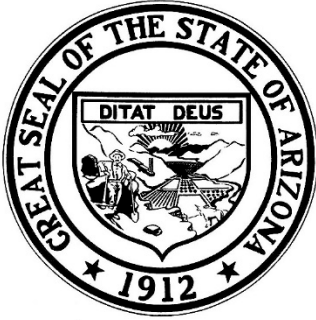


HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2043**

Kolodin Floor Amendment

-
- Removes criticism of a public officer as a defense against prosecution for the crime of harassment.

Amendment explanation prepared by Nathan M
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ls
3/11/2025

ADDITIONAL COW
KOLODIN FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2043
(Reference to House engrossed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.
[Green underlining in brackets] indicates text added to new session law or text restoring existing law.
~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.
~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.
<<Green carets>> indicate a section added to the bill.
~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

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

2 Section 1. Section 13-2921, Arizona Revised Statutes, is amended to
3 read:

4 13-2921. Harassment; classification; definition

5 A. A person commits harassment if the person knowingly and
6 repeatedly commits an act or acts that harass another person or the person
7 knowingly commits any one of the following acts ~~in a manner that harasses~~
8 WITH THE INTENT TO HARASS ANOTHER PERSON:

9 1. Contacts or causes a communication with another person by
10 verbal, electronic, mechanical, telegraphic, telephonic or written means.

11 2. Continues to follow another person in or about a public place
12 after being asked by that person to desist.

13 3. Surveils or causes a person to surveil another person.

14 4. Makes a false report to a law enforcement, credit or social
15 service agency against another person.

16 5. Interferes with the delivery of any public or regulated utility
17 to another person.

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

1 ~~[C. IT IS A DEFENSE TO A PROSECUTION UNDER SUBSECTION A, PARAGRAPHS~~
2 ~~1 AND 2 OF THIS SECTION THAT THE PERSON AT WHOM THE CONDUCT WAS DIRECTED~~
3 ~~WAS A PUBLIC OFFICER OR EMPLOYEE AND THE ACTS COMPLAINED OF CONSTITUTED~~
4 ~~CRITICISM OF THE PUBLIC OFFICER OR EMPLOYEE.]~~

5 ~~[D.]~~ [C.] This section does not apply to any of the following:

6 1. A lawful demonstration, assembly or picketing.

7 2. A ~~professional~~ PRIVATE investigator or peace officer who is
8 ~~licensed~~ REGULATED by this state and who is acting within the scope of the
9 investigator's or officer's duties in connection with any criminal or
10 civil investigation.

11 3. A certified and duly authorized process server who is acting
12 within the scope of the process server's duties in connection with any
13 judicial or administrative action or proceeding.

14 ~~E.~~ [E.] [D.] Harassment under subsection A OF THIS SECTION is a
15 class 1 misdemeanor. Harassment under subsection B OF THIS SECTION is a
16 class 5 felony.

17 ~~E.~~ [F.] [E.] For the purposes of this section, "harass" means
18 conduct that is directed at a specific person and that would cause a
19 reasonable person to be seriously alarmed, annoyed, humiliated or mentally
20 distressed and the conduct in fact seriously alarms, annoys, humiliates or
21 mentally distresses the person.

22 Enroll and engross to conform

23 Amend title to conform

ALEXANDER KOLODIN

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03/11/2025

11:12 AM

H: NM/lrs