subdivision does not apply if the
44 person who commits the assault does not have the ability to form the
45 culpable mental state because of a mental disability, **DEVELOPMENTAL**

1 DISABILITY OR COGNITIVE DISABILITY or because the person is seriously
2 mentally ill, as defined in section 36-550.

3 (e) A prosecutor while engaged in the execution of any official
4 duties or if the assault results from the execution of the prosecutor's
5 official duties.

6 (f) A code enforcement officer as defined in section 39-123 while
7 engaged in the execution of any official duties or if the assault results
8 from the execution of the code enforcement officer's official duties.

9 (g) A state or municipal park ranger while engaged in the execution
10 of any official duties or if the assault results from the execution of the
11 park ranger's official duties.

12 (h) A public defender while engaged in the execution of any
13 official duties or if the assault results from the execution of the public
14 defender's official duties.

15 (i) A judicial officer while engaged in the execution of any
16 official duties or if the assault results from the execution of the
17 judicial officer's official duties.

18 (j) AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY, OTHER THAN A PEACE
19 OFFICER, WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES.

20 (k) A PUBLIC TRANSIT EMPLOYEE WHO PERFORMS DUTIES ON AND OFF A
21 VEHICLE WHILE ENGAGED IN TRANSFERRING MEMBERS OF THE COMMUNITY TO AND FROM
22 DESTINATIONS IN A BUS, VAN OR SHUTTLE.

23 (l) AN AIRPORT EMPLOYEE WHO INTERACTS WITH THE PUBLIC WHILE ENGAGED
24 IN THE AIRPORT EMPLOYEE'S WORK DUTIES.

25 (m) A RAILWAY WORKER WHILE ENGAGED IN OPERATING A TRAIN, LIGHT RAIL
26 OR PASSENGER RAIL OR PERFORMING TRACK MAINTENANCE.

27 (n) AN ANIMAL CONTROL OFFICER WHILE ENGAGED IN THE EXECUTION OF ANY
28 OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE ANIMAL
29 CONTROL OFFICER'S OFFICIAL DUTIES.

30 (o) AN ELECTED OFFICIAL WHILE ENGAGED IN THE EXECUTION OF ANY
31 OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE
32 ELECTED OFFICIAL'S OFFICIAL DUTIES.

33 9. If the person knowingly takes or attempts to exercise control
34 over any of the following:

35 (a) A first responder's or other officer's firearm and the person
36 knows or has reason to know that the victim is a first responder or other
37 officer employed by one of the agencies listed in paragraph 10,
38 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

39 (b) Any weapon other than a firearm that is being used by a first
40 responder or other officer or that the first responder or other officer is
41 attempting to use, and the person knows or has reason to know that the
42 victim is a first responder or other officer employed by one of the
43 agencies listed in paragraph 10, subdivision (a), item (i), (ii), (iii),
44 (iv) or (v) of this subsection.

1 (c) Any implement that is being used by a first responder or other
2 officer or that the first responder or other officer is attempting to use,
3 and the person knows or has reason to know that the victim is a first
4 responder or other officer employed by one of the agencies listed in
5 paragraph 10, subdivision (a), item (i), (ii), (iii), (iv) or (v) of this
6 subsection. For the purposes of this subdivision, "implement" means an
7 object that is designed for or that is capable of restraining or injuring
8 an individual. Implement does not include handcuffs.

9 10. If the person meets both of the following conditions:

10 (a) Is imprisoned or otherwise subject to the custody of any of the
11 following:

12 (i) The state department of corrections.

13 (ii) The department of juvenile corrections.

14 (iii) A law enforcement agency.

15 (iv) A county or city jail or an adult or juvenile detention
16 facility of a city or county.

17 (v) Any other entity that is contracting with the state department
18 of corrections, the department of juvenile corrections, a law enforcement
19 agency, another state, any private correctional facility, a county, a city
20 or the federal bureau of prisons or other federal agency that has
21 responsibility for sentenced or unsentenced prisoners.

