



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

AMENDED
FACT SHEET FOR H.B. 2242

sexual conduct; minor; classification; sentence

Purpose

Increases the penalty for *sexual conduct with a minor* who is at least 15 years old from a class 6 felony to a class 4 felony.

Background

A person commits *sexual conduct with a minor* by intentionally or knowingly engaging in sexual intercourse or oral sexual contact with any person who is under 18 years old. Sexual conduct with a minor who is under 15 years old is a class 2 felony and is punishable as a dangerous crime against children. Sexual conduct with a minor who is at least 15 years old is a class 6 felony, unless the offender is or was in a position of trust, in which case the offense is a class 2 felony and the offender is not eligible for suspension of sentence, probation, pardon or release from confinement on any basis ([A.R.S. § 13-1405](#)).

It is a defense to a prosecution of sexual conduct with a minor if the victim is 15, 16 or 17 years old, the defendant is under 19 years old or is attending high school, and is no more than 24 months older than the victim, and the conduct is consensual ([A.R.S. § 13-1407](#)).

A class 6 felony carries a presumptive prison sentence of 1 year, while a class 4 felony carries a presumptive prison sentence of 2.5 years. Fines for felonies may be up to \$150,000 ([A.R.S. §§ 13-702](#) and [13-801](#)).

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

Provisions

1. Increases, from a class 6 felony to a class 4 felony, *sexual conduct with a minor* who is at least 15 years old.
2. Requires a person who is convicted of *sexual conduct with a minor* who is at least 15 years old and who is placed on probation to serve one year in jail.
3. Becomes effective on the general effective date.

Amendments Adopted by Committee

- Removes modifications made to the statutory defense for prosecutions of *sexual conduct with a minor*.

FACT SHEET – Amended

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House Action

JUD 2/7/24 DPA
3rd Read 2/27/24

5-2-0-2
41-17-1-0-1

Senate Action

JUD 3/14/24 DPA 4-3-0

Prepared by Senate Research

March 15, 2024

ZD/cs