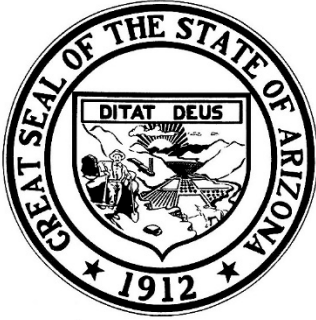


HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: SB 1424

Gutierrez Floor Amendment

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1. Expands statute regarding committing misconduct involving weapons to include knowingly failing to secure a firearm from a minor by not taking reasonable measures to prevent the minor from accessing the firearm.
 2. Specifies that this misconduct does not apply if a minor has lawful possession of a firearm.
 3. Designates this misconduct as:
 - a. A class 6 felony if the minor discharges the firearm; and
 - b. A class 4 felony if the minor discharges the firearm and causes death or serious physical injury to the minor or another person.
 4. Includes, in the age-appropriate firearm safety awareness instruction, instruction on the consequences of committing misconduct involving weapons.

Amendment explanation prepared by Holly Seminara

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3/12/2026

GUTIERREZ FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO S.B. 1424
(Reference to Senate 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 13-3102, Arizona Revised Statutes, is amended
3 to read:

4 13-3102. Misconduct involving weapons; defenses;
5 classification; definitions

6 A. A person commits misconduct involving weapons by knowingly:

7 1. Carrying a deadly weapon except a pocket knife concealed on his
8 person or within his immediate control in or on a means of transportation:

9 (a) In the furtherance of a serious offense as defined in section
10 13-706, a violent crime as defined in section 13-901.03 or any other
11 felony offense; or

12 (b) When contacted by a law enforcement officer and failing to
13 accurately answer the officer if the officer asks whether the person is
14 carrying a concealed deadly weapon; or

15 2. Carrying a deadly weapon except a pocket knife concealed on his
16 person or concealed within his immediate control in or on a means of
17 transportation if the person is under twenty-one years of age; or

18 3. Manufacturing, possessing, transporting, selling or transferring
19 a prohibited weapon, except that if the violation involves dry ice, a
20 person commits misconduct involving weapons by knowingly possessing the
21 dry ice with the intent to cause injury to or death of another person or
22 to cause damage to the property of another person; or

23 4. Possessing a deadly weapon or prohibited weapon if such person
24 is a prohibited possessor; or

25 5. Selling or transferring a deadly weapon to a prohibited
26 possessor; or

27 6. Defacing a deadly weapon; or

1 7. Possessing a defaced deadly weapon knowing the deadly weapon was
2 defaced; or

3 8. Using or possessing a deadly weapon during the commission of any
4 felony offense included in chapter 34 of this title; or

5 9. Discharging a firearm at an occupied structure in order to
6 assist, promote or further the interests of a criminal street gang, a
7 criminal syndicate or a racketeering enterprise; or

8 10. Unless specifically authorized by law, entering any public
9 establishment or attending any public event and carrying a deadly weapon
10 on his person after a reasonable request by the operator of the
11 establishment or the sponsor of the event or the sponsor's agent to remove
12 his weapon and place it in the custody of the operator of the
13 establishment or the sponsor of the event for temporary and secure storage
14 of the weapon pursuant to section 13-3102.01; or

15 11. Unless specifically authorized by law, entering an election
16 polling place on the day of any election carrying a deadly weapon; or

17 12. Possessing a deadly weapon on school grounds; or

18 13. Unless specifically authorized by law, entering a nuclear or
19 hydroelectric generating station carrying a deadly weapon on his person or
20 within the immediate control of any person; or

21 14. Supplying, selling or giving possession or control of a firearm
22 to another person if the person knows or has reason to know that the other
23 person would use the firearm in the commission of any felony; or

24 15. Using, possessing or exercising control over a deadly weapon in
25 furtherance of any act of terrorism as defined in section 13-2301 or
26 possessing or exercising control over a deadly weapon knowing or having
27 reason to know that it will be used to facilitate any act of terrorism as
28 defined in section 13-2301; or

29 16. Trafficking in weapons or explosives for financial gain in
30 order to assist, promote or further the interests of a criminal street
31 gang, a criminal syndicate or a racketeering enterprise.

