

Conference Engrossed

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

CHAPTER 327

# SENATE BILL 1473

AN ACT

AMENDING SECTIONS 12-1000 AND 13-604.01, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-712; AMENDING SECTIONS 13-3404.01, 13-3407 AND 13-3967, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 34, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3407.01; AMENDING TITLE 32, CHAPTER 18, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 32-1971; AMENDING SECTION 36-104, ARIZONA REVISED STATUTES; RELATING TO DRUG OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)



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

2 Section 1. Section 12-1000, Arizona Revised Statutes, is amended to  
3 read:

4 12-1000. Clandestine drug laboratories; notice; cleanup;  
5 residual contamination; civil penalty; immunity;  
6 restitution; violation; classification

7 A. If a peace officer discovers a clandestine drug laboratory or  
8 arrests a person for having on any real property chemicals or equipment used  
9 in manufacturing methamphetamine, ecstasy or LSD or a derivative of  
10 methamphetamine, ecstasy or LSD, the peace officer:

11 1. At the time of the discovery or arrest, shall deliver a copy of the  
12 notice of removal pursuant to subsection B of this section to the owner of  
13 the real property if the owner is on the site at the time of delivery, the  
14 on-site manager if the manager is on the site at the time of delivery or the  
15 on-site drop box if available. In the case of a tenant-owned unit in a space  
16 rental mobile home or recreational vehicle park, the officer shall deliver a  
17 copy of the notice of removal to the occupant of the unit if the occupant is  
18 on site at the time of delivery and to the on-site park landlord if the park  
19 landlord is on site at the time of delivery.

20 2. Within two business days after the discovery or arrest, shall send  
21 the notice of removal by certified mail to the owner of the real property and  
22 the owner's on-site manager or, in the case of a space rental mobile home or  
23 recreational vehicle park, to the owner of the mobile home or recreational  
24 vehicle, if applicable, and to the park landlord. These persons are deemed  
25 to receive the notice of removal five days after the notice is mailed. The  
26 notice shall be sent to the following:

- 27 (a) The owner's address on file with the county assessor. The county  
28 shall waive any fee or charge for the owner's address information.  
29 (b) The county health department.  
30 (c) The appropriate local fire department.  
31 (d) THE STATE BOARD OF TECHNICAL REGISTRATION.

32 3. After a law enforcement or other agency removes the gross  
33 contamination on the real property, shall order the removal of all persons  
34 from the residually contaminated portion of the real property or dwelling  
35 unit, if applicable, or, in the case of a space rental mobile home or  
36 recreational vehicle park, from the unit located on the real property.

37 4. After the peace officer removes all persons pursuant to paragraph 3  
38 of this subsection, shall affix the notice of removal in a conspicuous place  
39 on the real property or, in the case of a space rental mobile home or  
40 recreational vehicle park, on the unit located on the real property. The  
41 notice of removal shall state that it is unlawful for any person other than  
42 the owner, landlord or manager to enter the residually contaminated portion  
43 of the property until the owner remediates the residually contaminated  
44 portion of the property.

1           B. The notice of removal shall be in writing and shall contain all of  
2 the following:

3           1. The word "warning" in large bold type at the top and bottom of the  
4 notice.

5           2. A statement that a clandestine drug laboratory was seized or a  
6 person was arrested on the real property for having chemicals or equipment  
7 used in the manufacturing of methamphetamine, ecstasy or LSD on the real  
8 property.

9           3. The date of the seizure or arrest.

10          4. The address or location of the real property, including the  
11 identification of any dwelling unit, room number, apartment number or vehicle  
12 number.

13          5. The name of the law enforcement agency or other agency that seized  
14 the clandestine drug laboratory or made the arrest and the agency's contact  
15 telephone number.

16          6. A statement that hazardous substances, toxic chemicals or other  
17 waste products may still be present on the real property or, in the case of a  
18 space rental mobile home or recreational vehicle park, in the unit located on  
19 the real property.

20          7. A statement that it is unlawful for any unauthorized person to  
21 enter the residually contaminated portion of the real property or, in the  
22 case of a space rental mobile home or recreational vehicle park, the unit  
23 located on the real property, until the owner, landlord or manager  
24 establishes that the portion of the real property noticed as residually  
25 contaminated has been remediated by a drug laboratory site remediation firm.

26          8. A statement that it is a class 6 felony to violate this section.

27          9. A statement that it is a class 2 misdemeanor to disturb the notice  
28 of removal posted on the real property.

29          10. A statement that the owner of the real property shall remediate the  
30 residually contaminated portion of the property in compliance with subsection  
31 C of this section.

32          11. A statement that if an owner fails to provide any notice required  
33 by this section, the owner is subject to a civil penalty and a buyer, tenant  
34 or customer may void a purchase contract, rental agreement or other  
35 agreement.

36          C. The owner of the real property shall remediate the residually  
37 contaminated portion of the real property WITHIN TWELVE MONTHS AFTER THE DATE  
38 OF NOTICE OF REMOVAL by retaining a registered drug laboratory site  
39 remediation firm pursuant to title 32, chapter 1. IF THE OWNER OF THE REAL  
40 PROPERTY FAILS TO REMEDIATE THE PROPERTY UNDER THIS SUBSECTION, A COUNTY OR  
41 CITY IN THIS STATE MAY REMEDIATE THE PROPERTY USING A REGISTERED REMEDIATION  
42 FIRM CONTRACTED BY ANY COUNTY OR CITY IN THIS STATE WITH THE COST OF  
43 REMEDIATION PASSED ON TO THE PROPERTY OWNER IN THE FORM OF A LIEN ON THE  
44 PROPERTY TITLE.