22 (b) Commits an assault knowing or having reason to know that the
23 victim is acting in an official capacity as an employee of any of the
24 entities listed in subdivision (a) of this paragraph.

25 11. If the person uses a simulated deadly weapon.

26 B. Until January 1, 2033, a person commits aggravated assault if
27 the person commits assault by either intentionally, knowingly or
28 recklessly causing any physical injury to another person, intentionally
29 placing another person in reasonable apprehension of imminent physical
30 injury or knowingly touching another person with the intent to injure the
31 person, and both of the following occur:

32 1. The person intentionally or knowingly impedes the normal
33 breathing or circulation of blood of another person by applying pressure
34 to the throat or neck or by obstructing the nose and mouth either manually
35 or through the use of an instrument.

36 2. Any of the circumstances exists that are set forth in section
37 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

38 C. A person who is convicted of intentionally or knowingly
39 committing aggravated assault on a first responder pursuant to subsection
40 A, paragraph 1 or 2 of this section shall be sentenced to imprisonment for
41 not less than the presumptive sentence authorized under chapter 7 of this
42 title and is not eligible for suspension of sentence, commutation or
43 release on any basis until the sentence imposed is served.

44 D. IF A PERSON IS CONVICTED OF COMMITTING AGGRAVATED ASSAULT ON A
45 PEACE OFFICER PURSUANT TO THIS SECTION AND THE TRIER OF FACT DETERMINES

1 THAT SECTION 13-701, SUBSECTION D, PARAGRAPH 17 APPLIES, THE PERSON SHALL
2 BE SENTENCED TO TWO YEARS MORE THAN WOULD OTHERWISE BE IMPOSED FOR THE
3 OFFENSE. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS SUBSECTION IS IN
4 ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE APPLICABLE UNDER THIS
5 SECTION OR CHAPTER 7 OF THIS TITLE. THE PERSON IS NOT ELIGIBLE FOR
6 SUSPENSION OF SENTENCE, COMMUTATION OR RELEASE FROM CONFINEMENT ON ANY
7 BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED BY SECTION 31-233, SUBSECTION A
8 OR B, UNTIL THE SENTENCE IMPOSED IS SERVED THE PERSON IS ELIGIBLE FOR
9 RELEASE PURSUANT TO SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

10 ~~D.~~ E. It is not a defense to a prosecution for assaulting a peace
11 officer or a mitigating circumstance that the peace officer was not on
12 duty or engaged in the execution of any official duties.

13 ~~F.~~ F. Except pursuant to subsections ~~F~~ and G, H AND I of this
14 section, aggravated assault pursuant to subsection A, paragraph 1 or 2,
15 paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3
16 felony except if the aggravated assault is a violation of subsection A,
17 paragraph 1 or 2 of this section and the victim is under fifteen years of
18 age it is a class 2 felony punishable pursuant to section 13-705.
19 Aggravated assault pursuant to subsection A, paragraph 3 or subsection B
20 of this section is a class 4 felony. Aggravated assault pursuant to
21 subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section
22 is a class 5 felony. Aggravated assault pursuant to subsection A,
23 paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section
24 is a class 6 felony.

25 ~~F.~~ G. Aggravated assault pursuant to subsection A, paragraph 1 or
26 2 of this section committed on a first responder is a class 2
27 felony. Aggravated assault pursuant to subsection A, paragraph 3 of this
28 section committed on a first responder is a class 3 felony. Aggravated
29 assault pursuant to subsection A, paragraph 8, subdivision (a) of this
30 section committed on a first responder is a class 4 felony unless the
31 assault results in any physical injury to the first responder, in which
32 case it is a class 3 felony.

