

**13-2901. Definitions**

In this chapter, unless the context otherwise requires:

1. "Marijuana" means all parts of any plant of the genus cannabis, from which the resin has not been extracted, whether growing or not, and the seeds of such plant. Marijuana does not include the mature stalks of such plant, or the sterilized seed of such plant which is incapable of germination.

2. "Public" means affecting or likely to affect a substantial group of persons.

**13-2902. Unlawful assembly; classification**

A. A person commits unlawful assembly by:

1. Assembling with two or more other persons with the intent to engage in conduct constituting a riot as defined in section 13-2903; or

2. Being present at an assembly of two or more other persons who are engaged in or who have the readily apparent intent to engage in conduct constituting a riot as defined in section 13-2903 and knowingly remaining there and refusing to obey an official order to disperse.

B. Unlawful assembly is a class 1 misdemeanor.

**13-2903. Riot; classification**

A. A person commits riot if, with two or more other persons acting together, such person recklessly uses force or violence or threatens to use force or violence, if such threat is accompanied by immediate power of execution, which disturbs the public peace.

B. Riot is a class 5 felony.

**13-2904. Disorderly conduct; classification**

A. A person commits disorderly conduct if, with intent to disturb the peace or quiet of a neighborhood, family or person, or with knowledge of doing so, such person:

1. Engages in fighting, violent or seriously disruptive behavior; or

2. Makes unreasonable noise; or

3. Uses abusive or offensive language or gestures to any person present in a manner likely to provoke immediate physical retaliation by such person; or

4. Makes any protracted commotion, utterance or display with the intent to prevent the transaction of the business of a lawful meeting, gathering or procession; or

5. Refuses to obey a lawful order to disperse issued to maintain public safety in dangerous proximity to a fire, a hazard or any other emergency; or

6. Recklessly handles, displays or discharges a deadly weapon or dangerous instrument.

B. Disorderly conduct under subsection A, paragraph 6 is a class 6 felony. Disorderly conduct under subsection A, paragraph 1, 2, 3, 4 or 5 is a class 1 misdemeanor.

**13-2905. Loitering; classification**

A. A person commits loitering if such person intentionally:

1. Is present in a public place and in an offensive manner or in a manner likely to disturb the public peace solicits another person to engage in any sexual offense.

2. Is present in a transportation facility and after a reasonable request to cease or unless specifically authorized to do so solicits or engages in any business, trade or commercial transactions involving the sale of merchandise or services.

3. Is present in a public place to beg, unless specifically authorized by law.

4. Is present in a public place, unless specifically authorized by law, to gamble with any cards, dice or other similar gambling devices.

5. Is present in or about a school, college or university building or grounds after a reasonable request to leave and either does not have any reason or relationship involving custody of or responsibility for a pupil or student or any other specific legitimate reason for being there or does not have written permission to be there from anyone authorized to grant permission.

6. Except as provided in section 13-3969, subsection A, solicits bail bond business inside a court building or immediately around or near the entrance of a county or city jail. For the purposes of this paragraph, "solicit" includes handing out business cards or any printed material or displaying any electronic devices related to bail bonds, verbally asking a person if the person needs a bail bond and recruiting another person to solicit bail bond business.

B. Loitering under subsection A, paragraph 5 is a class 1 misdemeanor. Loitering under subsection A, paragraphs 1, 2, 3, 4 and 6 is a class 3 misdemeanor.

**13-2906. Obstructing a highway or other public thoroughfare; classification**

A. A person commits obstructing a highway or other public thoroughfare if, having no legal privilege to do so, such person, alone or with other persons, recklessly interferes with the passage of any highway or public thoroughfare by creating an unreasonable inconvenience or hazard.

B. Obstructing a highway or other public thoroughfare is a class 3 misdemeanor.

**13-2907. False reporting; emergency response costs; classification; definitions**

A. A person commits false reporting by initiating or circulating a report of a bombing, fire, offense or other emergency knowing that such report is false and intending:

1. That it will cause action of any sort by an official or volunteer agency organized to deal with emergencies; or

2. That it will place a person in fear of imminent serious physical injury; or

3. That it will prevent or interrupt the occupation of any building, room, place of assembly, public place or means of transportation.

B. A person who commits a violation of this section that results in an emergency response or investigation of false reporting and who is convicted of a violation of this section is liable for the expenses that are incurred incident to the emergency response or the investigation of the commission of false reporting, except that if the person is a juvenile who is adjudicated delinquent of a violation of this section, the court may order the juvenile to pay the expenses incurred under this subsection as restitution. The expenses are a debt of the person. The public agency, for profit entity or not-for-profit entity that incurred the expenses may collect the debt proportionally. The liability that is imposed under this subsection is in addition to any other liability that may be imposed.

C. False reporting is a class 1 misdemeanor, except that a second or subsequent violation is a class 6 felony.

D. For the purposes of this section:

1. "Expenses" means any reasonable costs that are directly incurred by a public agency, for profit entity or not-for-profit entity that makes an appropriate emergency response to an incident or an investigation of the commission of false reporting. Expenses includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident and the salaries of the persons who respond to the incident. Expenses does not include any charges that are assessed by an ambulance service that is regulated pursuant to title 36, chapter 21.1, article 2.

2. "Public agency" means this state, any city, county, municipal corporation or district, any Arizona federally recognized native American tribe or any other public authority that is located in whole or in part in this state and that provides police, fire fighting, medical or other emergency services.

