



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, Second Regular Session*

FACT SHEET FOR H.B. 2064

school safety zone; offenses; sentencing

Purpose

Allows the court to impose a sentence that is five years longer than the minimum, maximum and presumptive sentence if the person is in a position of trust and is convicted of a felony sexual offense that was committed in a school safety zone.

Background

Except as otherwise prescribed, a person who is convicted of a felony offense that is committed in a school safety zone is guilty of the same class of felony that the person would otherwise be guilty of if the violation had not occurred within a school safety zone, except that the court may impose a sentence that is one year longer than the minimum, maximum and presumptive sentence for that violation. The sentence may be increased by up to five years longer than the minimum, maximum and presumptive sentence if the person is a criminal street gang member. The additional sentence imposed is in addition to any other enhanced punishment that may be applicable under statute.

*School* means any public or nonpublic kindergarten program, common school or high school. *School safety zone* means any of the following: 1) the area within 300 feet of a school or its accompanying grounds; 2) any public property within 1,000 feet of a school or its accompanying grounds; 3) any school bus; 4) a bus contracted to transport pupils to any school during the time when the contracted vehicle is transporting pupils on behalf of the school; 5) a school bus stop; or 6) any bus stop where school children are awaiting, boarding or exiting a bus contracted to transport pupils to any school ([A.R.S. § 13-709](#)).

*Position of trust* means a person who is or was any of the following: 1) the minor's parent, stepparent, grandparent, adoptive parent, legal guardian, aunt, uncle or foster parent; 2) the minor's teacher or any school employee or volunteer at the minor's school who is 18 years old or older; 3) the minor's coach or instructor, whether the coach or instructor is an employee or volunteer; 4) the minor's clergyman or priest or any person who is at least 18 years old and who worked or volunteered for a religious organization that hosted events or activities where the minor was in attendance; 5) engaged in a sexual or romantic relationship with the minor's parent, adoptive parent, grandparent, aunt, uncle, legal guardian, foster parent, stepparent, step-grandparent or sibling; 6) related to the minor by blood or marriage within the third degree and is at least 10 years older than the minor; 7) the minor's employer; or 8) an employee of a group home or residential treatment facility where the minor resides or has previously resided ([A.R.S. § 13-1401](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

FACT SHEET

H.B. 2064

Page 2

Provisions

1. Allows the court to impose a sentence that is five years longer than the minimum, maximum and presumptive sentence if the person is in a position of trust and is convicted of a felony involving sexual offenses, sexual exploitation of children or child sex trafficking and the offense was committed in a school safety zone.
2. Makes technical and conforming changes.
3. Becomes effective on the general effective date.

House Action

JUD	1/31/24	DPA	6-3-0-0
3 <sup>rd</sup> Read	2/28/24		39-20-0-0-1

Prepared by Senate Research

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ZD/KK/cs