

Senate Engrossed

State of Arizona  
Senate  
Fifty-second Legislature  
Second Regular Session  
2016

**FILED**  
**MICHELE REAGAN**  
**SECRETARY OF STATE**

CHAPTER 25

# **SENATE BILL 1214**

AN ACT

AMENDING SECTION 13-109, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL TRIALS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-109, Arizona Revised Statutes, is amended to  
3 read:

4 13-109. Place of trial

5 A. Criminal prosecutions shall be tried in the county in which conduct  
6 constituting any element of the offense or a result of such conduct occurred,  
7 unless otherwise provided by law.

8 B. The following special provisions apply:

9 1. If conduct constituting an element of an offense or a result  
10 constituting an element of an offense occurs in two or more counties, trial  
11 of the offense may be held in any of the counties concerned; or

12 2. A person who in one county solicits, aids, abets or attempts to aid  
13 another in the planning or commission of an offense in another county may be  
14 tried for the offense in either county; or

15 3. If an offense is committed ~~in or upon any railroad, train,~~  
16 ~~automobile, aircraft, vessel or other conveyance~~ in transit and it cannot  
17 readily be determined in which county the offense was committed, trial of the  
18 offense may be held in any county through or over which the ~~conveyance~~ passed  
19 TRANSIT OCCURRED; or

20 4. If the cause of death is inflicted in one county and death ensues  
21 in another county, trial of the offense may be held in either county. If the  
22 cause of death is inflicted in one county and death ensues out of ~~the~~ THIS  
23 state, trial of the offense shall be in the county where the cause was  
24 inflicted. If the body of a homicide victim is found in a county, it is  
25 presumed that the cause of death was inflicted in that county; or

26 5. If an offense is committed on the boundary of two or more counties  
27 or within one mile of such boundary, trial of the offense may be held in any  
28 of the counties concerned; or

29 6. A person who obtains property unlawfully may be tried in any county  
30 in which such person exerts control over the property; or

31 7. A person who commits a preparatory offense may be tried in any  
32 county in which any act that is an element of the offense, including the  
33 agreement in conspiracy, is committed.

34 C. If an offense has been committed within ~~the~~ THIS state and it  
35 cannot readily be determined within which county or counties the commission  
36 took place, trial may be held in the county in which the defendant resides  
37 or, if the defendant has no fixed residence, in the county in which the  
38 defendant is apprehended or to which the defendant is extradited.

APPROVED BY THE GOVERNOR MARCH 14, 2016.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MARCH 15, 2016.

Passed the House March 10, 2016,

Passed the Senate February 8, 2016,

by the following vote: 58 Ayes,

by the following vote: 30 Ayes,

0 Nays, 2 Not Voting

0 Nays, 0 Not Voting

[Signature]  
Speaker of the House  
*Pro Tempore*  
Jim Drake  
Chief Clerk of the House

[Signature]  
President of the Senate  
Season Reeves  
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF GOVERNOR

This Bill was received by the Governor this  
14th day of March, 2016

at 1:52 p o'clock P. M.

[Signature]  
Secretary to the Governor

Approved this 14th day of

March, 2016,

at 4:33 o'clock P. M.

[Signature]  
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA  
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State  
this 15 day of March, 2016.

at 9:36 o'clock A M.

[Signature]  
Secretary of State

S.B. 1214