33 H. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 1 OR 2 OF
34 THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
35 CLASS 2 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 3
36 OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
37 CLASS 3 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 8,
38 SUBDIVISION (j) OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW
39 ENFORCEMENT AGENCY IS A CLASS 5 FELONY UNLESS THE ASSAULT RESULTS IN ANY
40 PHYSICAL INJURY TO THE EMPLOYEE, IN WHICH CASE IT IS A CLASS 4 FELONY.

41 ~~G.~~ I. Aggravated assault pursuant to:
42 1. Subsection A, paragraph 1 or 2 of this section is a class 2
43 felony if committed on a prosecutor.
44 2. Subsection A, paragraph 3 of this section is a class 3 felony if
45 committed on a prosecutor.

1 3. Subsection A, paragraph 8, subdivision (e) of this section is a
2 class 5 felony if the assault results in physical injury to a prosecutor.

3 ~~H.~~ J. For the purposes of this section:

4 1. "First responder" means:

5 (a) A peace officer.

6 (b) A firefighter, a fire marshal, a fire inspector, an emergency
7 medical care technician or a paramedic who is engaged in the execution of
8 any official duties.

9 (c) A tribal police officer.

10 2. "Health care worker" means:

11 (a) A person who is employed by or contracted to work at a health
12 care institution that is licensed pursuant to title 36.

13 (b) A person who is employed or contracted to provide health care
14 or related services in a fieldwork setting, including:

15 (i) Home health care, home-based hospice and home-based social
16 work, unless the worker is employed or contracted by an individual who
17 privately employs, in the individual's residence, the worker to perform
18 covered services for the individual or a family member of the individual.

19 (ii) Any emergency services and transport, including the services
20 provided by firefighters and emergency responders.

21 3. "Judicial officer" means a justice of the supreme court, judge,
22 justice of the peace or magistrate or a commissioner or hearing officer of
23 a state, county or municipal court.

24 4. "Mental disability" means a disabling neurological condition, or
25 brain injury, or involuntary impairment as a result of a medication that
26 is administered by a health care provider or a medical procedure that is
27 performed at a health care treatment site.

28 5. "Prosecutor" means a county attorney, a municipal prosecutor or
29 the attorney general and includes an assistant or deputy county attorney,
30 municipal prosecutor or attorney general.

31 Sec. 2. Section 13-1204, Arizona Revised Statutes, as amended by
32 2024 proposition 311, section 4, is amended to read:

33 13-1204. Aggravated assault; classification; definitions

34 A. Beginning from and after December 31, 2032, a person commits
35 aggravated assault if the person commits assault as prescribed by section
36 13-1203 under any of the following circumstances:

37 1. If the person causes serious physical injury to another.

38 2. If the person uses a deadly weapon or dangerous instrument.

39 3. If the person commits the assault by any means of force that
40 causes temporary but substantial disfigurement, temporary but substantial
41 loss or impairment of any body organ or part or a fracture of any body
42 part.

43 4. If the person commits the assault while the victim is bound or
44 otherwise physically restrained or while the victim's capacity to resist
45 is substantially impaired.

1 5. If the person commits the assault after entering the private
2 home of another with the intent to commit the assault.

3 6. If the person is eighteen years of age or older and commits the
4 assault on a minor under fifteen years of age.

5 7. If the person commits assault as prescribed by section 13-1203,
6 subsection A, paragraph 1 or 3 and the person is in violation of an order
7 of protection issued against the person pursuant to section 13-3602 or
8 13-3624.

9 8. If the person commits the assault knowing or having reason to
10 know that the victim is any of the following:

11 (a) A peace officer or a person summoned and directed by the
12 officer.

13 (b) A constable or a person summoned and directed by the constable
14 while engaged in the execution of any official duties or if the assault
15 results from the execution of the constable's official duties.

16 (c) A firefighter, fire investigator, fire inspector, emergency
17 medical technician or paramedic engaged in the execution of any official
18 duties or a person summoned and directed by such individual while engaged
19 in the execution of any official duties or if the assault results from the
20 execution of the official duties of the firefighter, fire investigator,
21 fire inspector, emergency medical technician or paramedic.

