

Conference Engrossed

State of Arizona
Senate
Forty-seventh Legislature
First Regular Session
2005

CHAPTER 282

SENATE BILL 1338

AN ACT

AMENDING SECTION 13-604.01, ARIZONA REVISED STATUTES, AS AMENDED BY LAWS 2005, CHAPTER 2, SECTION 1; AMENDING TITLE 13, CHAPTER 9, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-922; AMENDING SECTIONS 13-3821 AND 13-3822, ARIZONA REVISED STATUTES; PROVIDING FOR THE DELAYED REPEAL OF SECTION 13-922, ARIZONA REVISED STATUTES, AS ADDED BY THIS ACT; RELATING TO SEX OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 13-604.01, Arizona Revised Statutes, as amended by
3 Laws 2005, chapter 2, section 1, is amended to read:

4 13-604.01. Dangerous crimes against children; sentences;
5 definitions

6 A. A person who is at least eighteen years of age and who stands
7 convicted of a dangerous crime against children in the first degree involving
8 sexual assault of a minor who is twelve years of age or younger or sexual
9 conduct with a minor who is twelve years of age or younger shall be sentenced
10 to life imprisonment and is not eligible for suspension of sentence,
11 probation, pardon or release from confinement on any basis except as
12 specifically authorized by section 31-233, subsection A or B until the person
13 has served thirty-five years or the sentence is commuted. This subsection
14 does not apply to masturbatory contact.

15 B. Except as otherwise provided in this section, a person who is at
16 least eighteen years of age or who has been tried as an adult and who stands
17 convicted of a dangerous crime against children in the first degree involving
18 attempted first degree murder of a minor who is under twelve years of age or
19 second degree murder of a minor who is under twelve years of age or sexual
20 assault of a minor who is under twelve years of age or sexual conduct with a
21 minor who is under twelve years of age may be sentenced to life imprisonment
22 and is not eligible for suspension of sentence, probation, pardon or release
23 from confinement on any basis except as specifically authorized by section
24 31-233, subsection A or B until the person has served thirty-five years or
25 the sentence is commuted. If a life sentence is not imposed pursuant to this
26 subsection, the person shall be sentenced to a presumptive term of
27 imprisonment for twenty years.

28 C. Except as otherwise provided in this section, a person who is at
29 least eighteen years of age or who has been tried as an adult and who stands
30 convicted of a dangerous crime against children in the first degree involving
31 attempted first degree murder of a minor who is twelve, thirteen or fourteen
32 years of age, second degree murder of a minor who is twelve, thirteen or
33 fourteen years of age, sexual assault of a minor who is twelve, thirteen or
34 fourteen years of age, taking a child for the purpose of prostitution, child
35 prostitution, sexual conduct with a minor who is twelve, thirteen or fourteen
36 years of age, or continuous sexual abuse of a child, SEX TRAFFICKING OF A
37 MINOR WHO IS UNDER FIFTEEN YEARS OF AGE or involving or using minors in drug
38 offenses shall be sentenced to a presumptive term of imprisonment for twenty
39 years. If the convicted person has been previously convicted of one
40 predicate felony the person shall be sentenced to a presumptive term of
41 imprisonment for thirty years.

42 D. Except as otherwise provided in this section, a person who is at
43 least eighteen years of age or who has been tried as an adult and who stands
44 convicted of a dangerous crime against children in the first degree involving
45 aggravated assault, molestation of a child, commercial sexual exploitation of

1 a minor, sexual exploitation of a minor, child abuse or kidnapping shall be
2 sentenced to a presumptive term of imprisonment for seventeen years. If the
3 convicted person has been previously convicted of one predicate felony the
4 person shall be sentenced to a presumptive term of imprisonment for
5 twenty-eight years.