1 D. A drug laboratory site remediation firm that remediates the  
2 residually contaminated portion of any real property pursuant to this section  
3 shall comply with the requirements established and the best practices and  
4 standards for remediation of residual contamination adopted by the state  
5 board of technical registration pursuant to title 32, chapter 1. When  
6 remediation is complete, the drug laboratory site remediation firm shall  
7 remove the posted notice and shall issue a document stating that the  
8 residually contaminated portion of the real property has been remediated.  
9 Within twenty-four hours after the remediation is complete, the drug  
10 laboratory site remediation firm shall deliver the document or send the  
11 document by certified mail to each person and entity listed in subsection A,  
12 paragraph 2 OF THIS SECTION and the law enforcement agency that issued the  
13 notice under that subsection. After the document has been issued, both of  
14 the following apply:

15 1. The owner, landlord or manager of the real property is not required  
16 to comply with subsection F of this section.

17 2. Any person may use, enter, occupy, rent or sell the real property.

18 E. The county health department shall maintain and make available on  
19 request any documents that are received pursuant to subsection D of this  
20 section.

21 F. The following notice requirements apply until the remediation is  
22 complete as provided in subsection D of this section:

23 1. Within five days after a buyer signs a contract to purchase the  
24 real property, the owner shall notify the buyer in writing that  
25 methamphetamine, ecstasy or LSD was manufactured on the real property or that  
26 an arrest was made pursuant this section. The buyer shall acknowledge  
27 receipt of the notice. A buyer may cancel the real estate purchase contract  
28 within five days after receiving the notice. If the owner does not comply  
29 with this paragraph, the buyer may cancel the purchase contract.

30 2. The landlord shall notify a prospective tenant for a dwelling unit  
31 that was the subject of the notice in writing that methamphetamine, ecstasy  
32 or LSD was manufactured on the real property or that an arrest was made  
33 pursuant TO this section. The tenant shall acknowledge receipt of the notice  
34 before taking possession of the real property or before signing a rental  
35 agreement for the real property. The notice shall be attached to the rental  
36 agreement. If the landlord does not comply with this paragraph, the tenant  
37 may void the rental agreement.

38 3. Before a customer occupies a room that was the subject of the  
39 notice, the owner or manager shall notify the customer in writing that  
40 methamphetamine, ecstasy or LSD was manufactured in the room or that an  
41 arrest was made pursuant to this section. If the owner or manager does not  
42 comply with this paragraph, the customer may void the agreement.

43 4. The owner shall notify a buyer or prospective tenant in writing  
44 that methamphetamine, ecstasy or LSD was manufactured in the mobile home or  
45 recreational vehicle or that an arrest was made pursuant to this section.

1 The buyer shall acknowledge receipt of the notice before taking possession of  
2 the mobile home or recreational vehicle. A buyer may cancel the purchase  
3 contract within five days after receiving the notice. The tenant shall  
4 acknowledge receipt of the notice before taking possession of the mobile home  
5 or recreational vehicle or before signing a rental agreement for the mobile  
6 home or recreational vehicle. The notice shall be attached to the rental  
7 agreement. If the owner does not comply with this paragraph, the tenant may  
8 void the rental agreement.

9 5. If a mobile home or recreational vehicle in a space rental park  
10 contains a clandestine drug laboratory, the landlord, on receipt of a notice  
11 pursuant to this section, shall notify the lienholder of record and the owner  
12 of record of the unit to remove it from the park within thirty days. If the  
13 unit is not removed within thirty days, the landlord may remove or demolish  
14 the unit and dispose of it as junk and shall notify the department of  
15 transportation of the demolition. A landlord that complies with this  
16 subsection is not liable for such action.

17 G. If an owner fails to provide any notice required by this section,  
18 the owner is subject to a civil penalty of one thousand dollars and is liable  
19 for any harm resulting from the owner's failure to comply with the  
20 requirements of this section.

21 H. A state or local government and a state or local government's  
22 employees or authorized representatives are not responsible parties as  
23 prescribed by section 49-283 and are not liable for costs or damages incurred  
24 as a result of action taken in compliance with this section. This subsection  
25 does not preclude liability for costs or damages that result from gross  
26 negligence or intentional misconduct by a state or local government. For the  
27 purposes of this subsection, "gross negligence" means reckless, ~~willful~~  
28 WILFUL or wanton misconduct.

29 I. A person who operates a clandestine drug laboratory and who is not  
30 the owner of the real property shall pay restitution to the owner of the real  
31 property for all costs that the owner incurred to remediate the property.

32 J. A person who knowingly violates an order or notice of removal that  
33 is issued by a peace officer under this section is guilty of a class 6  
34 felony. A person who knowingly disturbs a notice of removal posted on the  
35 real property is guilty of a class 2 misdemeanor.

36 Sec. 2. Section 13-604.01, Arizona Revised Statutes, is amended to  
37 read:

38 13-604.01. Dangerous crimes against children; sentences;  
39 definitions

40 A. A person who is at least eighteen years of age and who stands  
41 convicted of a dangerous crime against children in the first degree involving  
42 sexual assault of a minor who is twelve years of age or younger or sexual  
43 conduct with a minor who is twelve years of age or younger shall be sentenced  
44 to life imprisonment and is not eligible for suspension of sentence,  
45 probation, pardon or release from confinement on any basis except as

1 specifically authorized by section 31-233, subsection A or B until the person  
2 has served thirty-five years or the sentence is commuted. This subsection  
3 does not apply to masturbatory contact.

4 B. Except as otherwise provided in this section, a person who is at  
5 least eighteen years of age or who has been tried as an adult and who stands  
6 convicted of a dangerous crime against children in the first degree involving  
7 attempted first degree murder of a minor who is under twelve years of age, or  
8 second degree murder of a minor who is under twelve years of age, or sexual  
9 assault of a minor who is under twelve years of age, or sexual conduct with a  
10 minor who is under twelve years of age OR MANUFACTURING METHAMPHETAMINE UNDER  
11 CIRCUMSTANCES THAT CAUSE PHYSICAL INJURY TO A MINOR WHO IS UNDER TWELVE YEARS  
12 OF AGE may be sentenced to life imprisonment and is not eligible for  
13 suspension of sentence, probation, pardon or release from confinement on any  
14 basis except as specifically authorized by section 31-233, subsection A or B  
15 until the person has served thirty-five years or the sentence is  
16 commuted. If a life sentence is not imposed pursuant to this subsection, the  
17 person shall be sentenced to a presumptive term of imprisonment for twenty  
18 years.

