

House Engrossed  
**FILED**  
**KEN BENNETT**  
**SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Fiftieth Legislature  
Second Regular Session  
2012

CHAPTER 31

# HOUSE BILL 2384

AN ACT

AMENDING SECTION 13-1501, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL  
TRESPASS AND BURGLARY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-1501, Arizona Revised Statutes, is amended to  
3 read:

4 13-1501. Definitions

5 In this chapter, unless the context otherwise requires:

6 1. "Critical public service facility" means:

7 (a) A structure or fenced yard that is posted with signage indicating  
8 it is a felony to trespass or signage indicating high voltage or high  
9 pressure and is used by a rail, bus, air or other mass transit provider, a  
10 public or private utility, any municipal corporation, city, town or other  
11 political subdivision that is organized under state law and that generates,  
12 transmits, distributes or otherwise provides natural gas, liquefied petroleum  
13 gas, electricity or a combustible substance for a delivery system that is not  
14 a retail-only facility, a telecommunications carrier or telephone company, a  
15 municipal provider as defined in section 45-561, a law enforcement agency, a  
16 public or private fire department or an emergency medical service provider.

17 (b) A structure or fenced yard or any equipment or apparatus that is  
18 posted with signage indicating it is a felony to trespass or signage  
19 indicating high voltage or high pressure and is used to manufacture, extract,  
20 transport, distribute or store gas, including natural gas or liquefied  
21 petroleum gas, oil, electricity, water or hazardous materials, unless it is a  
22 retail-only facility.

23 2. "Enter or remain unlawfully" means an act of a person who enters or  
24 remains on premises when the person's intent for so entering or remaining is  
25 not licensed, authorized or otherwise privileged except when the entry is to  
26 commit theft of merchandise displayed for sale during normal business hours,  
27 when the premises are open to the public and when the person does not enter  
28 any unauthorized areas of the premises.

29 3. "Entry" means the intrusion of any part of any instrument or any  
30 part of a person's body inside the external boundaries of a structure or unit  
31 of real property.

32 4. "Fenced commercial yard" means a unit of real property that is  
33 surrounded completely by fences, walls, buildings or similar barriers, or any  
34 combination of fences, walls, buildings or similar barriers, and that is used  
35 primarily ZONED for business operations or where livestock, produce or other  
36 commercial items are located.

37 5. "Fenced residential yard" means a unit of real property that  
38 immediately surrounds or is adjacent to a residential structure and that is  
39 enclosed by a fence, wall, building or similar barrier or any combination of  
40 fences, walls, buildings or similar barriers.

41 6. "Fenced yard" means a unit of real property that is surrounded by  
42 fences, walls, buildings or similar barriers or any combination of fences,  
43 walls, buildings or similar barriers.

1           7. "In the course of committing" means any acts that are performed by  
2 an intruder from the moment of entry to and including flight from the scene  
3 of a crime.

4           8. "Manipulation key" means a key, device or instrument, other than a  
5 key that is designed to operate a specific lock, that can be variably  
6 positioned and manipulated in a vehicle keyway to operate a lock or cylinder,  
7 including a wiggle key, jiggle key or rocker key.

8           9. "Master key" means a key that operates all the keyed locks or  
9 cylinders in a similar type or group of locks.

10          10. "Nonresidential structure" means any structure other than a  
11 residential structure and includes a retail establishment.

12          11. "Residential structure" means any structure, movable or immovable,  
13 permanent or temporary, that is adapted for both human residence and lodging  
14 whether occupied or not.

15          12. "Structure" means any vending machine or any building, object,  
16 vehicle, railroad car or place with sides and a floor that is separately  
17 securable from any other structure attached to it and that is used for  
18 lodging, business, transportation, recreation or storage.

19          13. "Vending machine" means a machine that dispenses merchandise or  
20 service through the means of currency, coin, token, credit card or other  
21 nonpersonal means of accepting payment for merchandise or service received.

APPROVED BY THE GOVERNOR MARCH 15, 2012.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 15, 2012.

Passed the House February 13, 2012

Passed the Senate March 13, 2012

by the following vote: 57 Ayes,

by the following vote: 30 Ayes,

0 Nays, 2 Not Voting  
1 vacant

0 Nays, 0 Not Voting

[Signature]  
Speaker of the House  
Rob Tempore

[Signature]  
President of the Senate

[Signature]  
Chief Clerk of the House

[Signature]  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill received by the Governor this

14 day of March, 20 12

at 3:50 o'clock P M.

[Signature]  
Secretary to the Governor

Approved this 15th day of

March

at 4:13 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State

this 15th day of March, 20 12

at 5:41 o'clock P. M.

[Signature]  
Secretary of State

H.B. 2384