6 E. Except as otherwise provided in this section, a person who is at
7 least eighteen years of age or who has been tried as an adult and who stands
8 convicted of a dangerous crime against children involving sexual abuse under
9 section 13-1404 is guilty of a class 3 felony and shall be sentenced to a
10 presumptive term of imprisonment for five years, and unless the person has
11 previously been convicted of a predicate felony, the presumptive term may be
12 increased or decreased by up to two and one-half years pursuant to section
13 13-702, subsections B, C and D. If the person is sentenced to a term of
14 imprisonment the person is not eligible for release from confinement on any
15 basis except as specifically authorized by section 31-233, subsection A or B
16 until the sentence imposed by the court has been served, the person is
17 eligible for release pursuant to section 41-1604.07 or the sentence is
18 commuted. If the convicted person has been previously convicted of one
19 predicate felony the person shall be sentenced to a presumptive term of
20 imprisonment for fifteen years and is not eligible for suspension of
21 sentence, probation, pardon or release from confinement on any basis except
22 as specifically authorized by section 31-233, subsection A or B until the
23 sentence imposed by the court has been served, the person is eligible for
24 release pursuant to section 41-1604.07 or the sentence is commuted.

25 F. The presumptive sentences prescribed in subsections B, C and D of
26 this section or subsection E of this section if the person has previously
27 been convicted of a predicate felony may be increased or decreased by up to
28 seven years pursuant to the provisions of section 13-702, subsections B, C
29 and D.

30 G. Except as provided in subsection E of this section, a person
31 sentenced for a dangerous crime against children in the first degree pursuant
32 to this section is not eligible for suspension of sentence, probation, pardon
33 or release from confinement on any basis except as specifically authorized by
34 section 31-233, subsection A or B until the sentence imposed by the court has
35 been served or commuted.

36 H. A person who stands convicted of any dangerous crime against
37 children in the first degree pursuant to subsection C or D of this section
38 having been previously convicted of two or more predicate felonies shall be
39 sentenced to life imprisonment and is not eligible for suspension of
40 sentence, probation, pardon or release from confinement on any basis except
41 as specifically authorized by section 31-233, subsection A or B until the
42 person has served not fewer than thirty-five years or the sentence is
43 commuted.

44 I. Notwithstanding chapter 10 of this title, a person who is at least
45 eighteen years of age or who has been tried as an adult and who stands

1 convicted of a dangerous crime against children in the second degree pursuant
2 to subsection C or D of this section or luring a minor for sexual
3 exploitation pursuant to section 13-3554 is guilty of a class 3 felony and
4 shall be sentenced to a presumptive term of imprisonment for ten years. The
5 presumptive term may be increased or decreased by up to five years pursuant
6 to section 13-702, subsections B, C and D. If the person is sentenced to a
7 term of imprisonment the person is not eligible for release from confinement
8 on any basis except as specifically authorized by section 31-233, subsection
9 A or B until the person has served the sentence imposed by the court, the
10 person is eligible for release pursuant to section 41-1604.07 or the sentence
11 is commuted. A person who is convicted of any dangerous crime against
12 children in the second degree having been previously convicted of one or more
13 predicate felonies is not eligible for suspension of sentence, probation,
14 pardon or release from confinement on any basis except as specifically
15 authorized by section 31-233, subsection A or B until the sentence imposed by
16 the court has been served, the person is eligible for release pursuant to
17 section 41-1604.07 or the sentence is commuted.

18 J. Section 13-604, subsections M and O apply to the determination of
19 prior convictions.

20 K. The sentence imposed on a person by the court for a dangerous crime
21 against children under subsection D of this section involving child
22 molestation or sexual abuse pursuant to subsection E of this section may be
23 served concurrently with other sentences if the offense involved only one
24 victim. The sentence imposed on a person for any other dangerous crime
25 against children in the first or second degree shall be consecutive to any
26 other sentence imposed on the person at any time, including child molestation
27 and sexual abuse of the same victim.