19 C. Except as otherwise provided in this section, a person who is at  
20 least eighteen years of age or who has been tried as an adult and who stands  
21 convicted of a dangerous crime against children in the first degree involving  
22 attempted first degree murder of a minor who is twelve, thirteen or fourteen  
23 years of age, second degree murder of a minor who is twelve, thirteen or  
24 fourteen years of age, sexual assault of a minor who is twelve, thirteen or  
25 fourteen years of age, taking a child for the purpose of prostitution, child  
26 prostitution, sexual conduct with a minor who is twelve, thirteen or fourteen  
27 years of age, or continuous sexual abuse of a child, MANUFACTURING  
28 METHAMPHETAMINE UNDER CIRCUMSTANCES THAT CAUSE PHYSICAL INJURY TO A MINOR WHO  
29 IS TWELVE, THIRTEEN OR FOURTEEN YEARS OF AGE or involving or using minors in  
30 drug offenses shall be sentenced to a presumptive term of imprisonment for  
31 twenty years. If the convicted person has been previously convicted of one  
32 predicate felony the person shall be sentenced to a presumptive term of  
33 imprisonment for thirty years.

34 D. Except as otherwise provided in this section, a person who is at  
35 least eighteen years of age or who has been tried as an adult and who stands  
36 convicted of a dangerous crime against children in the first degree involving  
37 aggravated assault, molestation of a child, commercial sexual exploitation of  
38 a minor, sexual exploitation of a minor, child abuse or kidnapping shall be  
39 sentenced to a presumptive term of imprisonment for seventeen years. If the  
40 convicted person has been previously convicted of one predicate felony the  
41 person shall be sentenced to a presumptive term of imprisonment for  
42 twenty-eight years.

43 E. Except as otherwise provided in this section, a person who is at  
44 least eighteen years of age or who has been tried as an adult and who stands  
45 convicted of a dangerous crime against children involving sexual abuse under

1 section 13-1404 is guilty of a class 3 felony and shall be sentenced to a  
2 presumptive term of imprisonment for five years, and unless the person has  
3 previously been convicted of a predicate felony, the presumptive term may be  
4 increased or decreased by up to two and one-half years pursuant to section  
5 13-702, subsections B, C, ~~AND D and E~~. If the person is sentenced to a term  
6 of imprisonment the person is not eligible for release from confinement on  
7 any basis except as specifically authorized by section 31-233, subsection A  
8 or B until the sentence imposed by the court has been served, the person is  
9 eligible for release pursuant to section 41-1604.07 or the sentence is  
10 commuted. If the convicted person has been previously convicted of one  
11 predicate felony the person shall be sentenced to a presumptive term of  
12 imprisonment for fifteen years and is not eligible for suspension of  
13 sentence, probation, pardon or release from confinement on any basis except  
14 as specifically authorized by section 31-233, subsection A or B until the  
15 sentence imposed by the court has been served, the person is eligible for  
16 release pursuant to section 41-1604.07 or the sentence is commuted.

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

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

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

36 I. Notwithstanding chapter 10 of this title, a person who is at least  
37 eighteen years of age or who has been tried as an adult and who stands  
38 convicted of a dangerous crime against children in the second degree pursuant  
39 to subsection C or D of this section or luring a minor for sexual  
40 exploitation pursuant to section 13-3554 is guilty of a class 3 felony and  
41 shall be sentenced to a presumptive term of imprisonment for ten years. The  
42 presumptive term may be increased or decreased by up to five years pursuant  
43 to section 13-702, subsections B, C and D. If the person is sentenced to a  
44 term of imprisonment the person is not eligible for release from confinement  
45 on any basis except as specifically authorized by section 31-233, subsection

1 A or B until the person has served the sentence imposed by the court, the  
2 person is eligible for release pursuant to section 41-1604.07 or the sentence  
3 is commuted. A person who is convicted of any dangerous crime against  
4 children in the second degree having been previously convicted of one or more  
5 predicate felonies is not eligible for suspension of sentence, probation,  
6 pardon or release from confinement on any basis except as specifically  
7 authorized by section 31-233, subsection A or B until the sentence imposed by  
8 the court has been served, the person is eligible for release pursuant to  
9 section 41-1604.07 or the sentence is commuted.

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

12 K. The sentence imposed on a person by the court for a dangerous crime  
13 against children under subsection D of this section involving child  
14 molestation or sexual abuse pursuant to subsection E of this section may be  
15 served concurrently with other sentences if the offense involved only one  
16 victim. The sentence imposed on a person for any other dangerous crime  
17 against children in the first or second degree shall be consecutive to any  
18 other sentence imposed on the person at any time, including child molestation  
19 and sexual abuse of the same victim.

20 L. ~~IN~~ FOR THE PURPOSES OF this section:

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

23 (a) Second degree murder.

24 (b) Aggravated assault resulting in serious physical injury or  
25 involving the discharge, use or threatening exhibition of a deadly weapon or  
26 dangerous instrument.

27 (c) Sexual assault.

28 (d) Molestation of a child.

29 (e) Sexual conduct with a minor.

30 (f) Commercial sexual exploitation of a minor.

31 (g) Sexual exploitation of a minor.

32 (h) Child abuse as prescribed in section 13-3623, subsection A,  
33 paragraph 1.

34 (i) Kidnapping.

35 (j) Sexual abuse.

36 (k) Taking a child for the purpose of prostitution as defined in  
37 section 13-3206.

38 (l) Child prostitution as defined in section 13-3212.

39 (m) Involving or using minors in drug offenses.

40 (n) Continuous sexual abuse of a child.

41 (o) Attempted first degree murder.

42 (p) MANUFACTURING METHAMPHETAMINE UNDER CIRCUMSTANCES THAT CAUSE  
43 PHYSICAL INJURY TO A MINOR.

44 A dangerous crime against children is in the first degree if it is a  
45 completed offense and is in the second degree if it is a preparatory offense,

1 except attempted first degree murder is a dangerous crime against children in  
2 the first degree.

