

Conference Engrossed

State of Arizona
House of Representatives
Forty-sixth Legislature
Second Regular Session
2004

CHAPTER 328

HOUSE BILL 2694

AN ACT

AMENDING TITLE 13, CHAPTER 17, ARIZONA REVISED STATUTES, BY ADDING SECTIONS 13-1707 AND 13-1708; RELATING TO UNLAWFUL BURNING.

(TEXT OF BILL BEGINS ON NEXT PAGE)



1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 13, chapter 17, Arizona Revised Statutes, is amended
3 by adding sections 13-1707 and 13-1708, to read:
4 13-1707. Unlawful cross burning; classification
5 A. IT IS UNLAWFUL FOR A PERSON TO BURN OR CAUSE TO BE BURNED A CROSS
6 ON THE PROPERTY OF ANOTHER PERSON WITHOUT THAT PERSON'S PERMISSION OR ON A
7 HIGHWAY OR ANY OTHER PUBLIC PLACE WITH THE INTENT TO INTIMIDATE ANY PERSON
8 OR GROUP OF PERSONS. THE INTENT TO INTIMIDATE MAY NOT BE INFERRED SOLELY
9 FROM THE ACT OF BURNING A CROSS, BUT SHALL BE PROVEN BY INDEPENDENT EVIDENCE.
10 B. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1
11 MISDEMEANOR.
12 13-1708. Unlawful burning; classification
13 A. IT IS UNLAWFUL FOR A PERSON TO BURN OR CAUSE TO BE BURNED ANY
14 SYMBOL NOT ADDRESSED BY SECTION 13-1707 ON THE PROPERTY OF ANOTHER PERSON
15 WITHOUT THAT PERSON'S PERMISSION OR ON A HIGHWAY OR ANY OTHER PUBLIC PLACE
16 WITH THE INTENT TO INTIMIDATE ANY PERSON OR GROUP OF PERSONS. THE INTENT TO
17 INTIMIDATE MAY NOT BE INFERRED SOLELY FROM THE ACT OF BURNING THE SYMBOL, BUT
18 SHALL BE PROVEN BY INDEPENDENT EVIDENCE.
19 B. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 1
20 MISDEMEANOR.

APPROVED BY THE GOVERNOR JUNE 3, 2004.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 3, 2004.

Passed the House March 16, 2004

Passed the Senate May 11, 2004

by the following vote: 60 Ayes,

by the following vote: 26 Ayes,

0 Nays, 0 Not Voting

1 Nays, 3 Not Voting

Jake Flake
Speaker of the House

Ken Bennett
President of the Senate

Norman L. Moore
Chief Clerk of the House

Charmine Bellinger
Secretary of the Senate

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR**

This Bill was received by the Governor this

_____ day of _____, 20__

at _____ o'clock _____ M.

Secretary to the Governor

Approved this _____ day of

_____, 20__

at _____ o'clock _____ M.

Governor of Arizona

**EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE**

This Bill was received by the Secretary of State

this _____ day of _____, 20__

at _____ o'clock _____ M.

Secretary of State

H.B. 2694

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 26, 2004,

by the following vote: 40 Ayes,

16 Nays, 4 Not Voting

Jake Flake
Speaker of the House

Spencer L. Moore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 26, 2004,

by the following vote: 23 Ayes,

5 Nays, 2 Not Voting

John Blumenthal
President of the Senate

Charmine B. Dwyer
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 27th day of May, 2004,

at 8:35 o'clock a. M.

Jennifer Updegraff
Secretary to the Governor

Approved this 3 day of

June, 2004,

at 3⁴⁵ o'clock P. M.

J. A. Rynell
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 3 day of June, 2004

at 4:22 o'clock P. M.

Janice K. Brewer
Secretary of State

H.B. 2694