28 L. For the purposes of this section:

29 1. "Dangerous crime against children" means any of the following that
30 is committed against a minor who is under fifteen years of age:

- 31 (a) Second degree murder.
32 (b) Aggravated assault resulting in serious physical injury or
33 involving the discharge, use or threatening exhibition of a deadly weapon or
34 dangerous instrument.
35 (c) Sexual assault.
36 (d) Molestation of a child.
37 (e) Sexual conduct with a minor.
38 (f) Commercial sexual exploitation of a minor.
39 (g) Sexual exploitation of a minor.
40 (h) Child abuse as prescribed in section 13-3623, subsection A,
41 paragraph 1.
42 (i) Kidnapping.
43 (j) Sexual abuse.
44 (k) Taking a child for the purpose of prostitution as defined in
45 section 13-3206.

- 1 (l) Child prostitution as defined in section 13-3212.
- 2 (m) Involving or using minors in drug offenses.
- 3 (n) Continuous sexual abuse of a child.
- 4 (o) Attempted first degree murder.
- 5 (p) Sex trafficking.

6 A dangerous crime against children is in the first degree if it is a
7 completed offense and is in the second degree if it is a preparatory offense,
8 except attempted first degree murder is a dangerous crime against children in
9 the first degree.

10 2. "Predicate felony" means any felony involving child abuse pursuant
11 to section 13-3623, subsection A, paragraph 1, a sexual offense, conduct
12 involving the intentional or knowing infliction of serious physical injury or
13 the discharge, use or threatening exhibition of a deadly weapon or dangerous
14 instrument, or a dangerous crime against children in the first or second
15 degree.

16 Sec. 2. Title 13, chapter 9, Arizona Revised Statutes, is amended by
17 adding section 13-922, to read:

18 13-922. Persons convicted of sexual offenses; residency
19 restrictions; exceptions; definitions

20 A. AN ADULT PROBATION OFFICER SHALL NOT APPROVE THE RESIDENCE OF A
21 PROBATIONER WHO HAS BEEN CONVICTED OF A FELONY OFFENSE THAT REQUIRES THE
22 PROBATIONER TO REGISTER PURSUANT TO SECTION 13-3821 IN ANY MULTIFAMILY
23 DWELLING UNLESS THE NUMBER OF PROBATIONERS WHO ARE REQUIRED TO REGISTER AND
24 WHO RESIDE IN THE MULTIFAMILY DWELLING IS LESS THAN TEN PER CENT OF THE
25 NUMBER OF DWELLING UNITS THAT ARE CONTAINED IN THE MULTIFAMILY DWELLING. NOT
26 MORE THAN ONE PROBATIONER WHO IS CLASSIFIED AS A LEVEL THREE OFFENDER
27 PURSUANT TO SECTIONS 13-3825 AND 13-3826 SHALL RESIDE IN A MULTIFAMILY
28 DWELLING.

29 B. SUBSECTION A OF THIS SECTION DOES NOT APPLY TO ANY OF THE
30 FOLLOWING:

31 1. A PERSON WHO WAS CONVICTED OF A SEXUAL OFFENSE AND WHO WAS PLACED
32 ON PROBATION BEFORE THE EFFECTIVE DATE OF THIS SECTION UNTIL THAT PERSON
33 CHANGES RESIDENCE.

34 2. A PERSON WHO RESIDES IN A RESIDENTIAL TREATMENT FACILITY OR A
35 PERSON WHO PARTICIPATES IN A SUPERVISED PROGRAM THAT PROVIDES TRANSITIONAL
36 SERVICES, INCLUDING DIAGNOSTIC EVALUATION, BEHAVIORAL, MEDICAL, PSYCHIATRIC,
37 PSYCHOLOGICAL AND SOCIAL SERVICE CARE.

38 3. A JUVENILE WHO RESIDES WITH A PARENT OR GUARDIAN.

39 4. A MULTIFAMILY DWELLING IN AN INDUSTRIAL OR COMMERCIAL ZONE.

40 C. THIS SECTION DOES NOT LIMIT THE COURT'S DISCRETION TO PROHIBIT OR
41 RESTRICT, AS A CONDITION OF PROBATION, A PERSON WHO IS CONVICTED OF A SEXUAL
42 OFFENSE FROM RESIDING IN ANY MULTIFAMILY DWELLING.