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

9 Sec. 3. Title 13, chapter 7, Arizona Revised Statutes, is amended by  
10 adding section 13-712, to read:

11 13-712. Sentence for certain drug offenses

12 A. A PERSON WHO STANDS CONVICTED OF A VIOLATION OF SECTION 13-3407,  
13 SUBSECTION A, PARAGRAPH 2, 3, 4 OR 7 INVOLVING METHAMPHETAMINE SHALL BE  
14 SENTENCED TO A PRESUMPTIVE TERM OF TEN CALENDAR YEARS. THE PRESUMPTIVE TERM  
15 IMPOSED PURSUANT TO THIS SUBSECTION MAY BE MITIGATED OR AGGRAVATED BY UP TO  
16 FIVE YEARS PURSUANT TO SECTION 13-702, SUBSECTIONS C AND D.

17 B. A PERSON WHO STANDS CONVICTED OF A VIOLATION OF SECTION 13-3407,  
18 SUBSECTION A, PARAGRAPH 2, 3, 4 OR 7 INVOLVING METHAMPHETAMINE AND WHO HAS  
19 PREVIOUSLY BEEN CONVICTED OF A VIOLATION OF SECTION 13-3407, SUBSECTION A,  
20 PARAGRAPH 2, 3, 4 OR 7 INVOLVING METHAMPHETAMINE OR SECTION 13-3407.01 SHALL  
21 BE SENTENCED TO A PRESUMPTIVE TERM OF FIFTEEN CALENDAR YEARS. THE  
22 PRESUMPTIVE TERM IMPOSED PURSUANT TO THIS SUBSECTION MAY BE MITIGATED OR  
23 AGGRAVATED BY UP TO FIVE YEARS PURSUANT TO SECTION 13-702, SUBSECTIONS C  
24 AND D.

25 Sec. 4. Section 13-3404.01, Arizona Revised Statutes, is amended to  
26 read:

27 13-3404.01. Possession or sale of precursor chemicals,  
28 regulated chemicals, substances or equipment;  
29 exceptions; classification

30 A. A person shall not do any of the following:

31 1. Knowingly possess a precursor chemical II.

32 2. Knowingly possess ~~or purchase~~ more than twenty-four grams of  
33 pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine without a  
34 license or permit issued pursuant to title 32, chapter 18.

35 3. KNOWINGLY PURCHASE MORE THAN THREE PACKAGES, NOT TO EXCEED NINE  
36 GRAMS OF PSEUDOEPHEDRINE, (-)-NORPSEUDOEPHEDRINE OR PHENYLPROPANOLAMINE  
37 WITHOUT A VALID PRESCRIPTION ORDER AS DEFINED IN SECTION 32-1901 OR A LICENSE  
38 OR PERMIT ISSUED PURSUANT TO TITLE 32, CHAPTER 18.

39 4. KNOWINGLY POSSESS ANY EPHEDRINE THAT IS UNCOMBINED OR THAT IS THE  
40 SOLE ACTIVE INGREDIENT OF A PRODUCT OR MORE THAN TWENTY-FOUR GRAMS OF  
41 EPHEDRINE THAT IS COMBINED WITH ANOTHER ACTIVE INGREDIENT IN ANY EPHEDRINE  
42 PRODUCT WITHOUT A LICENSE OR PERMIT ISSUED PURSUANT TO TITLE 32, CHAPTER 18.

43 ~~3.~~ 5. Knowingly ~~possess or purchase~~ any ephedrine that is uncombined  
44 or is the sole active ingredient of a product or more than ~~twenty-four~~ THREE  
45 PACKAGES, NOT TO EXCEED NINE grams of ephedrine that is combined with another

1 active ingredient in any ephedrine product without a license or permit issued  
2 pursuant to title 32, chapter 18.

3 ~~4.~~ 6. Sell, transfer or otherwise furnish any precursor chemical,  
4 regulated chemical or other substance or equipment with knowledge that the  
5 recipient will use the precursor chemical, regulated chemical, substance or  
6 equipment to unlawfully manufacture a dangerous drug or narcotic drug.

7 ~~5.~~ 7. As a manufacturer, wholesaler or retailer, knowingly possess  
8 any precursor chemical or regulated chemical from which the label, the  
9 national drug control number or the manufacturer's lot number has been  
10 removed, altered or obliterated, except that a licensed manufacturer may  
11 relabel products as permitted under the federal act.

12 ~~6.~~ 8. Knowingly sell, transfer or otherwise furnish more than  
13 ~~twenty-four~~ NINE grams of any precursor chemical without a license or permit  
14 issued pursuant to title 32, chapter 18.

15 ~~7.~~ 9. Sell, transfer or furnish ephedrine, pseudoephedrine,  
16 (-)-norpseudoephedrine or phenylpropanolamine in a total amount of more than  
17 ~~twenty-four~~ NINE grams in a single transaction in this state unless the  
18 recipient possesses a valid and current permit issued by the board pursuant  
19 to title 32, chapter 18.

20 ~~8.~~ 10. Sell, transfer or otherwise furnish a precursor chemical in  
21 violation of any rule of the board or the department of public safety.

22 ~~9.~~ 11. As a wholesaler or retailer, purchase or otherwise acquire or  
23 receive a precursor chemical from any person who does not possess a valid and  
24 current permit issued pursuant to title 32, chapter 18.

25 ~~10.~~ 12. Knowingly participate in any transaction or series of  
26 transactions that is structured by any person with the intent to avoid or  
27 circumvent the prohibitions or limits on sales established by this section.

28 B. A retailer shall not knowingly sell, transfer or otherwise furnish  
29 a precursor chemical unless:

30 1. The transaction occurs in the normal course of business at premises  
31 that are permitted pursuant to title 32, chapter 18.

32 2. The retailer has a valid and current permit that is issued pursuant  
33 to title 32, chapter 18 and that is prominently displayed at the premises  
34 where the transaction occurs.