**13-2907.01. False reporting to law enforcement agencies; classification**

A. It is unlawful for a person to knowingly make to a law enforcement agency of either this state or a political subdivision of this state a false, fraudulent or unfounded report or statement or to knowingly misrepresent a fact for the purpose of interfering with the orderly operation of a law enforcement agency or misleading a peace officer.

B. Violation of this section is a class 1 misdemeanor.

**13-2907.02. False reporting of child abuse or neglect; classification**

A person who knowingly and intentionally makes a false report of child abuse or neglect knowing the report is false or a person who coerces another person to make a false report of child abuse or neglect knowing the report is false is guilty of a class 1 misdemeanor.

**13-2907.03. False reporting of sexual assault involving a spouse; classification**

A person who intentionally makes a false report of sexual assault involving a spouse knowing the report is false or a person who coerces another person to make a false report of sexual assault involving a spouse knowing the report is false is guilty of a class 1 misdemeanor.

**13-2907.04. False reporting of vulnerable adult abuse; classification**

A. It is unlawful for a person to intentionally make a false report of vulnerable adult abuse or neglect to a law enforcement agency or to another person who is required by law to report the information to a law enforcement agency.

B. A violation of this section is a class 1 misdemeanor.

**13-2907.05. False reporting of an offense involving corrections or probation employees; classification**

A person who intentionally makes a false report of an offense listed in section 13-1409 or 13-1419 knowing the report is false or a person who coerces another person to make a false report of an offense listed in section 13-1409 or 13-1419 knowing the report is false is guilty of a class 1 misdemeanor.

**13-2908. Criminal nuisance; classification**

A. A person commits criminal nuisance:

1. If, by conduct either unlawful in itself or unreasonable under the circumstances, such person recklessly creates or maintains a condition which endangers the safety or health of others.

2. By knowingly conducting or maintaining any premises, place or resort where persons gather for purposes of engaging in unlawful conduct.

B. Criminal nuisance is a class 3 misdemeanor.

**13-2909. Residential picketing; classification**

A. A person commits residential picketing if, with intent to harass, annoy or alarm another person, such person intentionally engages in picketing or otherwise demonstrates before or about the residence or dwelling place of an individual, other than a residence or dwelling place also used as the principal place of business of such individual.

B. Residential picketing is a class 3 misdemeanor.

**13-2910. Cruelty to animals; interference with working or service animal; classification; definitions**

A. A person commits cruelty to animals if the person does any of the following:

1. Intentionally, knowingly or recklessly subjects any animal under the person's custody or control to cruel neglect or abandonment.

2. Intentionally, knowingly or recklessly fails to provide medical attention necessary to prevent protracted suffering to any animal under the person's custody or control.

3. Intentionally, knowingly or recklessly inflicts unnecessary physical injury to any animal.

4. Recklessly subjects any animal to cruel mistreatment.

5. Intentionally, knowingly or recklessly kills any animal under the custody or control of another person without either legal privilege or consent of the owner.

6. Recklessly interferes with, kills or harms a working or service animal without either legal privilege or consent of the owner.

7. Intentionally, knowingly or recklessly leaves an animal unattended and confined in a motor vehicle and physical injury to or death of the animal is likely to result.

8. Intentionally or knowingly subjects any animal under the person's custody or control to cruel neglect or abandonment that results in serious physical injury to the animal.

9. Intentionally or knowingly subjects any animal to cruel mistreatment.

10. Intentionally or knowingly interferes with, kills or harms a working or service animal without either legal privilege or consent of the owner.

11. Intentionally or knowingly allows any dog that is under the person's custody or control to interfere with, kill or cause physical injury to a service animal.

12. Recklessly allows any dog that is under the person's custody or control to interfere with, kill or cause physical injury to a service animal.

13. Intentionally or knowingly obtains or exerts unauthorized control over a service animal with the intent to deprive the service animal handler of the service animal.

B. It is a defense to subsection A of this section if:

1. Any person exposes poison to be taken by a dog that has killed or wounded livestock or poison to be taken by predatory animals on premises owned, leased or controlled by the person for the purpose of protecting the person or the person's livestock or poultry, the treated property is kept posted by the person who authorized or performed the treatment until the poison has been removed and the poison is removed by the person exposing the poison after the threat to the person or the person's livestock or poultry has ceased to exist. The posting required shall provide adequate warning to persons who enter the property by the point or points of normal entry. The warning notice that is posted shall be readable at a distance of fifty feet, shall contain a poison statement and symbol and shall state the word "danger" or "warning".

2. Any person uses poisons in and immediately around buildings owned, leased or controlled by the person for the purpose of controlling wild and domestic rodents as otherwise allowed by the laws of the state, excluding any fur-bearing animals as defined in section 17-101.

C. This section does not prohibit or restrict:

1. The taking of wildlife or other activities permitted by or pursuant to title 17.

2. Activities permitted by or pursuant to title 3.

3. Activities regulated by the Arizona game and fish department or the Arizona department of agriculture.

D. A peace officer, animal control enforcement agent or animal control enforcement deputy may use reasonable force to open a vehicle to rescue an animal if the animal is left in the vehicle as prescribed in subsection A, paragraph 7 of this section.

E. A person who is convicted of a violation of subsection A, paragraph 6 or 10 of this section is liable as follows:

1. If the working or service animal was killed or disabled, to the owner or agency that owns the working or service animal and that employs the handler or to the owner or handler for the replacement and training costs of the working or service animal and for any veterinary bills.

2. To the owner or agency that owns a working or service animal for the salary of the handler for the period of time that the handler's services are lost to the owner or agency.