43 D. A PUBLIC ENTITY OR AN EMPLOYEE OF A PUBLIC ENTITY IS NOT LIABLE FOR
44 ANY FAILURE TO PREVENT A VIOLATION OF THIS SECTION UNLESS THE PUBLIC
45 EMPLOYEE, ACTING WITHIN THE SCOPE OF THE PUBLIC EMPLOYEE'S EMPLOYMENT,

1 INTENDED TO DISREGARD THE PROVISIONS OF THIS SECTION OR TO CAUSE INJURY OR
2 WAS GROSSLY NEGLIGENT.

3 E. THIS SECTION APPLIES ONLY IN COUNTIES WITH A POPULATION OF MORE
4 THAN TWO MILLION FIVE HUNDRED THOUSAND PERSONS.

5 F. FOR THE PURPOSES OF THIS SECTION:

6 1. "MULTIFAMILY DWELLING" MEANS A BUILDING OR BUILDINGS THAT ARE
7 LOCATED IN AN AREA ZONED RESIDENTIAL, THAT ARE ATTACHED TO EACH OTHER, THAT
8 CONTAIN TWO OR MORE DWELLING UNITS, INCLUDING TRIPLEXES, FOURPLEXES AND
9 APARTMENTS, AND THAT HAVE AS THEIR PRIMARY ACCESS A COMMON HALLWAY OR
10 CORRIDOR.

11 2. "MULTIFAMILY DWELLING UNIT" MEANS ONE OR MORE ROOMS WITHIN A
12 BUILDING THAT ARE ARRANGED, DESIGNED OR USED FOR RESIDENTIAL PURPOSES AND
13 THAT CONTAIN INDEPENDENT SANITARY AND COOKING FACILITIES.

14 3. "RESIDENTIAL TREATMENT FACILITY" MEANS A RESIDENTIAL FACILITY THAT
15 PROVIDES ANY SERVICE OR CARE, INCLUDING DIAGNOSTIC EVALUATION, BEHAVIORAL,
16 MEDICAL, PSYCHIATRIC, PSYCHOLOGICAL AND SOCIAL SERVICE CARE, VOCATIONAL
17 REHABILITATION OR CAREER COUNSELING, TO RESIDENTS AND THAT IS LICENSED BY
18 THIS STATE OR A POLITICAL SUBDIVISION OF THIS STATE.

19 Sec. 3. Section 13-3821, Arizona Revised Statutes, is amended to read:
20 13-3821. Persons required to register; procedure;
21 identification card; definitions

22 A. A person who has been convicted of a violation or attempted
23 violation of any of the following offenses or who has been convicted of an
24 offense committed in another jurisdiction that if committed in this state
25 would be a violation or attempted violation of any of the following offenses
26 or an offense that was in effect before September 1, 1978 and that, if
27 committed on or after September 1, 1978, has the same elements of an offense
28 listed in this section shall REGISTER, within ten days after the conviction
29 or within ten days after entering and remaining in any county of this state,
30 register with the sheriff of that county:

31 1. Unlawful imprisonment pursuant to section 13-1303 if the victim is
32 under eighteen years of age and the unlawful imprisonment was not committed
33 by the child's parent.

34 2. Kidnapping pursuant to section 13-1304 if the victim is under
35 eighteen years of age and the kidnapping was not committed by the child's
36 parent.

37 3. Sexual abuse pursuant to section 13-1404 if the victim is under
38 eighteen years of age.

39 4. Sexual conduct with a minor pursuant to section 13-1405.

40 5. Sexual assault pursuant to section 13-1406.

41 6. Sexual assault of a spouse pursuant to section 13-1406.01.

42 7. Molestation of a child pursuant to section 13-1410.

43 8. Continuous sexual abuse of a child pursuant to section 13-1417.

44 9. Taking a child for the purpose of prostitution pursuant to section
45 13-3206.