35 ~~3. The transaction does not involve payment in cash or money orders in  
36 an amount of more than five hundred dollars.~~

37 C. A retailer shall not sell more than a total of ~~twenty-four~~ THREE  
38 PACKAGES, NOT TO EXCEED NINE grams of ephedrine, pseudoephedrine,  
39 (-)-norpseudoephedrine or phenylpropanolamine in a single transaction UNLESS  
40 THE PERSON HAS A VALID PRESCRIPTION ORDER AS DEFINED IN SECTION 32-1901.

41 D. A wholesaler shall not sell, transfer or otherwise furnish a  
42 precursor chemical to any person unless:

43 1. The wholesaler has a valid and current permit issued pursuant to  
44 title 32, chapter 18.

1           2. The recipient has a permit issued pursuant to title 32, chapter 18,  
2 is a pharmacy or is a practitioner.

3           3. The transaction does not involve payment in cash or money orders in  
4 an amount of more than one thousand dollars.

5           E. A manufacturer shall not sell, transfer or otherwise furnish a  
6 precursor chemical to any person unless:

7           1. The recipient is licensed or has a permit issued pursuant to title  
8 32, chapter 18, is a pharmacy or is a practitioner.

9           2. The transaction does not involve payment in cash or money orders in  
10 an amount of more than one thousand dollars.

11          F. This section does not apply to any of the following:

12          1. The transfer by a licensee or permittee to a reclamation facility  
13 for destruction.

14          2. The movement from one facility of a licensee or permittee to  
15 another facility of the same licensee or permittee without sale.

16          G. Notwithstanding any other law, a county, city or town shall not  
17 enact an ordinance that is more restrictive than the requirements of this  
18 section.

19          H. A violation of subsection A, paragraph 1 or ~~4~~ 6 is a class 2  
20 felony. A violation of subsection A, paragraph 2, 3, 4, 5, 7, 9, 11 or ~~10~~ 12  
21 is a class 5 felony. A violation of subsection A, paragraph ~~6~~ 8 or ~~8~~ 10 is  
22 a class 6 felony. A violation of subsection B, D or E is a class 5  
23 felony. A violation of subsection C is a class 5 felony, except that if the  
24 violation involves less than a total of fifty grams of ephedrine,  
25 pseudoephedrine, (-)-norpseudoephedrine or phenylpropanolamine, the first  
26 violation is a class 2 misdemeanor and the second violation is a class 1  
27 misdemeanor. An enterprise is not criminally accountable for a violation of  
28 subsection C unless the conduct constituting the offense is engaged in,  
29 authorized, commanded or recklessly tolerated by the directors of the  
30 enterprise in any manner or by a high managerial agent acting within the  
31 scope of employment.

32          Sec. 5. Section 13-3407, Arizona Revised Statutes, is amended to read:

33          13-3407. Possession, use, administration, acquisition, sale,  
34                   manufacture or transportation of dangerous drugs;  
35                   classification

36          A. A person shall not knowingly:

37           1. Possess or use a dangerous drug.

38           2. Possess a dangerous drug for sale.

39           3. Possess equipment or chemicals, or both, for the purpose of  
40 manufacturing a dangerous drug.

41           4. Manufacture a dangerous drug.

42           5. Administer a dangerous drug to another person.

43           6. Obtain or procure the administration of a dangerous drug by fraud,  
44 deceit, misrepresentation or subterfuge.

1           7. Transport for sale, import into this state or offer to transport  
2 for sale or import into this state, sell, transfer or offer to sell or  
3 transfer a dangerous drug.

4           B. A person who violates:

5           1. Subsection A, paragraph 1 of this section is guilty of a class 4  
6 felony. Unless the drug involved is lysergic acid diethylamide,  
7 methamphetamine, amphetamine or phencyclidine or the person was previously  
8 convicted of a felony offense or a violation of this section or section  
9 13-3408, the court on motion of the state, considering the nature and  
10 circumstances of the offense, for a person not previously convicted of any  
11 felony offense or a violation of this section or section 13-3408 may enter  
12 judgment of conviction for a class 1 misdemeanor and make disposition  
13 accordingly or may place the defendant on probation in accordance with  
14 chapter 9 of this title and refrain from designating the offense as a felony  
15 or misdemeanor until the probation is successfully terminated. The offense  
16 shall be treated as a felony for all purposes until the court enters an order  
17 designating the offense a misdemeanor.

18           2. Subsection A, paragraph 2 of this section is guilty of a class 2  
19 felony.

20           3. Subsection A, paragraph 3 of this section is guilty of a class 3  
21 felony, EXCEPT THAT IF THE OFFENSE INVOLVED METHAMPHETAMINE, THE PERSON IS  
22 GUILTY OF A CLASS 2 FELONY.

23           4. Subsection A, paragraph 4 of this section is guilty of a class 2  
24 felony.

25           5. Subsection A, paragraph 5 of this section is guilty of a class 2  
26 felony.

27           6. Subsection A, paragraph 6 of this section is guilty of a class 3  
28 felony.

29           7. Subsection A, paragraph 7 of this section is guilty of a class 2  
30 felony.

31           C. EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION, a person who is  
32 convicted of a violation of subsection A, paragraph 1, 3 or 6 and who has not  
33 previously been convicted of any felony or who has not been sentenced  
34 pursuant to section 13-604 or any other law making the convicted person  
35 ineligible for probation is eligible for probation.

36           D. EXCEPT AS PROVIDED IN SUBSECTION E OF THIS SECTION, if the  
37 aggregate amount of dangerous drugs involved in one offense or all of the  
38 offenses that are consolidated for trial equals or exceeds the statutory  
39 threshold amount, a person who is convicted of a violation of subsection A,  
40 paragraph 2, 5 or 7 of this section is not eligible for suspension of  
41 sentence, probation, pardon or release from confinement on any basis until  
42 the person has served the sentence imposed by the court, the person is  
43 eligible for release pursuant to section 41-1604.07 or the sentence is  
44 commuted.

1 E. IF THE PERSON IS CONVICTED OF A VIOLATION OF SUBSECTION A,  
2 PARAGRAPH 2, 3, 4 OR 7 OF THIS SECTION AND THE DRUG INVOLVED IS  
3 METHAMPHETAMINE, THE PERSON SHALL BE SENTENCED PURSUANT TO SECTION 13-712.