3. To the owner for the owner's contractual losses with the agency.

F. An incorporated city or town or a county may adopt an ordinance with misdemeanor provisions at least as stringent as the misdemeanor provisions of this section, except that any ordinance adopted shall not prohibit or restrict any activity involving a dog, whether the dog is restrained or not, if the activity is directly related to the business of shepherding or herding livestock and the activity is necessary for the safety of a human, the dog or livestock or is permitted by or pursuant to title 3.

G. A person who violates subsection A, paragraph 1, 2, 3, 4, 5, 6, 7 or 12 of this section is guilty of a class 1 misdemeanor. A person who violates subsection A, paragraph 8, 9, 10, 11 or 13 of this section is guilty of a class 6 felony.

H. For the purposes of this section:

1. "Animal" means a mammal, bird, reptile or amphibian.

2. "Cruel mistreatment" means to torture or otherwise inflict unnecessary serious physical injury on an animal or to kill an animal in a manner that causes protracted suffering to the animal.

3. "Cruel neglect" means to fail to provide an animal with necessary food, water or shelter.

4. "Handler" means a law enforcement officer or any other person who has successfully completed a course of training prescribed by the person's agency or the service animal owner and who used a specially trained animal under the direction of the person's agency or the service animal owner.

5. "Service animal" means an animal that has completed a formal training program, that assists its owner in one or more daily living tasks that are associated with a productive lifestyle and that is trained to not pose a danger to the health and safety of the general public.

6. "Working animal" means a horse or dog that is used by a law enforcement agency, that is specially trained for law enforcement work and that is under the control of a handler.

**13-2910.01. Animal fighting; classification**

A. A person commits animal fighting by knowingly:

1. Owning, possessing, keeping or training any animal if the person knows or has reason to know that the animal will engage in an exhibition of fighting with another animal.

2. For amusement or gain, causing any animal to fight with another animal, or causing any animals to injure each other.

3. Permitting any act in violation of paragraph 1 or 2 to be done on any premises under the person's charge or control.

B. This section does not:

1. Prohibit or restrict activities permitted by or pursuant to title 3.

2. Apply to animals that are trained to protect livestock from predation and that engage in actions to protect livestock.

C. Animal fighting is a class 5 felony.

**13-2910.02. Presence at animal fight; classification**

Any person who is knowingly present at any place or building where preparations are being made for an exhibition of the fighting of animals, or who is present at such exhibition, is guilty of a class 6 felony.

**13-2910.03. Cockfighting; classification**

(Caution: 1998 Prop. 105 applies)

A. A person commits cockfighting by knowingly:

1. Owning, possessing, keeping or training any cock with the intent that such cock engage in an exhibition of fighting with another cock.

2. For amusement or gain, causing any cock to fight with another cock or causing any cocks to injure each other.

3. Permitting any act in violation of paragraph 1 or 2 to be done on any premises under his charge or control.

B. Cockfighting is a class 5 felony.

C. For purposes of this section and section 13-2910.04, cock means any male chicken, including game fowl except wildlife as defined in Arizona Revised Statutes section 17-101.

**13-2910.04. Presence at cockfight; classification**

(Caution: 1998 Prop. 105 applies)

Any person who is knowingly present at any place or building where preparations are being made for an exhibition of the fighting of cocks, or is present at such exhibition, is guilty of a class 1 misdemeanor.

**13-2910.05. Exempt activities**

(Caution: 1998 Prop. 105 applies)

Activity involving the possession, training, exhibition or use of an animal in the otherwise lawful pursuits of hunting, ranching, farming, rodeos, shows and security services shall be exempt from the provisions of sections 13-2910.01, 13-2910.02, 13-2910.03 and 13-2910.04.

**13-2910.06. Defense to cruelty to animals and bird fighting**

(Caution: 1998 Prop. 105 applies)

It is a defense to sections 13-2910, 13-2910.01, 13-2910.02, 13-2910.03 and 13-2910.04 that the activity charged involves the possession, training, exhibition or use of a bird or animal in the otherwise lawful sports of falconry, animal hunting, rodeos, ranching or the training or use of hunting dogs.

**13-2910.07. Cruel and inhumane confinement of a pig during pregnancy or of a calf raised for veal**

(Caution: 1998 Prop. 105 applies)

A. Notwithstanding any other provision of title 3 or title 13, a person shall not tether or confine any pig during pregnancy or any calf raised for veal, on a farm, for all or the majority of any day, in a manner that prevents such animal from:

1. Lying down and fully extending his or her limbs; or
2. Turning around freely.

B. This section shall not apply to:

1. Pigs or calves during transportation.
2. Pigs or calves in rodeo exhibitions, state or county fair exhibitions, or other similar exhibitions.
3. The killing of pigs or calves according to the provisions of chapter 13, title 3 and other applicable law and regulations.

4. Pigs or calves involved in lawful scientific or agricultural research.

5. Pigs or calves while undergoing an examination, test, treatment or operation for veterinary purposes.

6. A pig during the seven day period prior to the pig's expected date of giving birth.

C. A person who violates this section is guilty of a class 1 misdemeanor.

D. The following definitions shall govern this section:

1. "Calf" means a calf of the bovine species.
2. "Calf raised for veal" means a calf raised with the intent of selling, marketing or distributing the meat, organs or any part of such calf as a food product described as "veal."
3. "Farm" means the land, buildings, support facilities, and other equipment that is wholly or partially used for the production of animals for food or fiber.
4. "Pig" means any animal of the porcine species.
5. "Turning around freely" means having the ability to turn around in a complete circle without any impediment, including a tether, or, in the case of an enclosure (including what is commonly described as a "gestation crate" for pigs and a "veal crate" for calves) without touching any side of the enclosure.

