

Senate Engrossed

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
Senate  
Forty-eighth Legislature  
First Regular Session  
2007

CHAPTER 58

# **SENATE BILL 1424**

AN ACT

AMENDING SECTION 13-3601.02, ARIZONA REVISED STATUTES; RELATING TO FAMILY OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-3601.02, Arizona Revised Statutes, is amended to  
3 read:

4 13-3601.02. Aggravated domestic violence; classification;  
5 definition

6 A. A person is guilty of aggravated domestic violence if the person  
7 within a period of ~~sixty~~ EIGHTY-FOUR months commits a third or subsequent  
8 violation of a domestic violence offense or is convicted of a violation of  
9 a domestic violence offense and has previously been convicted of any  
10 combination of convictions of a domestic violence offense or acts in  
11 another state, a court of the United States or a tribal court that if  
12 committed in this state would be a violation of a domestic violence  
13 offense.

14 B. A person who is convicted under this section and who within a  
15 period of ~~sixty~~ EIGHTY-FOUR months has been convicted of two prior  
16 violations of a domestic violence offense or acts in another state, a  
17 court of the United States or a tribal court that if committed in this  
18 state would be a domestic violence offense is not eligible for probation,  
19 pardon, commutation or suspension of sentence or release on any other  
20 basis until the person has served not less than four months in jail.

21 C. A person who is convicted under this section and who within a  
22 period of ~~sixty~~ EIGHTY-FOUR months has been convicted of three or more  
23 prior violations of a domestic violence offense or acts in another state,  
24 a court of the United States or a tribal court that if committed in this  
25 state would be a domestic violence offense is not eligible for probation,  
26 pardon, commutation or suspension of sentence or release on any other  
27 basis until the person has served not less than eight months in jail.

28 D. The dates of the commission of the offenses are the determining  
29 factor in applying the ~~sixty~~ EIGHTY-FOUR month provision in subsection A  
30 of this section regardless of the sequence in which the offenses were  
31 committed. For purposes of this section, a third or subsequent violation  
32 for which a conviction occurs does not include a conviction for an offense  
33 arising out of the same series of acts.

34 E. For the purposes of this section, prior convictions for  
35 misdemeanor domestic violence offenses apply only to convictions for  
36 offenses that were committed on or after January 1, 1999.

37 F. Aggravated domestic violence is a class 5 felony.

38 G. For the purposes of this section, "domestic violence offense"  
39 means an offense involving domestic violence as defined in section  
40 13-3601.

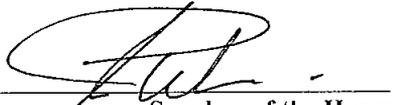
~~APPROVED BY THE GOVERNOR APRIL 16, 2007.~~

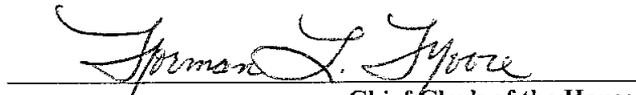
~~FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2007.~~

Passed the House April 9, 2007,

by the following vote: 56 Ayes,

0 Nays, 4 Not Voting

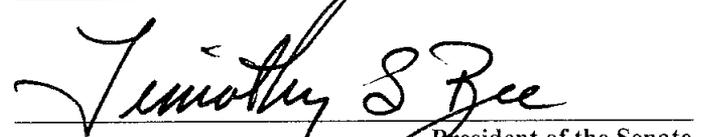
  
Speaker of the House

  
Chief Clerk of the House

Passed the Senate February 15, 2007,

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  
10th day of April, 2007

at 1:50 o'clock P. M.

  
Secretary to the Governor

Approved this 16 day of

April, 2007,

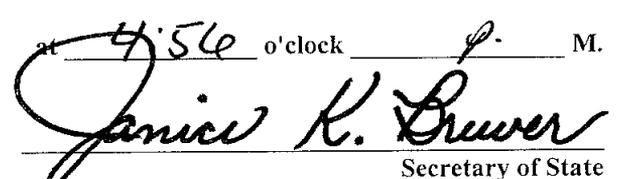
at 2:00 o'clock P. M.

  
Governor of Arizona

S.B. 1424

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 16 day of April, 2007,

at 4:56 o'clock P. M.  
  
Secretary of State