4 ~~E.~~ F. A person who is convicted of a violation of subsection A,  
5 paragraph 4 of this section OR SUBSECTION A, PARAGRAPH 2, 3 OR 7 OF THIS  
6 SECTION INVOLVING METHAMPHETAMINE is not eligible for suspension of sentence,  
7 probation, pardon or release from confinement on any basis until the person  
8 has served the sentence imposed by the court, the person is eligible for  
9 release pursuant to section 41-1604.07 or the sentence is commuted.

10 ~~F.~~ G. If a person is convicted of a violation of subsection A,  
11 paragraph 5 of this section, if the drug is administered without the other  
12 person's consent, if the other person is under eighteen years of age and if  
13 the drug is flunitrazepam, gamma hydroxy butrate or ketamine hydrochloride,  
14 the convicted person is not eligible for suspension of sentence, probation,  
15 pardon or release from confinement on any basis until the person has served  
16 the sentence imposed by the court, the person is eligible for release  
17 pursuant to section 41-1604.07 or the sentence is commuted.

18 ~~G.~~ H. In addition to any other penalty prescribed by this title, the  
19 court shall order a person who is convicted of a violation of any provision  
20 of this section to pay a fine of not less than one thousand dollars or three  
21 times the value as determined by the court of the dangerous drugs involved in  
22 or giving rise to the charge, whichever is greater, and not more than the  
23 maximum authorized by chapter 8 of this title. A judge shall not suspend any  
24 part or all of the imposition of any fine required by this subsection.

25 ~~H.~~ I. A person who is convicted of a violation of a provision of this  
26 section for which probation or release before the expiration of the sentence  
27 imposed by the court is authorized is prohibited from using any marijuana,  
28 dangerous drug, narcotic drug or prescription-only drug except as lawfully  
29 administered by a health care practitioner and as a condition of any  
30 probation or release shall be required to submit to drug testing administered  
31 under the supervision of the probation department of the county or the state  
32 department of corrections, as appropriate, during the duration of the term of  
33 probation or before the expiration of the sentence imposed.

34 ~~I.~~ J. If a person who is convicted of a violation of a provision of  
35 this section is granted probation, the court shall order that as a condition  
36 of probation the person perform not less than three hundred sixty hours of  
37 community service with an agency or organization providing counseling,  
38 rehabilitation or treatment for alcohol or drug abuse, an agency or  
39 organization that provides medical treatment to persons who abuse controlled  
40 substances, an agency or organization that serves persons who are victims of  
41 crime or any other appropriate agency or organization.



1       Sec. 6. Title 13, chapter 34, Arizona Revised Statutes, is amended by  
2 adding section 13-3407.01, to read:

3       13-3407.01. Manufacturing methamphetamine under circumstances  
4                   that cause physical injury to a minor;  
5                   classification

6       A. A PERSON SHALL NOT KNOWINGLY MANUFACTURE METHAMPHETAMINE UNDER ANY  
7 CIRCUMSTANCE THAT CAUSES PHYSICAL INJURY TO A MINOR WHO IS UNDER FIFTEEN  
8 YEARS OF AGE.

9       B. A PERSON WHO VIOLATES THIS SECTION IS GUILTY OF A CLASS 2 FELONY  
10 AND IS PUNISHABLE AS PROVIDED BY SECTION 13-604.01.

11       Sec. 7. Section 13-3967, Arizona Revised Statutes, is amended to read:  
12       13-3967. Release on bailable offenses before trial; definition

13       A. At his appearance before a judicial officer, any person who is  
14 charged with a public offense that is bailable as a matter of right shall be  
15 ordered released pending trial on his own recognizance or on the execution of  
16 bail in an amount specified by the judicial officer.

17       B. In determining the method of release or the amount of bail, the  
18 judicial officer, on the basis of available information, shall take into  
19 account all of the following:

- 20       1. The views of the victim.
- 21       2. The nature and circumstances of the offense charged.
- 22       3. The weight of evidence against the accused.
- 23       4. The accused's family ties, employment, financial resources,  
24 character and mental condition.
- 25       5. The results of any drug test submitted to the court.
- 26       6. Whether the accused is using any substance if its possession or use  
27 is illegal pursuant to chapter 34 of this title.
- 28       7. WHETHER THE ACCUSED VIOLATED SECTION 13-3407, SUBSECTION A,  
29 PARAGRAPH 2, 3, 4 OR 7 INVOLVING METHAMPHETAMINE OR SECTION 13-3407.01.
- 30       ~~7.~~ 8. The length of residence in the community.
- 31       ~~8.~~ 9. The accused's record of arrests and convictions.
- 32       ~~9.~~ 10. The accused's record of appearance at court proceedings or of  
33 flight to avoid prosecution or failure to appear at court proceedings.

34       C. If a judicial officer orders the release of a defendant WHO IS  
35 charged with a felony either on his own recognizance or on bail, the judicial  
36 officer shall condition the defendant's release on the defendant's good  
37 behavior while so released. On a showing of probable cause that the  
38 defendant committed any offense during the period of release, a judicial  
39 officer may revoke the defendant's release pursuant to section 13-3968.

40       D. After providing notice to the victim pursuant to section 13-4406, a  
41 judicial officer may impose any of the following conditions on a person who  
42 is released on his own recognizance or on bail:

- 43       1. Place the person in the custody of a designated person or  
44 organization agreeing to supervise him.

1           2. Place restrictions on the person's travel, associates or place of  
2 abode during the period of release.

3           3. Require the deposit with the clerk of the court of cash or other  
4 security, such deposit to be returned ~~upon~~ ON the performance of the  
5 conditions of release.

6           4. Prohibit the person from possessing any dangerous weapon or  
7 engaging in certain described activities or indulging in intoxicating liquors  
8 or certain drugs.

9           5. Require the person to report regularly to and remain under the  
10 supervision of an officer of the court.