**13-2910.08. The humane treatment of farm animals fund**

(Conditionally Eff. Caution: 1998 Prop. 105 applies)

The "humane treatment of farm animals fund" is hereby established to be administered by the attorney general under the conditions and for the purposes provided by this section. Upon receipt, the attorney general shall deposit in the fund any monies received for the state as a result of enforcement of the humane treatment of farm animals act and any monies received by the attorney general as a money donation to the fund from any public or private group, society, association or individual. The monies in the fund shall be used only for mandatory expenditures, if any, required by the humane treatment of farm animals act and administration of the fund. Monies in the fund are not subject to legislative appropriation. The fund is exempt from statutory provisions relating to lapsing of appropriations and shall not revert to the general fund.

**13-2910.09. Equine tripping; classification; definitions**

A. A person who knowingly or intentionally trips an equine for entertainment or sport is guilty of a class 1 misdemeanor.

B. A person who is convicted of a first violation of this section:

1. Shall be sentenced to serve not less than forty-eight consecutive hours in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.
2. Shall pay a fine of not less than one thousand dollars.

C. A person who is convicted of a second violation of this section:

1. Shall be sentenced to serve not less than thirty consecutive days in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.
2. Shall pay a fine of not less than two thousand dollars.

D. A person who is convicted of a third or subsequent violation of this section:

1. Shall be sentenced to serve not less than ninety consecutive days in jail and is not eligible for probation or suspension of execution of sentence unless the entire sentence is served.

2. Shall pay a fine of not less than two thousand dollars.

E. This section does not apply to any jumping or steeplechase events, racing, training, branding, show events, calf or steer roping events, bulldogging or steer wrestling events or any other traditional western rodeo events, including barrel racing, bareback or saddled bronc riding or other similar activities or events.

F. For the purposes of this section:

1. "Equine" means a horse, pony, mule, donkey or hinny.

2. "Trips" means knowingly or intentionally causing an equine to lose its balance or fall by use of a wire, pole, stick or rope or any other object or by any other means.

**13-2911. Interference with or disruption of an educational institution; violation; classification; definitions**

A. A person commits interference with or disruption of an educational institution by doing any of the following:

1. Intentionally, knowingly or recklessly interfering with or disrupting the normal operations of an educational institution by either:

(a) Threatening to cause physical injury to any employee or student of an educational institution or any person on the property of an educational institution.

(b) Threatening to cause damage to any educational institution, the property of any educational institution or the property of any employee or student of an educational institution.

2. Intentionally or knowingly entering or remaining on the property of any educational institution for the purpose of interfering with the lawful use of the property or in any manner as to deny or interfere with the lawful use of the property by others.

3. Intentionally or knowingly refusing to obey a lawful order given pursuant to subsection C of this section.

B. To constitute a violation of this section, the acts that are prohibited by subsection A, paragraph 1 of this section are not required to be directed at a specific individual, a specific educational institution or any specific property of an educational institution.

C. The chief administrative officer of an educational institution or an officer or employee designated by the chief administrative officer to maintain order may order a person to leave the property of the educational institution if the officer or employee has reasonable grounds to believe either that:

1. Any person or persons are committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.

2. Any person has entered on the property of an educational institution for the purpose of committing any act that interferes with or disrupts the lawful use of the property by others at the educational institution.

D. The appropriate governing board of every educational institution shall adopt rules pursuant to title 41, chapter 6 for the maintenance of public order on all property of any educational institution under its jurisdiction that is used for educational purposes and shall provide a program for the enforcement of its rules. The rules shall govern the conduct of students, faculty and other staff and all members of the public while on the property of the educational institution. Penalties for violations of the rules shall be clearly set forth and enforced. Penalties shall include provisions for the ejection of a violator from the property and, in the case of a student, faculty member or other staff violator, the violator's suspension or expulsion or any other appropriate disciplinary action. A governing board shall amend its rules as necessary to ensure the maintenance of public order. Any deadly weapon, dangerous instrument or explosive that is used, displayed or possessed by a person in violation of a rule adopted pursuant to this subsection shall be forfeited and sold, destroyed or otherwise disposed of pursuant to chapter 39 of this title. This subsection does not do either of the following:

1. Preclude school districts from conducting approved gun safety programs on school campuses.
2. Apply to private universities, colleges, high schools or common schools or other private educational institutions.
  - E. An educational institution is not eligible to receive any state aid or assistance unless rules are adopted in accordance with this section.
  - F. This section does not prevent or limit the authority of the governing board of any educational institution to discharge any employee or expel, suspend or otherwise punish any student for any violation of its rules, even though the violation is unlawful under this chapter or is otherwise an offense.
  - G. This section may be enforced by any peace officer in this state wherever and whenever a violation occurs.
  - H. Restitution under sections 8-341, 8-345 and 13-603 applies to any financial loss that is suffered by a person or educational institution as a result of a violation of this section.
  - I. Interference with or disruption of an educational institution pursuant to subsection A, paragraph 1 of this section is a class 6 felony. Interference with or disruption of an educational institution pursuant to subsection A, paragraph 2 or 3 of this section is a class 1 misdemeanor.
    - J. For the purposes of this section:
      1. "Educational institution" means, except as otherwise provided, any university, college, community college, high school or common school in this state.
      2. "Governing board" means the body, whether appointed or elected, that has responsibility for the maintenance and government of an educational institution.
      3. "Interference with or disruption of" includes any act that might reasonably lead to the evacuation or closure of any property of the educational institution or the postponement, cancellation or suspension of any class or other school activity. For the purposes of this paragraph, an actual evacuation, closure, postponement, cancellation or suspension is not required for the act to be considered an interference or disruption.
      4. "Property of an educational institution" means all land, buildings and other facilities that are owned, operated or controlled by the governing board of an educational institution and that are devoted to educational purposes.

