

REFERENCE TITLE: **criminal damage; classification.**

State of Arizona  
House of Representatives  
Forty-ninth Legislature  
Second Regular Session  
2010

## **HB 2738**

Introduced by

Representatives Tovar, Campbell CH, Chabin, Deschene, Garcia M, Lujan, Sinema, Young Wright, Senator Miranda: Representatives Ableser, Campbell CL, Driggs, Farley, Heinz, Meza, Miranda B, Pancrazi, Quelland, Stevens

**AN ACT**

**AMENDING SECTION 13-1602, ARIZONA REVISED STATUTES; RELATING TO CRIMINAL DAMAGE.**

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-1602, Arizona Revised Statutes, is amended to  
3 read:

4 13-1602. Criminal damage; classification

5 A. A person commits criminal damage by recklessly:

6 1. Defacing or damaging property of another person; or  
7 2. Tampering with property of another person so as substantially to  
8 impair its function or value; or

9 3. Tampering with or damaging the property of a utility.

10 4. Parking any vehicle in such a manner as to deprive livestock of  
11 access to the only reasonably available water.

12 5. Drawing or inscribing a message, slogan, sign or symbol that is  
13 made on any public or private building, structure or surface, except the  
14 ground, and that is made without permission of the owner.

15 B. Criminal damage is punished as follows:

16 1. Criminal damage is a class 4 felony if the person recklessly  
17 damages property of another in an amount of ten thousand dollars or more.

18 2. Criminal damage is a class 4 felony if the person recklessly  
19 damages the property of a utility in an amount of five thousand dollars or  
20 more or if the person recklessly causes impairment of the functioning of any  
21 utility.

22 3. Criminal damage is a class 5 felony if the person recklessly  
23 damages property of another in an amount of two thousand dollars or more but  
24 less than ten thousand dollars.

25 4. Criminal damage is a class 6 felony if the person recklessly  
26 damages the property of another in an amount of one thousand dollars or more  
27 but less than two thousand dollars.

28 ~~5. Criminal damage is a class 1 misdemeanor if the person recklessly~~  
29 ~~damages property of another in an amount of more than two hundred fifty~~  
30 ~~dollars but less than one thousand dollars.~~

31 ~~6.~~ 5. In all other cases criminal damage is a class ~~2-~~ 1 misdemeanor.