- 1 10. Child prostitution pursuant to section 13-3212.
2 11. Commercial sexual exploitation of a minor pursuant to section
3 13-3552.
4 12. Sexual exploitation of a minor pursuant to section 13-3553.
5 13. Luring a minor for sexual exploitation pursuant to section 13-3554.
6 14. SEX TRAFFICKING OF A MINOR PURSUANT TO SECTION 13-1307.
7 ~~14-~~ 15. A second or subsequent violation of indecent exposure to a
8 person under the age of fifteen years pursuant to section 13-1402,
9 subsection B.
10 ~~15-~~ 16. A second or subsequent violation of public sexual indecency to
11 a minor under the age of fifteen years pursuant to section 13-1403,
12 subsection B.
13 ~~16-~~ 17. A third or subsequent violation of indecent exposure pursuant
14 to section 13-1402.
15 ~~17-~~ 18. A third or subsequent violation of public sexual indecency
16 pursuant to section 13-1403.
17 ~~18-~~ 19. A violation of section 13-3822 or 13-3824.
18 B. Before the person is released from confinement the state department
19 of corrections in conjunction with the department of public safety and each
20 county sheriff shall complete the registration of any person who was
21 convicted of a violation of any offense listed under subsection A of this
22 section. Within three days after the person's release from confinement, the
23 state department of corrections shall forward the registered person's records
24 to the department of public safety and to the sheriff of the county in which
25 the registered person intends to reside. Registration pursuant to this
26 subsection shall be consistent with subsection E of this section.
27 C. Notwithstanding subsection A of this section, the judge who
28 sentences a defendant for any violation of chapter 14 or 35.1 of this title
29 or for an offense for which there was a finding of sexual motivation pursuant
30 to section 13-118 may require the person who committed the offense to
31 register pursuant to this section.
32 D. The court may require a person who has been adjudicated delinquent
33 for an act that would constitute an offense specified in subsection A or C of
34 this section to register pursuant to this section. Any duty to register
35 under this subsection shall terminate when the person reaches twenty-five
36 years of age.
37 E. A person who has been convicted of or adjudicated delinquent and
38 who is required to register in the convicting state for an act that would
39 constitute an offense specified in subsection A or C of this section and who
40 is not a resident of this state shall be required to register pursuant to
41 this section if the person is either:
42 1. Employed full-time or part-time in this state, with or without
43 compensation, for more than fourteen consecutive days or for an aggregate
44 period of more than thirty days in a calendar year.

1 2. Enrolled as a full-time or part-time student in any school in this
2 state for more than fourteen consecutive days or for an aggregate period of
3 more than thirty days in a calendar year. For the purposes of this
4 paragraph, "school" means an educational institution of any description,
5 public or private, wherever located in this state.

6 F. Any duty to register under subsection D or E of this section for a
7 juvenile adjudication terminates when the person reaches twenty-five years of
8 age.

9 G. The court may order the termination of any duty to register under
10 this section ~~upon~~ ON successful completion of probation if the person was
11 under eighteen years of age when the offense for which the person was
12 convicted was committed.

13 H. At the time of registering, the person shall sign a statement in
14 writing giving such information as required by the director of the department
15 of public safety, including all names by which the person is known. The
16 sheriff shall fingerprint and photograph the person and within three days
17 thereafter shall send copies of the statement, fingerprints and photographs
18 to the criminal identification section within the department of public safety
19 and the chief of police, if any, of the place where the person resides. THE
20 INFORMATION THAT IS REQUIRED BY THIS SUBSECTION SHALL INCLUDE THE PHYSICAL
21 LOCATION OF THE PERSON'S RESIDENCE AND THE PERSON'S ADDRESS. IF THE PERSON
22 HAS A PLACE OF RESIDENCE THAT IS DIFFERENT FROM THE PERSON'S ADDRESS, THE
23 PERSON SHALL PROVIDE THE PERSON'S ADDRESS, THE PHYSICAL LOCATION OF THE
24 PERSON'S RESIDENCE AND THE NAME OF THE OWNER OF THE RESIDENCE IF THE
25 RESIDENCE IS PRIVATELY OWNED AND NOT OFFERED FOR RENT OR LEASE. IF THE
26 PERSON RECEIVES MAIL AT A POST OFFICE BOX, THE PERSON SHALL PROVIDE THE
27 LOCATION AND NUMBER OF THE POST OFFICE BOX. IF THE PERSON DOES NOT HAVE AN
28 ADDRESS OR A PERMANENT PLACE OF RESIDENCE, THE PERSON SHALL PROVIDE A
29 DESCRIPTION AND PHYSICAL LOCATION OF ANY TEMPORARY RESIDENCE.