**13-2912. Unlawful introduction of disease or parasite; classification**

- A. It is unlawful for a person to knowingly introduce into this state a disease or parasite of animals or poultry that constitutes a threat to:
  1. Livestock or poultry industry in this state.
  2. Human health.
  3. Human life.
- B. This section does not apply to research conducted by government or educational institutions.
- C. A violation of subsection A:
  1. Paragraph 1 is a class 5 felony.
  2. Paragraph 2 is a class 4 felony.
  3. Paragraph 3 is a class 2 felony.

**13-2913. Unlawful violation of fire ban; classification**

- A. It is unlawful for a person to enter or remain in any public building or on any public property in violation of any order or rule that is issued by any officer or agency having the power of control, management or supervision of the building or property and that relates to the control and limitation of fires, including any prohibition, restriction or ban on fires, any provision to avert the start of or lessen the likelihood of wildfire and the designation of any place where fires are permitted, restricted, prohibited or banned.
- B. A person who violates this section is guilty of a class 2 misdemeanor.

**13-2915. Preventing use of telephone in emergency; false representation of emergency; classification; definitions**

- A. It is unlawful for a person to do any of the following:
1. Knowingly refuse to yield or surrender the use of a party line to another person to report a fire or summon police or medical or other aid in case of emergency.
  2. Ask for or request the use of a party line on the pretext that an emergency exists, knowing that no emergency in fact exists.
  3. Intentionally prevent or interfere with the use of a telephone by another person in an emergency situation.
- B. Every telephone directory that is compiled and distributed to subscribers shall contain a notice explaining this section. The notice shall be printed in type that is no smaller than any other type on the same page, other than headings, and shall be preceded by the word "warning". This subsection does not apply to directories that are distributed solely for business advertising purposes, commonly known as classified directories.
- C. This section does not require a person to allow another person to enter the person's home or place of residence for the purpose of using a telephone in an emergency situation.
- D. A person who violates this section is guilty of a class 2 misdemeanor.
- E. For the purposes of this section:
1. "Emergency" means a situation in which property or human life is in jeopardy and the prompt summoning of aid is essential.
  2. "Emergency situation" means a situation in which both of the following apply:
    - (a) Human health, life or safety is in jeopardy and the prompt summoning of aid is essential.
    - (b) It is reasonable to believe that a domestic violence offense pursuant to section 13-3601 is being, has been or is about to be committed.
  3. "Party line" means a subscriber's line telephone circuit, consisting of two or more main telephone stations connected therewith, each station with a distinctive ring or telephone number.

**13-2916. Use of an electronic communication to terrify, intimidate, threaten or harass; applicability; classification; definition**

- A. It is unlawful for any person, with intent to terrify, intimidate, threaten or harass a specific person or persons, to do any of the following:
1. Direct any obscene, lewd or profane language or suggest any lewd or lascivious act to the person in an electronic communication.
  2. Threaten to inflict physical harm to any person or property in any electronic communication.
  3. Otherwise disturb by repeated anonymous, unwanted or unsolicited electronic communications the peace, quiet or right of privacy of the person at the place where the communications were received.
- B. Any offense committed by use of an electronic communication as set forth in this section is deemed to have been committed at either the place where the communications originated or at the place where the communications were received.
- C. This section does not apply to constitutionally protected speech or activity or to any other activity authorized by law.
- D. Any person who violates this section is guilty of a class 1 misdemeanor.
- E. For the purposes of this section, "electronic communication" means a wire line, cable, wireless or cellular telephone call, a text message, an instant message or electronic mail.

**13-2917. Public nuisance; abatement; classification**

- A. It is a public nuisance, and is no less a nuisance because the extent of the annoyance or damage inflicted is unequal, for anything:
1. To be injurious to health, indecent, offensive to the senses or an obstruction to the free use of property that interferes with the comfortable enjoyment of life or property by an entire community or neighborhood or by a considerable number of persons.

2. To unlawfully obstruct the free passage or use, in the customary manner, of any navigable lake, river, bay, stream, canal or basin, or any public park, square, street or highway.

B. It is a public nuisance for any person to sell, offer to sell, transfer, trade or disseminate any item which is obscene as defined in section 13-3501, within two thousand feet, measured in a straight line, of the nearest boundary line of any of the following:

1. Any building used as a private or public elementary or high school.
2. Any public park.
3. Any residence district as defined in section 28-101.

C. The county attorney, the attorney general or the city attorney may bring an action in superior court to abate, enjoin and prevent the activity described in subsections A and B of this section.

D. Any person who knowingly maintains or commits a public nuisance or who knowingly fails or refuses to perform any legal duty relating to the removal of a public nuisance is guilty of a class 2 misdemeanor.

**13-2918. Interference with emergency transmission on citizens' band radio frequency; presumption; definition; classification**

A. It is unlawful for a person to recklessly interrupt, impede or otherwise interfere with the transmission of an emergency communication over a citizens' band radio frequency.

