

REFERENCE TITLE: **sentencing; misdemeanors involving hate**

State of Arizona  
House of Representatives  
Forty-eighth Legislature  
First Regular Session  
2007

## **HB 2358**

Introduced by  
Representatives Lopez, Bradley, Lujan, Saradnik, Schapira, Sinema:  
Ableser, Cajero Bedford, Campbell CL, DeSimone, Farley, Garcia M, Miranda,  
Pancrazi

**AN ACT**

**AMENDING TITLE 13, CHAPTER 7, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-714; RELATING TO SENTENCING.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 13, chapter 7, Arizona Revised Statutes, is amended  
3 by adding section 13-714, to read:

4 13-714. Misdemeanors involving hate; sentencing

5 IF A PERSON IS CONVICTED OF A MISDEMEANOR OFFENSE AND THE COURT FINDS  
6 THAT THE DEFENDANT COMMITTED THE OFFENSE OUT OF MALICE TOWARD A VICTIM  
7 BECAUSE OF THE VICTIM'S IDENTITY IN A GROUP LISTED IN SECTION 41-1750,  
8 SUBSECTION A, PARAGRAPH 3 OR BECAUSE OF THE DEFENDANT'S PERCEPTION OF THE  
9 VICTIM'S IDENTITY IN A GROUP LISTED IN SECTION 41-1750, SUBSECTION A,  
10 PARAGRAPH 3, THE COURT SHALL AFFIRMATIVELY STATE ITS FINDINGS ON THE RECORD  
11 AND MAY INCREASE THE SENTENCE.