30 I. ~~Upon~~ ON the person's initial registration and every year after the
31 person's initial registration, the person shall obtain a new nonoperating
32 identification license or a driver license from the motor vehicle division in
33 the department of transportation and shall carry a valid nonoperating
34 identification license or a driver license. Notwithstanding sections 28-3165
35 and 28-3171, the license shall be valid for one year from the date of
36 issuance, and the person shall submit to the department of transportation
37 proof of the person's address AND PLACE OF RESIDENCE. The motor vehicle
38 division shall annually update the person's photograph and shall make a copy
39 of the photograph available to the criminal identification section of the
40 department of public safety or to any law enforcement agency.

41 J. Except as provided in subsection E or K of this section, the clerk
42 of the superior court in the county in which a person has been convicted of a
43 violation of any offense listed under subsection A of this section or has
44 been ordered to register pursuant to subsection C or D of this section shall

1 notify the sheriff in that county of the conviction within ten days after
2 entry of the judgment.

3 K. Within ten days after entry of judgment, a court not of record
4 shall notify the arresting law enforcement agency of an offender's conviction
5 of a violation of section 13-1402. Within ten days after receiving this
6 information, the law enforcement agency shall determine if the offender is
7 required to register pursuant to this section. If the law enforcement agency
8 determines that the offender is required to register, the law enforcement
9 agency shall provide the information required by section 13-3825 to the
10 department of public safety and shall make community notification as required
11 by law.

12 L. A person who is required to register pursuant to this section
13 because of a conviction for the unlawful imprisonment of a minor or the
14 kidnapping of a minor is required to register, absent additional or
15 subsequent convictions, for a period of ten years from the date that the
16 person is released from prison, jail, probation, community supervision or
17 parole and the person has fulfilled all restitution obligations.
18 Notwithstanding this subsection, a person who has a prior conviction for an
19 offense for which registration is required pursuant to this section is
20 required to register for life.

21 M. A person who is required to register pursuant to this section and
22 who is a student at a public or private institution of postsecondary
23 education or who is employed, with or without compensation, at a public or
24 private institution of postsecondary education or who carries on a vocation
25 at a public or private institution of postsecondary education shall notify
26 the county sheriff having jurisdiction of the institution of postsecondary
27 education. The person required to register pursuant to this section shall
28 also notify the sheriff of each change in enrollment or employment status at
29 the institution.

30 N. FOR THE PURPOSES OF THIS SECTION:

31 1. "ADDRESS" MEANS THE LOCATION AT WHICH THE PERSON RECEIVES MAIL.

32 2. "RESIDENCE" MEANS THE PERSON'S DWELLING PLACE, WHETHER PERMANENT OR
33 TEMPORARY.

34 Sec. 4. Section 13-3822, Arizona Revised Statutes, is amended to read:
35 13-3822. Notice of moving from place of residence where living
36 or change of name; forwarding of information;
37 definitions

38 A. Within seventy-two hours, excluding weekends and legal holidays,
39 after moving from the person's address RESIDENCE within a county or after
40 changing the person's name, a person WHO IS required to register under the
41 provisions of this article shall inform the sheriff in person and in writing
42 of the person's new RESIDENCE, address or new name. If the person moves to a
43 location which THAT is not a residence and the person receives mail at
44 ANYWHERE, INCLUDING a post office box, the person shall notify the sheriff of
45 the location of the post office box and the post office box number PERSON'S

1 ADDRESS. Within three days after receipt of such information, the sheriff
2 shall forward it to the criminal identification section within the department
3 of public safety and the chief of police, if any, of the place from which the
4 person moves, and shall forward a copy of the statement, fingerprints and
5 photograph of such THE person to the chief of police, if any, of the place to
6 which the person has moved.