B. A person is presumed to have acted recklessly if he interrupts, impedes or interferes with the transmission of a communication on a channel dedicated to use for emergency communications.

C. As used in this section "emergency" means a situation in which a person is or is reasonably believed by the person transmitting the communication to be in imminent danger of serious physical injury or in which property is or is reasonably believed by the person transmitting the communication to be in imminent danger of damage or destruction.

D. A person who violates this section is guilty of a class 1 misdemeanor.

**13-2919. Automated telephone solicitation; violation; classification**

A. A person shall not use an automated system for the selection and dialing of telephone numbers and the playing of a recorded message or sending a text message for the purpose of soliciting persons to purchase goods or services or requesting survey information if the results are to be used directly for the purpose of soliciting persons to purchase goods or services.

B. This section does not apply if a recorded message or text message is received under any of the following circumstances:

1. With prior express invitation or permission by the recipient.
2. By a recipient who has an existing business relationship with the sender.
- C. A person who violates this section is guilty of a class 2 misdemeanor.

**13-2920. Advertisements and required preamble message for telephone information services; telecommunications corporation compensation; definitions; classification**

A. An information access telephone service provider shall not provide or sponsor an advertisement, publication or other communication regarding information access telephone service that does not clearly and conspicuously display the price for each call or for each minute of the call or provide or sponsor a television or radio advertisement that does not include a clearly audible voice announcement of the price for each call or for each minute of the call.

B. Information access telephone service providers shall begin each information access telephone service call with a clear statement, without charge, of whether the call is billed on a per minute or a per call basis and the price for the call or for each minute of the call.

C. Information access telephone service providers shall compensate any telecommunications corporation transporting the provider's service for all charges associated with blocking information access telephone services, and shall make arrangements with the telecommunications corporation for a one time adjustment per residential customer account for an information access telephone service charge if the adjustments involve calls made by minors without authorization or involve claims of fraud, theft or misrepresentation. An adjustment pursuant to this subsection, except for billing and transport charges, shall

be charged to the information access telephone service provider who shall not attempt private collection of any adjustments to customers' accounts made by a telecommunications corporation.

D. An information access telephone service provider shall not provide an information access telephone service which describes or depicts, directly or indirectly, sexual conduct or activity or which contains sexually suggestive content unless access to such service is restricted to persons eighteen years of age or older and requires that the service is provided by subscription through the information access telephone service provider.

E. An information access telephone service provider shall not provide recorded announcements or live programs which forward or refer callers to telephone numbers which are not 976 service or 676 service for the purpose of the type of services provided by 976 service or 676 service.

F. In this section:

1. "Information access telephone service" means telephone service and facilities which provide access to a provider-sponsored prerecorded or live announcement or program and which is commonly referred to as "976 service" or "676 service".

2. "Provider" means a person, partnership, corporation or organization that contracts with a telecommunications corporation to transport telephone calls, bill customers or collect charges for a prerecorded or live announcement or program.

3. "Adjustment" means a waiver of all unpaid charges incurred by the residential customer for information access telephone services up to the time the customer contacts the telecommunications corporation and requests the adjustment.

G. A person who violates this section is guilty of a class 3 misdemeanor.

**13-2921. Harassment; classification; definition**

A. A person commits harassment if, with intent to harass or with knowledge that the person is harassing another person, the person:

1. Anonymously or otherwise contacts, communicates or causes a communication with another person by verbal, electronic, mechanical, telegraphic, telephonic or written means in a manner that harasses.

2. Continues to follow another person in or about a public place for no legitimate purpose after being asked to desist.

3. Repeatedly commits an act or acts that harass another person.

4. Surveils or causes another person to surveil a person for no legitimate purpose.

5. On more than one occasion makes a false report to a law enforcement, credit or social service agency.

6. Interferes with the delivery of any public or regulated utility to a person.

B. A person commits harassment against a public officer or employee if the person, with intent to harass, files a nonconsensual lien against any public officer or employee that is not accompanied by an order or a judgment from a court of competent jurisdiction authorizing the filing of the lien or is not issued by a governmental entity or political subdivision or agency pursuant to its statutory authority, a validly licensed utility or water delivery company, a mechanics' lien claimant or an entity created under covenants, conditions, restrictions or declarations affecting real property.

C. Harassment under subsection A is a class 1 misdemeanor. Harassment under subsection B is a class 5 felony.

D. This section does not apply to an otherwise lawful demonstration, assembly or picketing.

E. For the purposes of this section, "harassment" means conduct that is directed at a specific person and that would cause a reasonable person to be seriously alarmed, annoyed or harassed and the conduct in fact seriously alarms, annoys or harasses the person.

**13-2921.01. Aggravated harassment; classification; definition**

A. A person commits aggravated harassment if the person commits harassment as provided in section 13-2921 and any of the following applies:

1. A court has issued an order of protection or an injunction against harassment against the person and in favor of the victim of harassment and the order or injunction has been served and is still valid.

2. The person has previously been convicted of an offense included in section 13-3601.

B. The victim of any previous offense shall be the same as in the present offense.

C. A person who violates subsection A, paragraph 1 of this section is guilty of a class 6 felony. A person who commits a second or subsequent violation of subsection A, paragraph 1 of this section is guilty of a class 5 felony. A person who violates subsection A, paragraph 2 of this section is guilty of a class 5 felony.