22 (d) A teacher or other person employed by any school and the
23 teacher or other employee is on the grounds of a school or grounds
24 adjacent to the school or is in any part of a building or vehicle used for
25 school purposes, any teacher or school nurse visiting a private home in
26 the course of the teacher's or nurse's professional duties or any teacher
27 engaged in any authorized and organized classroom activity held on other
28 than school grounds.

29 (e) A health care worker while engaged in the health care worker's
30 work duties or a health care practitioner who is certified or licensed
31 pursuant to title 32, chapter 13, 14, 15, 17 or 25, or a person summoned
32 and directed by the licensed health care practitioner while engaged in the
33 person's professional duties. This subdivision does not apply if the
34 person who commits the assault does not have the ability to form the
35 culpable mental state because of a mental disability, **DEVELOPMENTAL**
36 **DISABILITY OR COGNITIVE DISABILITY** or because the person is seriously
37 mentally ill, as defined in section 36-550.

38 (f) A prosecutor while engaged in the execution of any official
39 duties or if the assault results from the execution of the prosecutor's
40 official duties.

41 (g) A code enforcement officer as defined in section 39-123 while
42 engaged in the execution of any official duties or if the assault results
43 from the execution of the code enforcement officer's official duties.

1 (h) A state or municipal park ranger while engaged in the execution
2 of any official duties or if the assault results from the execution of the
3 park ranger's official duties.

4 (i) A public defender while engaged in the execution of any
5 official duties or if the assault results from the execution of the public
6 defender's official duties.

7 (j) A judicial officer while engaged in the execution of any
8 official duties or if the assault results from the execution of the
9 judicial officer's official duties.

10 (k) AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY, OTHER THAN A PEACE
11 OFFICER, WHILE ENGAGED IN THE EXECUTION OF ANY OFFICIAL DUTIES.

12 (l) A PUBLIC TRANSIT EMPLOYEE WHO PERFORMS DUTIES ON AND OFF A
13 VEHICLE WHILE ENGAGED IN TRANSFERRING MEMBERS OF THE COMMUNITY TO AND FROM
14 DESTINATIONS IN A BUS, VAN OR SHUTTLE.

15 (m) AN AIRPORT EMPLOYEE WHO INTERACTS WITH THE PUBLIC WHILE ENGAGED
16 IN THE AIRPORT EMPLOYEE'S WORK DUTIES.

17 (n) A RAILWAY WORKER WHILE ENGAGED IN OPERATING A TRAIN, LIGHT RAIL
18 OR PASSENGER RAIL OR PERFORMING TRACK MAINTENANCE.

19 (o) AN ANIMAL CONTROL OFFICER WHILE ENGAGED IN THE EXECUTION OF ANY
20 OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE ANIMAL
21 CONTROL OFFICER'S OFFICIAL DUTIES.

22 (p) AN ELECTED OFFICIAL WHILE ENGAGED IN THE EXECUTION OF ANY
23 OFFICIAL DUTIES OR IF THE ASSAULT RESULTS FROM THE EXECUTION OF THE
24 ELECTED OFFICIAL'S OFFICIAL DUTIES.

25 9. If the person knowingly takes or attempts to exercise control
26 over any of the following:

27 (a) A peace officer's or other officer's firearm and the person
28 knows or has reason to know that the victim is a peace officer or other
29 officer employed by one of the agencies listed in paragraph 10,
30 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

31 (b) Any weapon other than a firearm that is being used by a peace
32 officer or other officer or that the officer is attempting to use, and the
33 person knows or has reason to know that the victim is a peace officer or
34 other officer employed by one of the agencies listed in paragraph 10,
35 subdivision (a), item (i), (ii), (iii), (iv) or (v) of this subsection.