7 B. Within seventy-two hours after a person moves from a county in
8 which the person is registered, the person shall notify in writing the
9 sheriff of the county from which the person moves. If the person is subject
10 to community notification requirements, the sheriff of the county from which
11 the person moves shall advise the local law enforcement agency of the county
12 to which the person moves of the move. If the person moves out of this
13 state, the sheriff of the county from which the person moves shall advise the
14 local law enforcement agency in the jurisdiction to which the person moves.
15 The local law enforcement agency shall contact the department of public
16 safety following ten days after being notified to determine if the person has
17 reregistered. If the person has not reregistered, the local law enforcement
18 agency shall notify the local law enforcement agency in the county in which
19 the person last resided. The local law enforcement agency in the county in
20 which the person last resided shall conduct an investigation and shall submit
21 a report to the appropriate county attorney.

22 C. FOR THE PURPOSES OF THIS SECTION:

23 1. "ADDRESS" MEANS THE LOCATION AT WHICH THE PERSON RECEIVES MAIL.

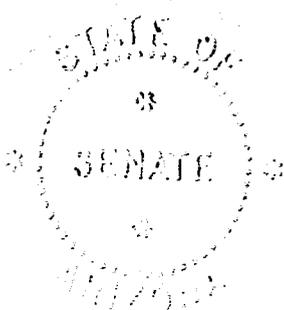
24 2. "RESIDENCE" MEANS THE PERSON'S DWELLING PLACE, WHETHER PERMANENT OR
25 TEMPORARY.

26 Sec. 5. Delayed repeal

27 Section 13-922, Arizona Revised Statutes, as added by this act, is
28 repealed from and after December 31, 2010.

APPROVED BY THE GOVERNOR MAY 11, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 12, 2005.



Passed the House April 14, 20 05,

by the following vote: 52 Ayes,

4 Nays, 4 Not Voting



Speaker of the House

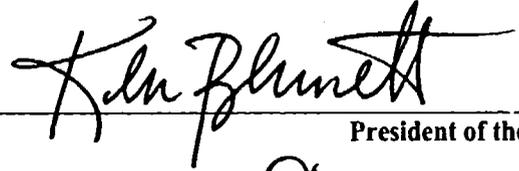


Chief Clerk of the House

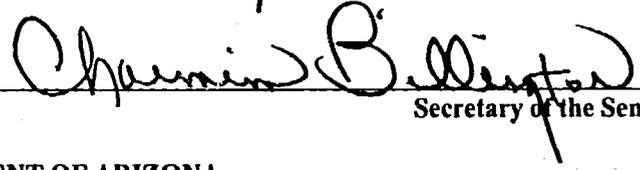
Passed the Senate March 3, 20 05,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting



President of the Senate



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

S.B. 1338

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

HOUSE FINAL PASSAGE
as per Joint Conference

Passed the House May 4, 2005,
by the following vote: 58 Ayes,

0 Nays, 2 Not Voting

[Signature]
Speaker of the House

Norman L. Moore
Chief Clerk of the House

SENATE FINAL PASSAGE
as per Joint Conference

Passed the Senate May 2, 2005,
by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate

Charmine Bellington
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor

this 5th day of May, 2005

at 3:45 o'clock P. M.

Jennifer Upbarra
Secretary to the Governor

Approved this 11 day of

May, 2005,

at 5⁰⁰ o'clock P. M.

[Signature]
Governor of Arizona

S.B. 1338

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 12 day of May, 2005

at 9:10 o'clock A. M.

[Signature]
Secretary of State