D. For the purposes of this section, "convicted" means a person who was convicted of an offense included in section 13-3601 or who was adjudicated delinquent for conduct that would constitute a historical prior felony conviction if the juvenile had been tried as an adult for an offense included in section 13-3601.

**13-2922. Interference with transmissions on public safety land mobile radio frequencies; classification; definitions**

A. It is unlawful for a person to recklessly interrupt, impede or otherwise directly interfere with emergency communications over a public safety land mobile radio frequency communications network or system created for emergency communications.

B. It is unlawful for a person to recklessly interrupt, impede or otherwise interfere with the transmission of a nonemergency communication over a public safety land mobile radio frequency that is dedicated to the dispatch of police, fire or emergency medical response personnel to the scene of an emergency or dedicated to use for emergency communications.

C. A person who violates subsection A is guilty of a class 6 felony. A person who violates subsection B is guilty of a class 1 misdemeanor.

D. As used in this section:

1. "Emergency" means a situation in which a person is or is reasonably believed by the person transmitting the communication to be in imminent danger of serious physical injury or in which property is or is reasonably believed by the person transmitting the communication to be in imminent danger of damage or destruction.

2. "Public safety land mobile radio frequency" means a frequency prescribed in 47 Code of Federal Regulations part 90, subpart B and part 97, subpart A.

3. "Public safety land mobile radio frequency communications network or system" means those radio services and emergency communications systems that are prescribed in 47 Code of Federal Regulations part 90, subpart B and part 97, subpart A.

**13-2923. Stalking; classification; definitions**

A. A person commits stalking if the person intentionally or knowingly engages in a course of conduct that is directed toward another person and if that conduct either:

1. Would cause a reasonable person to fear for the person's safety or the safety of that person's immediate family member and that person in fact fears for the person's safety or the safety of that person's immediate family member.

2. Would cause a reasonable person to fear death of that person or that person's immediate family member and that person in fact fears death of that person or that person's immediate family member.

B. Stalking under subsection A, paragraph 1 of this section is a class 5 felony. Stalking under subsection A, paragraph 2 of this section is a class 3 felony.

C. For the purposes of this section:

1. "Course of conduct":

(a) Means any of the following:

(i) Maintaining visual or physical proximity to a specific person or directing verbal, written or other threats, whether express or implied, to a specific person on two or more occasions over a period of time, however short.

(ii) Using any electronic, digital or global positioning system device to surveil a specific person or a specific person's internet or wireless activity continuously for twelve hours or more or on two or more occasions over a period of time, however short, without authorization.

(b) Does not include constitutionally protected activity or other activity authorized by law, the other person, the other person's authorized representative or if the other person is a minor, the minor's parent or guardian.

2. "Immediate family member" means a spouse, parent, child or sibling or any other person who regularly resides in a person's household or resided in a person's household within the past six months.

**13-2924. Unlawful solicitation of tort victims; classification; definitions**

A. Except as otherwise provided by law, a person commits unlawful solicitation of a tort victim if the person knowingly does any of the following at the scene of any accident that may result in a civil action, criminal action or claim for tort damages by or against another person:

1. Solicits a tort victim if the person receives or expects to receive compensation as a result of the solicitation.

2. Offers or provides compensation to another person for the solicitation of a tort victim.

3. Requests or accepts compensation for the solicitation of a tort victim.

B. This section does not prohibit or restrict any of the following:

1. The solicitation of motor vehicle repair or storage services by a towing company.

2. Police, fire or emergency medical personnel who are engaged in activity which is within the normal scope of duty for their respective occupation or profession.

3. The tort victim from communicating with the tort victim's insurer regarding the investigation of a claim or settlement of any property damage claim.

C. The tort victim may void any contract, agreement or obligation that is made, obtained, procured or incurred in violation of this section.

D. A person who violates this section is guilty of a class 1 misdemeanor.

E. For the purposes of this section:

1. "Compensation" means the direct or indirect promise or payment of any fee, salary, wage, commission, bonus, rebate, refund, dividend or discount.

2. "Solicit" or "solicitation" means directly or indirectly either:

(a) Touting, promoting, recommending, suggesting or offering services or goods to a tort victim.

(b) Selecting, obtaining or procuring services or goods for a tort victim.

3. "Tort victim" means any of the following:

(a) A person whose property has been damaged as a result of any accident that may result in a civil action, criminal action or claim for tort damages by or against another person.

(b) A person who has been injured or killed as a result of any accident that may result in a civil action, criminal action or claim for tort damages by or against another person.

(c) A parent, guardian, spouse, sibling or child of a person who has died as a result of any accident that may result in a civil action, criminal action or claim for tort damages by or against another person.

**13-2925. Hoax; restitution; joint and several liability; classification; definition**

A. It is unlawful for a person to intentionally or knowingly engage in any conduct that both:

1. Is likely to impart the false impression that an act of terrorism as defined in section 13-2301 is taking place or will take place.

2. Would reasonably be expected to cause or that causes an emergency response by a governmental agency.

B. A person who is convicted of a violation of this section may be liable for any expenses that are incurred incident to the emergency response and the investigation of the commission of the offense. The expense is a debt of the person. The public agency, for profit entity or not-for-profit entity that incurred the expenses may collect the debt proportionally. The liability that is imposed under this subsection is in addition to any other liability that may be imposed.

C. If more than one person is liable for any expenses that are incurred under this section, a person who is convicted of a violation of this section is jointly and severally liable for these expenses.

