

CHAPTER 190

SENATE BILL 1151

AN ACT

AMENDING SECTIONS 13-105, 13-703 AND 13-704, ARIZONA REVISED STATUTES;
RELATING TO SENTENCING.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

Section 1. Section 13-105, Arizona Revised Statutes, is amended to read:

13-105. Definitions

...
...
...

(e) ANY OFFENSE COMMITTED OUTSIDE THE JURISDICTION OF THIS STATE THAT WAS PUNISHABLE BY THAT JURISDICTION AS A FELONY, THAT WAS COMMITTED WITHIN THE FIVE YEARS IMMEDIATELY PRECEDING THE DATE OF THE PRESENT OFFENSE. ANY TIME SPENT ON ABSCONDER STATUS WHILE ON PROBATION, ON ESCAPE STATUS OR INCARCERATED IS EXCLUDED IN CALCULATING IF THE OFFENSE WAS COMMITTED WITHIN THE PRECEDING FIVE YEARS. IF A COURT DETERMINES A PERSON WAS NOT ON ABSCONDER STATUS WHILE ON PROBATION OR ESCAPE STATUS, THAT TIME IS NOT EXCLUDED. FOR THE PURPOSES OF THIS SUBDIVISION, "ESCAPE" HAS THE SAME MEANING PRESCRIBED IN SUBDIVISION (b) OF THIS PARAGRAPH.

(f) ANY OFFENSE COMMITTED OUTSIDE THE JURISDICTION OF THIS STATE THAT INVOLVED THE DISCHARGE, USE OR THREATENING EXHIBITION OF A DEADLY WEAPON OR DANGEROUS INSTRUMENT OR THE INTENTIONAL OR KNOWING INFLECTION OF DEATH OR SERIOUS PHYSICAL INJURY THAT WAS PUNISHABLE BY THAT JURISDICTION AS A FELONY. A PERSON WHO HAS BEEN CONVICTED OF A FELONY WEAPONS POSSESSION VIOLATION IN ANY COURT OUTSIDE THE JURISDICTION OF THIS STATE THAT WOULD NOT BE PUNISHABLE AS A FELONY UNDER THE LAWS OF THIS STATE IS NOT SUBJECT TO THIS PARAGRAPH.