

REFERENCE TITLE: sex offenders; monitoring; probation

State of Arizona
Senate
Forty-eighth Legislature
First Regular Session
2007

SB 1228

Introduced by
Senator Waring

AN ACT

AMENDING SECTION 13-902, ARIZONA REVISED STATUTES; RELATING TO PROBATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-902, Arizona Revised Statutes, is amended to
3 read:

4 13-902. Periods of probation

5 A. Unless terminated sooner, probation may continue for the following
6 periods:

- 7 1. For a class 2 felony, seven years.
- 8 2. For a class 3 felony, five years.
- 9 3. For a class 4 felony, four years.
- 10 4. For a class 5 or 6 felony, three years.
- 11 5. For a class 1 misdemeanor, three years.
- 12 6. For a class 2 misdemeanor, two years.
- 13 7. For a class 3 misdemeanor, one year.

14 B. Notwithstanding subsection A of this section, unless terminated
15 sooner, probation may continue for the following periods:

- 16 1. For a violation of section 28-1381 or 28-1382, five years.
- 17 2. For a violation of section 28-1383, ten years.

18 C. When the court has required, as a condition of probation, that the
19 defendant make restitution for any economic loss related to the defendant's
20 offense and that condition has not been satisfied, the court at any time
21 before the termination or expiration of probation may extend the period
22 within the following limits:

- 23 1. For a felony, not more than three years.
- 24 2. For a misdemeanor, not more than one year.

25 D. Notwithstanding any other provision of law, justice courts and
26 municipal courts may impose the probation periods specified in subsection A,
27 paragraphs 5, 6 and 7 and subsection B, paragraph 1 of this section.

28 E. After conviction of a felony offense or an attempt to commit any
29 offense that is included in chapter 14 or 35.1 of this title or section
30 13-2308.01, 13-2923 or 13-3623, if probation is available, probation may
31 continue for a term of not less than the term that is specified in subsection
32 A of this section up to and including life and that the court believes is
33 appropriate for the ends of justice.

34 F. After conviction of a violation of section 13-3824, subsection A,
35 if a term of probation is imposed and the offense for which the person was
36 required to register was a felony, probation may continue for a term of not
37 less than the term that is specified in subsection A of this section up to
38 and including life and that the court believes is appropriate for the ends of
39 justice.

40 G. Beginning November 1, 2006, after conviction of a dangerous crime
41 against children as defined in section 13-604.01 **OR AN OFFENSE FOR WHICH THE**
42 **PERSON IS REQUIRED TO REGISTER PURSUANT TO SECTION 13-3821**, if a term of
43 probation is imposed, the court shall require global position system
44 monitoring for the duration of the term of probation. **THIS SUBSECTION DOES**
45 **NOT APPLY TO A PERSON WHO IS CONFINED IN A CORRECTIONAL FACILITY OR A**
46 **DETENTION FACILITY OR WHO RESIDES IN A RESIDENTIAL TREATMENT CENTER.**