36 (c) Any implement that is being used by a peace officer or other
37 officer or that the officer is attempting to use, and the person knows or
38 has reason to know that the victim is a peace officer or other officer
39 employed by one of the agencies listed in paragraph 10, subdivision (a),
40 item (i), (ii), (iii), (iv) or (v) of this subsection. For the purposes
41 of this subdivision, "implement" means an object that is designed for or
42 that is capable of restraining or injuring an individual. Implement does
43 not include handcuffs.

44 10. If the person meets both of the following conditions:

1 (a) Is imprisoned or otherwise subject to the custody of any of the
2 following:

3 (i) The state department of corrections.

4 (ii) The department of juvenile corrections.

5 (iii) A law enforcement agency.

6 (iv) A county or city jail or an adult or juvenile detention
7 facility of a city or county.

8 (v) Any other entity that is contracting with the state department
9 of corrections, the department of juvenile corrections, a law enforcement
10 agency, another state, any private correctional facility, a county, a city
11 or the federal bureau of prisons or other federal agency that has
12 responsibility for sentenced or unsentenced prisoners.

13 (b) Commits an assault knowing or having reason to know that the
14 victim is acting in an official capacity as an employee of any of the
15 entities listed in subdivision (a) of this paragraph.

16 11. If the person uses a simulated deadly weapon.

17 B. Beginning from and after December 31, 2032, a person commits
18 aggravated assault if the person commits assault by either intentionally,
19 knowingly or recklessly causing any physical injury to another person,
20 intentionally placing another person in reasonable apprehension of
21 imminent physical injury or knowingly touching another person with the
22 intent to injure the person, and both of the following occur:

23 1. The person intentionally or knowingly impedes the normal
24 breathing or circulation of blood of another person by applying pressure
25 to the throat or neck or by obstructing the nose and mouth either manually
26 or through the use of an instrument.

27 2. Any of the circumstances exists that are set forth in section
28 13-3601, subsection A, paragraph 1, 2, 3, 4, 5 or 6.

29 C. A person who is convicted of intentionally or knowingly
30 committing aggravated assault on a peace officer pursuant to subsection A,
31 paragraph 1 or 2 of this section shall be sentenced to imprisonment for
32 not less than the presumptive sentence authorized under chapter 7 of this
33 title and is not eligible for suspension of sentence, commutation or
34 release on any basis until the sentence imposed is served.

35 D. IF A PERSON IS CONVICTED OF COMMITTING AGGRAVATED ASSAULT ON A
36 PEACE OFFICER PURSUANT TO THIS SECTION AND THE TRIER OF FACT DETERMINES
37 THAT SECTION 13-701, SUBSECTION D, PARAGRAPH 17 APPLIES, THE PERSON SHALL
38 BE SENTENCED TO TWO YEARS MORE THAN WOULD OTHERWISE BE IMPOSED FOR THE
39 OFFENSE. THE ADDITIONAL SENTENCE IMPOSED UNDER THIS SUBSECTION IS IN
40 ADDITION TO ANY ENHANCED PUNISHMENT THAT MAY BE APPLICABLE UNDER THIS
41 SECTION OR CHAPTER 7 OF THIS TITLE. THE PERSON IS NOT ELIGIBLE FOR
42 SUSPENSION OF SENTENCE, COMMUTATION OR RELEASE FROM CONFINEMENT ON ANY
43 BASIS, EXCEPT AS SPECIFICALLY AUTHORIZED BY SECTION 31-233, SUBSECTION A
44 OR B, UNTIL THE SENTENCE IMPOSED IS SERVED THE PERSON IS ELIGIBLE FOR
45 RELEASE PURSUANT TO SECTION 41-1604.07 OR THE SENTENCE IS COMMUTED.

1 ~~D.~~ E. It is not a defense to a prosecution for assaulting a peace
2 officer or a mitigating circumstance that the peace officer was not on
3 duty or engaged in the execution of any official duties.

