



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

FACT SHEET FOR S.B. 1687

drive by shooting; weapon discharge

Purpose

Expands the *drive by shooting* criminal classification to include that a person commits a violation by discharging a weapon at a person, another occupied motor vehicle or an occupied structure from either a motor vehicle or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm.

Background

A person commits *drive by shooting* by intentionally discharging a weapon from a motor vehicle at a person, another occupied motor vehicle or an occupied structure. Motor vehicles used in the commission of *drive by shooting* are subject to seizure for forfeiture. The person's driver license is also subject to surrender by order of a judge and the person's driving privilege is revoked for a period of at least one year, but not more than five years. *Drive by shooting* is classified as a class 2 felony ([A.R.S. § 13-1209](#)).

A class 2 felony carries a presumptive prison sentence of five years, and a fine of not more than \$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. Expands the *drive by shooting* criminal classification to include that a person commits a violation by discharging a weapon at a person, another occupied motor vehicle or an occupied structure from either a motor vehicle or from the immediate area of a motor vehicle that was used to transport the shooter or the firearm, or both, to the scene of the discharge.
2. Becomes effective on the general effective date.

Prepared by Senate Research  
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