D. A violation of this section is a class 4 felony.

E. For the purposes of this section, "expenses" means any reasonable costs that are directly incurred by a public agency, for profit entity or not-for-profit entity that makes an appropriate emergency response to an incident or an investigation of the commission of the offense. Expenses includes the costs of providing police, fire fighting, rescue and emergency medical services at the scene of an incident and the salaries of the persons who respond to the incident. Expenses does not include any charges that are assessed by an ambulance service that is regulated pursuant to title 36, chapter 21.1, article 2.

**13-2926. Abandonment or concealment of a dead body; classification**

A. It is unlawful for a person to knowingly move a dead human body or parts of a human body with the intent to abandon or conceal the dead human body or parts.

B. This section does not apply to the disposition, transportation or other handling of dead human remains for any purpose authorized under title 32, chapter 12, title 32, chapter 20, article 6 and title 36, chapters 3 and 7.

C. A person who violates this section is guilty of a class 5 felony.

**13-2927. Unlawful feeding of wildlife; classification**

A. A person commits unlawful feeding of wildlife by intentionally, knowingly or recklessly feeding, attracting or otherwise enticing wildlife into an area, except for:

1. Persons lawfully taking or holding wildlife pursuant to title 17 or pursuant to rules or orders of the Arizona game and fish commission.

2. Public employees or authorized agents acting within the scope of their authority for public safety or for wildlife management purposes.

3. Normal agricultural or livestock operational practices.

4. Tree squirrels or birds.

B. This section applies in a county with a population of more than two hundred eighty thousand persons.

C. Unlawful feeding of wildlife is a petty offense.

**13-2928. Unlawful stopping to hire and pick up passengers for work; unlawful application, solicitation or employment; classification; definitions**

A. It is unlawful for an occupant of a motor vehicle that is stopped on a street, roadway or highway to attempt to hire or hire and pick up passengers for work at a different location if the motor vehicle blocks or impedes the normal movement of traffic.

B. It is unlawful for a person to enter a motor vehicle that is stopped on a street, roadway or highway in order to be hired by an occupant of the motor vehicle and to be transported to work at a different location if the motor vehicle blocks or impedes the normal movement of traffic.

C. It is unlawful for a person who is unlawfully present in the United States and who is an unauthorized alien to knowingly apply for work, solicit work in a public place or perform work as an employee or independent contractor in this state.

D. A law enforcement official or agency of this state or a county, city, town or other political subdivision of this state may not consider race, color or national origin in the enforcement of this section except to the extent permitted by the United States or Arizona Constitution.

E. In the enforcement of this section, an alien's immigration status may be determined by:

1. A law enforcement officer who is authorized by the federal government to verify or ascertain an alien's immigration status.

2. The United States immigration and customs enforcement or the United States customs and border protection pursuant to 8 United States Code section 1373(c).

F. A violation of this section is a class 1 misdemeanor.

G. For the purposes of this section:

1. "Solicit" means verbal or nonverbal communication by a gesture or a nod that would indicate to a reasonable person that a person is willing to be employed.

2. "Unauthorized alien" means an alien who does not have the legal right or authorization under federal law to work in the United States as described in 8 United States Code section 1324a(h)(3).

**13-2929. Unlawful transporting, moving, concealing, harboring or shielding of unlawful aliens; vehicle impoundment; exception; classification**

A. It is unlawful for a person who is in violation of a criminal offense to:

1. Transport or move or attempt to transport or move an alien in this state, in furtherance of the illegal presence of the alien in the United States, in a means of transportation if the person knows or

recklessly disregards the fact that the alien has come to, has entered or remains in the United States in violation of law.

2. Conceal, harbor or shield or attempt to conceal, harbor or shield an alien from detection in any place in this state, including any building or any means of transportation, if the person knows or recklessly disregards the fact that the alien has come to, has entered or remains in the United States in violation of law.

3. Encourage or induce an alien to come to or reside in this state if the person knows or recklessly disregards the fact that such coming to, entering or residing in this state is or will be in violation of law.

B. A means of transportation that is used in the commission of a violation of this section is subject to mandatory vehicle immobilization or impoundment pursuant to section 28-3511.

C. A law enforcement official or agency of this state or a county, city, town or other political subdivision of this state may not consider race, color or national origin in the enforcement of this section except to the extent permitted by the United States or Arizona Constitution.

D. In the enforcement of this section, an alien's immigration status may be determined by:

1. A law enforcement officer who is authorized by the federal government to verify or ascertain an alien's immigration status.

2. The United States immigration and customs enforcement or the United States customs and border protection pursuant to 8 United States Code section 1373(c).

E. This section does not apply to a child safety worker acting in the worker's official capacity or a person who is acting in the capacity of a first responder, an ambulance attendant or an emergency medical technician and who is transporting or moving an alien in this state pursuant to title 36, chapter 21.1.

F. A person who violates this section is guilty of a class 1 misdemeanor and is subject to a fine of at least one thousand dollars, except that a violation of this section that involves ten or more illegal aliens is a class 6 felony and the person is subject to a fine of at least one thousand dollars for each alien who is involved.

**13-2930. Unlawful funeral or burial protest activities; classification; definition**

A. A person shall not picket or engage in other protest activities, and an association or corporation shall not cause picketing or other protest activities to occur, within three hundred feet of the property line of any residence, cemetery, funeral home, church, synagogue or other establishment during or within one hour before or one hour after the conducting of a funeral or burial service at that place.

B. A person who violates this section is guilty of a class 1 misdemeanor.

C. For the purposes of this section, "other protest activities" means any action that is disruptive or that is undertaken to disrupt or disturb a funeral or burial service.