



Bill Number: S.B. 1106

Miranda Floor Amendment

Reference to: Judiciary & Elections Committee Amendment

Amendment drafted by: Leg Council

FLOOR AMENDMENT EXPLANATION

The Miranda Floor amendment extends the repeal date of this legislation by one year, from December 31, 2026 to December 31, 2027.

MIRANDA FLOOR AMENDMENT
SENATE AMENDMENTS TO S.B. 1106
(Reference to JUDICIARY AND ELECTIONS Committee amendment)

Amendment instruction key:

[GREEN UPPERCASE UNDERLINING IN BRACKETS] indicates that the amendment is adding text to statute or previously enacted session law.
[Green lowercase underlining in brackets] indicates that the amendment is adding text to new session law or is restoring previously stricken text to existing statute.
~~[GREEN UPPERCASE STRIKEOUT IN BRACKETS]~~ indicates that the amendment is removing new text from statute or previously enacted session law.
~~[Green lowercase strikeout in brackets]~~ indicates that the amendment is removing text from existing statute, previously enacted session law or new session law.
<<Double green carets enclosing an entire section>> indicates that the amendment is adding the section to the bill.
~~<<Green strikeout with double green carets enclosing an entire section>>~~ indicates that the amendment is removing the section to the bill.
{[ORANGE UPPERCASE UNDERLINING IN DOUBLE CURLY BRACKETS]} indicates that the amendment to an amendment is adding text to statute or previously enacted session law.
{[Orange lowercase underlining in double curly brackets]} indicates that the amendment to an amendment is adding text to new session law or is restoring previously stricken text to existing statute.
~~{[ORANGE UPPERCASE STRIKEOUT IN DOUBLE CURLY BRACKETS]}~~ indicates that the amendment to an amendment is removing new text from statute or previously enacted session law.
~~{[Orange lowercase strikeout in double curly brackets]}~~ indicates that the amendment to an amendment is removing text from existing statute, previously enacted session law or new session law.
<<Double orange underlined carets enclosing an entire section>> indicate that the amendment to an amendment is adding the section to the bill.
~~<<Orange strikeout with double orange underlined carets enclosing an entire section>>~~ indicates that the amendment to an amendment is removing the section from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Section 12-820.05, Arizona Revised Statutes, is amended
3 to read:

4 12-820.05. Other immunities

5 A. Except as specifically provided in this article, this article
6 does not affect, alter or otherwise modify any other rules of tort
7 immunity regarding public entities and public officers as developed at
8 common law and as established under the statutes and the constitution of
9 this state.

10 B. A public entity is not liable for losses that arise out of and
11 are directly attributable to an act or omission determined by a court to
12 be a criminal felony by a public employee unless the public entity knew of
13 the public employee's propensity for that action. This subsection does
14 not apply to acts or omissions arising out of EITHER OF THE FOLLOWING:

15 1. The operation or use of a motor vehicle.

1 2. A SEXUAL OFFENSE IF THE VICTIM IS A MINOR OR A CHILD WITH A
2 DISABILITY AS DEFINED IN SECTION 15-761 AND EITHER OF THE FOLLOWING
3 CONDITIONS EXIST:

4 (a) THE PUBLIC ENTITY WAS IN VIOLATION OF A STATUTORY DUTY RELATING
5 TO OBTAINING INFORMATION REGARDING THE BACKGROUND OF EMPLOYEES.

6 (b) THE PUBLIC ENTITY OR PUBLIC EMPLOYEE HAD A STATUTORY DUTY TO
7 REPORT AND FAILED TO DO SO.

8 C. A public entity is not liable for damages as a result of an
9 injury caused by any act or omission by a public officer who renders
10 emergency care gratuitously and in good faith in a public building, at a
11 public gathering on the grounds of a public building or at the scene of an
12 emergency occurrence or as the result of any act or failure to act to
13 provide or arrange for further medical treatment or care for the injured
14 person, unless the public officer, while rendering the emergency care, is
15 guilty of gross negligence.

16 <<Sec. 2. Section 12-820.05, Arizona Revised Statutes, as amended
17 by section 1 of this act, is amended to read:

18 12-820.05. Other immunities

19 A. Except as specifically provided in this article, this article
20 does not affect, alter or otherwise modify any other rules of tort
21 immunity regarding public entities and public officers as developed at
22 common law and as established under the statutes and the constitution of
23 this state.

24 B. A public entity is not liable for losses that arise out of and
25 are directly attributable to an act or omission determined by a court to
26 be a criminal felony by a public employee unless the public entity knew of
27 the public employee's propensity for that action. This subsection does
28 not apply to acts or omissions arising out of ~~[either of the following:~~

29 ~~1.] the operation or use of a motor vehicle.~~

30 ~~[2. A sexual offense if the victim is a minor or a child with a~~
31 ~~disability as defined in section 15-761 and either of the following~~
32 ~~conditions exist:~~

33 ~~(a) The public entity was in violation of a statutory duty relating~~
34 ~~to obtaining information regarding the background of employees.~~

35 ~~(b) The public entity or public employee had a statutory duty to~~
36 ~~report and failed to do so.]~~

37 C. A public entity is not liable for damages as a result of an
38 injury caused by any act or omission by a public officer who renders
39 emergency care gratuitously and in good faith in a public building, at a
40 public gathering on the grounds of a public building or at the scene of an
41 emergency occurrence or as the result of any act or failure to act to
42 provide or arrange for further medical treatment or care for the injured
43 person, unless the public officer, while rendering the emergency care, is
44 guilty of gross negligence.>>

45 Sec. 3. Applicability

46 Section 12-820.05, Arizona Revised Statutes, as amended by section 1
47 of this act, applies only to acts or omissions involving sexual offenses

1 that are committed on or after the effective date of this act.
2 <<Sec. 4. Effective date
3 [Section 12-820.05, Arizona Revised Statutes, as amended by section
4 2 of this act is effective from and after December 31, {{2026}}
5 {{2027}}.]>>
6 Sec. 5. Short title
7 This act may be cited as "Ava's Law".

8 Enroll and engross to conform
9 Amend title to conform

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