11           6. Impose any other conditions deemed reasonably necessary to assure  
12 appearance as required including a condition requiring that the person return  
13 to custody after specified hours.

14           E. In addition to any of the conditions a judicial officer may impose  
15 pursuant to subsection D of this section, the judicial officer shall impose  
16 both of the following conditions on a person who is charged with a felony  
17 violation of chapter 14 or 35.1 of this title and who is released on his own  
18 recognizance or on bail:

19           1. Electronic monitoring where available.

20           2. A condition prohibiting the person from having any contact with the  
21 victim.

22           F. The judicial officer who authorizes the release of the person  
23 charged on his own recognizance or on bail shall do all of the following:

24           1. Issue an appropriate order containing statements of the conditions  
25 imposed.

26           2. Inform the person of the penalties that apply to any violation of  
27 the conditions of ~~his~~ release.

28           3. Advise the person that a warrant for his arrest may be issued  
29 immediately on any violation of the conditions of ~~his~~ release.

30           G. At any time after providing notice to the victim pursuant to  
31 section 13-4406, the judicial officer who orders the release of a person on  
32 any condition specified in this section or the court in which a prosecution  
33 is pending may amend the order to employ additional or different conditions  
34 of release, including either an increase or reduction in the amount of  
35 bail. On application, the defendant shall be entitled to have the conditions  
36 of release reviewed by the judicial officer who imposed them or by the court  
37 in which the prosecution is pending. Reasonable notice of ~~such~~ THE  
38 application shall be given to the county attorney and the victim.

39           H. Any information that is stated or offered in connection with any  
40 order pursuant to this section need not conform to the rules pertaining to  
41 admissibility of evidence in a court of law.

42           I. This section does not prevent the disposition of any case or class  
43 of cases by forfeiture of bail or collateral security where IF such  
44 disposition is authorized by the court.

1 J. A judicial officer who orders the release of a juvenile who has  
2 been transferred to the criminal division of the superior court pursuant to  
3 section 8-327 or who has been charged as an adult pursuant to section 13-501  
4 shall notify the appropriate school district on the release of the juvenile  
5 from custody.

6 K. For the purposes of this section and section 13-3968, "judicial  
7 officer" means any person or court authorized pursuant to the constitution or  
8 laws of this state to bail or otherwise release a person before trial or  
9 sentencing or pending appeal.

10 Sec. 8. Title 32, chapter 18, article 3, Arizona Revised Statutes, is  
11 amended by adding section 32-1971, to read:

12 32-1971. Single active ingredient pseudoephedrine products:  
13 location

14 A PERMITTEE UNDER THIS CHAPTER SHALL KEEP PRODUCTS IN WHICH  
15 PSEUDOEPHEDRINE IS THE SINGLE ACTIVE INGREDIENT BEHIND A STORE COUNTER OR IN  
16 A LOCKED FACILITY THAT IS INACCESSIBLE TO CUSTOMERS WITHOUT THE ASSISTANCE OF  
17 THE PERMITTEE OR AN EMPLOYEE OF THE PERMITTEE, EXCEPT THAT THIS RESTRICTION  
18 DOES NOT APPLY TO LIQUID, LIQUID CAPSULE OR GEL CAPSULE FORMS OF THESE  
19 PRODUCTS.

20 Sec. 9. Section 36-104, Arizona Revised Statutes, is amended to read:

21 36-104. Powers and duties

22 This section is not to be construed as a statement of the department's  
23 organization. This section is intended to be a statement of powers and  
24 duties in addition to the powers and duties granted by section 36-103. The  
25 director shall:

26 1. Administer the following services:

27 (a) Administrative services, which shall include, but not be limited  
28 to, the functions of accounting, personnel, standards certification,  
29 electronic data processing, vital statistics and the development, operation  
30 and maintenance of buildings and grounds utilized by the department.

31 (b) Public health support services, which shall include, but not be  
32 limited to:

33 (i) Consumer health protection programs, to include, but not be  
34 limited to, the functions of community water supplies, general sanitation,  
35 vector control and food and drugs.

36 (ii) Epidemiology and disease control programs, to include, but not be  
37 limited to, the functions of chronic disease, accident and injury control,  
38 communicable diseases, tuberculosis, venereal disease and others.

39 (iii) Laboratory services programs.

40 (iv) Health education and training programs.

41 (v) Disposition of human bodies programs.

42 (c) Community health services, which shall include, but not be limited  
43 to:

44 (i) Medical services programs, to include, but not be limited to, the  
45 functions of maternal and child health, preschool health screening, family

1 planning, public health nursing, premature and newborn program,  
2 immunizations, nutrition, dental care prevention and migrant health.

3 (ii) Dependency health care services programs, to include, but not be  
4 limited to, the functions of need determination, availability of health  
5 resources to medically dependent, quality control, utilization control and  
6 industry monitoring.

7 (iii) Crippled children's services programs.

8 (iv) Programs for the prevention and early detection of mental  
9 retardation.

10 (d) Program planning, which shall include, but not be limited to:

11 (i) An organizational unit for comprehensive health planning programs.

12 (ii) Program coordination, evaluation and development.

13 (iii) Need determination programs.

14 (iv) Health information programs.

15 2. Include and administer, within the office of the director, staff  
16 services, which shall include, but not be limited to, budget preparation,  
17 public information, appeals, hearings, legislative and federal government  
18 liaison, grant development and management and departmental and interagency  
19 coordination.

20 3. Make rules and regulations for the organization and proper and  
21 efficient operation of the department.

22 4. Determine when a health care emergency or medical emergency  
23 situation exists or occurs within the state that cannot be satisfactorily  
24 controlled, corrected or treated by the health care delivery systems and  
25 facilities available. When such situation is determined to exist, the  
26 director shall immediately report such situation to the legislature and the  
27 governor. Such report shall include information on the scope of the  
28 emergency, recommendations for solution of the emergency and estimates of  
29 costs involved.

30 5. Provide a system of unified and coordinated health services and  
31 programs between the state and county governmental health units at all levels  
32 of government.

33 6. Formulate policies, plans and programs to effectuate the missions  
34 and purposes of the department.