32 [17. FAILING TO SECURE A FIREARM FROM A MINOR BY NOT TAKING
33 REASONABLE MEASURES TO PREVENT THE MINOR FROM ACCESSING THE FIREARM.]

34 B. Subsection A, paragraph 2 of this section shall not apply to:

35 1. A person in his dwelling, on his business premises or on real
36 property owned or leased by that person or that person's parent,
37 grandparent or legal guardian.

38 2. A member of the sheriff's volunteer posse or reserve
39 organization who has received and passed firearms training that is
40 approved by the Arizona peace officer standards and training board and who
41 is authorized by the sheriff to carry a concealed weapon pursuant to
42 section 11-441.

43 3. A firearm that is carried in:

44 (a) A manner where any portion of the firearm or holster in which
45 the firearm is carried is visible.

1 (b) A holster that is wholly or partially visible.

2 (c) A scabbard or case designed for carrying weapons that is wholly
3 or partially visible.

4 (d) Luggage.

5 (e) A case, holster, scabbard, pack or luggage that is carried
6 within a means of transportation or within a storage compartment, map
7 pocket, trunk or glove compartment of a means of transportation.

8 C. Subsection A, paragraphs 2, 3, 7, 10, 11, 12 and 13 of this
9 section shall not apply to:

10 1. A peace officer or any person summoned by any peace officer to
11 assist and while actually assisting in the performance of official duties;
12 or

13 2. A member of the military forces of the United States or of any
14 state of the United States in the performance of official duties; or

15 3. A warden, deputy warden, community correctional officer,
16 detention officer, special investigator or correctional officer of the
17 state department of corrections or the department of juvenile corrections;
18 or

19 4. A person specifically licensed, authorized or permitted pursuant
20 to a statute of this state or of the United States.

21 D. Subsection A, paragraph 10 of this section does not apply to an
22 elected or appointed judicial officer in the court facility where the
23 judicial officer works if the judicial officer has demonstrated competence
24 with a firearm as prescribed in section 13-3112, subsection N, except that
25 the judicial officer shall comply with any rule or policy adopted by the
26 presiding judge of the superior court while in the court facility. For
27 the purposes of this subsection, appointed judicial officer does not
28 include a hearing officer or a judicial officer pro tempore who is not a
29 full-time officer.

30 E. Subsection A, paragraphs 3 and 7 of this section shall not apply
31 to:

32 1. The possessing, transporting, selling or transferring of weapons
33 by a museum as a part of its collection or an educational institution for
34 educational purposes or by an authorized employee of such museum or
35 institution, if:

36 (a) Such museum or institution is operated by the United States or
37 this state or a political subdivision of this state, or by an organization
38 described in 26 United States Code section 170(c) as a recipient of a
39 charitable contribution; and

40 (b) Reasonable precautions are taken with respect to theft or
41 misuse of such material.

42 2. The regular and lawful transporting as merchandise; or

43 3. Acquisition by a person by operation of law such as by gift,
44 devise or descent or in a fiduciary capacity as a recipient of the

1 property or former property of an insolvent, incapacitated or deceased
2 person.

3 F. Subsection A, paragraph 3 of this section shall not apply to the
4 merchandise of an authorized manufacturer of or dealer in prohibited
5 weapons, when such material is intended to be manufactured, possessed,
6 transported, sold or transferred solely for or to a dealer, a regularly
7 constituted or appointed state, county or municipal police department or
8 police officer, a detention facility, the military service of this or
9 another state or the United States, a museum or educational institution or
10 a person specifically licensed or permitted pursuant to federal or state
11 law.

12 G. Subsection A, paragraph 10 of this section shall not apply to
13 shooting ranges or shooting events, hunting areas or similar locations or
14 activities.

15 H. Subsection A, paragraph 12 of this section shall not apply to a
16 weapon if ~~such~~ [THE] weapon is possessed for the purposes of preparing
17 for, conducting or participating in hunter or firearm safety courses.

18 I. Subsection A, paragraph 12 of this section shall not apply to
19 the possession of a:

20 1. Firearm that is not loaded and that is carried within a means of
21 transportation under the control of an adult provided that if the adult
22 leaves the means of transportation the firearm shall not be visible from
23 the outside of the means of transportation and the means of transportation
24 shall be locked.

