



ARIZONA HOUSE OF REPRESENTATIVES

Fifty-fifth Legislature
First Regular Session

Senate: JUD DP 8-0-0-0 | 3rd Read 29-0-1-0

House: CJR DP 8-0-1-0 | 3rd Read 36-24-0-0

SB 1261: justification; criminal offense

Sponsor: Senator Contreras, LD 19

Transmitted to the Governor

Overview

Expands justification as a defense against prosecution for any criminal offense.

History

Justification defenses describe conduct that would constitute an offense unless justified. A justification defense is not an affirmative defense, and the state must prove beyond reasonable doubt that a defendant did not act with justification ([A.R.S. § 13-205](#)).

Justification defenses can be used in any prosecution for an offense in the Criminal Code ([A.R.S. § 13-401](#)). Examples of justification defenses include engaging in conduct required or authorized by law, in self-defense against unlawful physical force and under duress (A.R.S. §§ [13-402](#); [13-404](#); [13-412](#)).

Provisions

1. Permits justification as a defense in prosecution for any criminal offense. (Sec. 1)
2. Makes technical changes. (Sec. 1)

☐ Prop 105 (45 votes)

☐ Prop 108 (40 votes)

☐ Emergency (40 votes)

☐ Fiscal Note