35 7. Make contracts and incur obligations within the general scope of  
36 its activities and operations subject to the availability of funds.

37 8. Be designated as the single state agency for the purposes of  
38 administering and in furtherance of each federally supported state plan.

39 9. Provide information and advice on request by local, state and  
40 federal agencies and by private citizens, business enterprises and community  
41 organizations on matters within the scope of its duties subject to the  
42 departmental rules and regulations on the confidentiality of information.

43 10. Establish and maintain separate financial accounts as required by  
44 federal law or regulations.

1 11. Advise with and make recommendations to the governor and the  
2 legislature on all matters concerning its objectives.

3 12. Take appropriate steps to reduce or contain costs in the field of  
4 health services.

5 13. Encourage and assist in the adoption of practical methods of  
6 improving systems of comprehensive planning, of program planning, of priority  
7 setting and of allocating resources.

8 14. Encourage an effective use of available federal resources in this  
9 state.

10 15. Research, recommend, advise and assist in the establishment of  
11 community or area health facilities, both public and private, and encourage  
12 the integration of planning, services and programs for the development of the  
13 state's health delivery capability.

14 16. Promote the effective utilization of health manpower and health  
15 facilities which provide health care for the citizens of this state.

16 17. Take appropriate steps to provide health care services to the  
17 medically dependent citizens of this state.

18 18. Certify training on the nature of sudden infant death syndrome for  
19 use by professional fire fighters and certified emergency medical technicians  
20 as part of their basic and continuing training requirement.

21 19. Certify training on the nature of sudden infant death syndrome  
22 which shall include information on the investigation and handling of cases  
23 involving sudden and unexplained infant death for use by law enforcement  
24 officers as part of their basic training requirement.

25 20. Adopt protocols on the manner in which an autopsy shall be  
26 conducted under section 11-597, subsection B in cases of sudden and  
27 unexplained infant death.

28 21. Cooperate with the Arizona-Mexico commission in the governor's  
29 office and with researchers at universities in this state to collect data and  
30 conduct projects in the United States and Mexico on issues that are within  
31 the scope of the department's duties and that relate to quality of life,  
32 trade and economic development in this state in a manner that will help the  
33 Arizona-Mexico commission to assess and enhance the economic competitiveness  
34 of this state and of the Arizona-Mexico region.

35 22. Administer the federal family violence prevention and services act  
36 grants, and the department is designated as this state's recipient of federal  
37 family violence prevention and services act grants.

38 23. ACCEPT AND SPEND PRIVATE GRANTS OF MONIES, GIFTS AND DEVISES FOR  
39 THE PURPOSES OF METHAMPHETAMINE EDUCATION. THE DEPARTMENT SHALL DISBURSE  
40 THESE MONIES TO LOCAL PROSECUTORIAL OR LAW ENFORCEMENT AGENCIES WITH EXISTING  
41 PROGRAMS, FAITH BASED ORGANIZATIONS AND NONPROFIT ENTITIES THAT ARE QUALIFIED  
42 UNDER SECTION 501(c)(3) OF THE UNITED STATES INTERNAL REVENUE CODE, INCLUDING  
43 NONPROFIT ENTITIES PROVIDING SERVICES TO WOMEN WITH A HISTORY OF DUAL  
44 DIAGNOSIS DISORDERS, THAT PROVIDE EDUCATIONAL PROGRAMS ON THE REPERCUSSIONS  
45 OF METHAMPHETAMINE USE. STATE GENERAL FUND MONIES SHALL NOT BE SPENT FOR THE

1 PURPOSES OF THIS PARAGRAPH. IF THE DIRECTOR DOES NOT RECEIVE SUFFICIENT  
2 MONIES FROM PRIVATE SOURCES TO CARRY OUT THE PURPOSES OF THIS PARAGRAPH, THE  
3 DIRECTOR SHALL NOT PROVIDE THE EDUCATIONAL PROGRAMS PRESCRIBED IN THIS  
4 PARAGRAPH. GRANT MONIES RECEIVED PURSUANT TO THIS PARAGRAPH ARE NONLAPSING  
5 AND DO NOT REVERT TO THE STATE GENERAL FUND AT THE CLOSE OF THE FISCAL YEAR.

6 24. IDENTIFY SUCCESSFUL METHAMPHETAMINE PREVENTION PROGRAMS IN OTHER  
7 STATES THAT MAY BE IMPLEMENTED IN THIS STATE.

8 Sec. 10. Findings; intent

9 The legislature finds that the possession of methamphetamine for sale,  
10 the possession of equipment or chemicals, or both, for the purpose of  
11 manufacturing methamphetamine, manufacturing methamphetamine and the  
12 trafficking in methamphetamine pose a serious threat to the safety of the  
13 community and intends that, in setting the conditions of release, the court  
14 shall specifically consider whether the defendant violated statutes  
15 proscribing these activities.

16 Sec. 11. Delayed effective date

17 Section 32-1971, Arizona Revised Statutes, as added by this act, is  
18 effective from and after October 31, 2005.

APPROVED BY THE GOVERNOR MAY 20, 2005.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 20, 2005.



Passed the House May 3, 20 05,

by the following vote: 38 Ayes,

19 Nays, 3 Not Voting

Speaker of the House

Chief Clerk of the House

Passed the Senate March 10, 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

**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

S.B. 1473

HOUSE FINAL PASSAGE  
as per Joint Conference

Passed the House May 13, 2005,

by the following vote: 47 Ayes,

6 Nays, 7 Not Voting

Speaker of the House

Chief Clerk of the House

SENATE FINAL PASSAGE  
as per Joint Conference

Passed the Senate May 12, 2005,

by the following vote: 23 Ayes,

1 Nays, 6 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 13<sup>th</sup> day of May, 2005

at 8:38 o'clock a M.

Secretary of the Governor

Approved this 20 day of

May, 2005,

at 11<sup>30</sup> o'clock A. M.

Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State

this 20 day of May, 2005

at 3:03 o'clock P. M.

Secretary of State

S.B. 1473