4 ~~E.~~ F. Except pursuant to subsections ~~F~~ and G, H AND I of this
5 section, aggravated assault pursuant to subsection A, paragraph 1 or 2,
6 paragraph 9, subdivision (a) or paragraph 11 of this section is a class 3
7 felony except if the aggravated assault is a violation of subsection A,
8 paragraph 1 or 2 of this section and the victim is under fifteen years of
9 age it is a class 2 felony punishable pursuant to section 13-705.
10 Aggravated assault pursuant to subsection A, paragraph 3 or subsection B
11 of this section is a class 4 felony. Aggravated assault pursuant to
12 subsection A, paragraph 9, subdivision (b) or paragraph 10 of this section
13 is a class 5 felony. Aggravated assault pursuant to subsection A,
14 paragraph 4, 5, 6, 7 or 8 or paragraph 9, subdivision (c) of this section
15 is a class 6 felony.

16 ~~F.~~ G. Aggravated assault pursuant to subsection A, paragraph 1 or
17 2 of this section committed on a peace officer is a class 2
18 felony. Aggravated assault pursuant to subsection A, paragraph 3 of this
19 section committed on a peace officer is a class 3 felony. Aggravated
20 assault pursuant to subsection A, paragraph 8, subdivision (a) of this
21 section committed on a peace officer is a class 5 felony unless the
22 assault results in any physical injury to the peace officer, in which case
23 it is a class 4 felony.

24 H. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 1 OR 2 OF
25 THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
26 CLASS 2 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 3
27 OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW ENFORCEMENT AGENCY IS A
28 CLASS 3 FELONY. AGGRAVATED ASSAULT PURSUANT TO SUBSECTION A, PARAGRAPH 8,
29 SUBDIVISION (j) OF THIS SECTION COMMITTED ON AN EMPLOYEE OF A LAW
30 ENFORCEMENT AGENCY IS A CLASS 5 FELONY UNLESS THE ASSAULT RESULTS IN ANY
31 PHYSICAL INJURY TO THE EMPLOYEE, IN WHICH CASE IT IS A CLASS 4 FELONY.

32 ~~G.~~ I. Aggravated assault pursuant to:

33 1. Subsection A, paragraph 1 or 2 of this section is a class 2
34 felony if committed on a prosecutor.

35 2. Subsection A, paragraph 3 of this section is a class 3 felony if
36 committed on a prosecutor.

37 3. Subsection A, paragraph 8, subdivision (f) of this section is a
38 class 5 felony if the assault results in physical injury to a prosecutor.

39 ~~H.~~ J. For the purposes of this section:

40 1. "Health care worker" means:

41 (a) A person who is employed by or contracted to work at a health
42 care institution that is licensed pursuant to title 36.

43 (b) A person who is employed or contracted to provide health care
44 or related services in a fieldwork setting, including:

1 (i) Home health care, home-based hospice and home-based social
2 work, unless the worker is employed or contracted by an individual who
3 privately employs, in the individual's residence, the worker to perform
4 covered services for the individual or a family member of the individual.

5 (ii) Any emergency services and transport, including the services
6 provided by firefighters and emergency responders.

7 2. "Judicial officer" means a justice of the supreme court, judge,
8 justice of the peace or magistrate or a commissioner or hearing officer of
9 a state, county or municipal court.

10 3. "Mental disability" means a disabling neurological condition, or
11 brain injury, or involuntary impairment as a result of a medication that
12 is administered by a health care provider or a medical procedure that is
13 performed at a health care treatment site.

14 4. "Prosecutor" means a county attorney, a municipal prosecutor or
15 the attorney general and includes an assistant or deputy county attorney,
16 municipal prosecutor or attorney general.

17 Sec. 3. Repeal

18 Section 13-1204, Arizona Revised Statutes, as amended by Laws 2024,
19 chapter 113, section 1 and chapter 257, section 2, is repealed.