25 2. Firearm for use on the school grounds in a program approved by a
26 school.

27 3. Firearm by a person who possesses a certificate of firearms
28 proficiency pursuant to section 13-3112, subsection T and who is
29 authorized to carry a concealed firearm pursuant to the law enforcement
30 officers safety act of 2004 (P.L. 108-277; 118 Stat. 865; 18 United States
31 Code sections 926B and 926C).

32 J. Subsection A, paragraphs 2, 3, 7 and 13 of this section shall
33 not apply to commercial nuclear generating station armed nuclear security
34 guards during the performance of official duties or during any security
35 training exercises sponsored by the commercial nuclear generating station
36 or local, state or federal authorities.

37 [K. SUBSECTION A, PARAGRAPH 17 OF THIS SECTION SHALL NOT APPLY IF A
38 MINOR HAS LAWFUL POSSESSION OF A FIREARM PURSUANT TO SECTION 13-3111.]

39 ~~[K.]~~ [L.] The operator of the establishment or the sponsor of the
40 event or the employee of the operator or sponsor or the agent of the
41 sponsor, including a public entity or public employee, is not liable for
42 acts or omissions pursuant to subsection A, paragraph 10 of this section
43 unless the operator, sponsor, employee or agent intended to cause injury
44 or was grossly negligent.

1 ~~[T.]~~ [M.] If a law enforcement officer contacts a person who is in
2 possession of a firearm, the law enforcement officer may take temporary
3 custody of the firearm for the duration of that contact.

4 ~~[M.]~~ [N.] Misconduct involving weapons under subsection A,
5 paragraph 15 of this section is a class 2 felony. Misconduct involving
6 weapons under subsection A, paragraph 9, 14 or 16 of this section is a
7 class 3 felony. Misconduct involving weapons under subsection A, paragraph
8 3, 4, 8 or 13 of this section is a class 4 felony. Misconduct involving
9 weapons under subsection A, paragraph 12 of this section is a class 1
10 misdemeanor unless the violation occurs in connection with conduct that
11 violates section 13-2308, subsection A, paragraph 5, section 13-2312,
12 subsection C, section 13-3409 or section 13-3411, in which case the
13 offense is a class 6 felony. [MISCONDUCT INVOLVING WEAPONS UNDER
14 SUBSECTION A, PARAGRAPH 17 OF THIS SECTION IS A CLASS 6 FELONY IF THE
15 MINOR ACCESSES THE FIREARM AND A CLASS 4 FELONY IF THE MINOR DISCHARGES
16 THE FIREARM AND CAUSES DEATH OR SERIOUS PHYSICAL INJURY TO THE MINOR OR
17 ANOTHER PERSON.] Misconduct involving weapons under subsection A,
18 paragraph 1, subdivision (a) of this section or subsection A, paragraph 5,
19 6 or 7 of this section is a class 6 felony. Misconduct involving weapons
20 under subsection A, paragraph 1, subdivision (b) of this section or
21 subsection A, paragraph 10 or 11 of this section is a class 1 misdemeanor.
22 Misconduct involving weapons under subsection A, paragraph 2 of this
23 section is a class 3 misdemeanor.

24 ~~[N.]~~ [O.] For the purposes of this section:

25 1. "Contacted by a law enforcement officer" means a lawful traffic
26 or criminal investigation, arrest or detention or an investigatory stop by
27 a law enforcement officer that is based on reasonable suspicion that an
28 offense has been or is about to be committed.

29 2. "Public establishment" means a structure, vehicle or craft that
30 is owned, leased or operated by this state or a political subdivision of
31 this state.

32 3. "Public event" means a specifically named or sponsored event of
33 limited duration that is either conducted by a public entity or conducted
34 by a private entity with a permit or license granted by a public entity.
35 Public event does not include an unsponsored gathering of people in a
36 public place.

37 4. "School" means a public or nonpublic kindergarten program,
38 common school or high school.

39 5. "School grounds" means in, or on the grounds of, a school. >>

40 Sec. 2. Title 15, chapter 7, article 1, Arizona Revised Statutes,
41 is amended by adding section 15-714.02, to read:

42 15-714.02. Firearm safety and awareness instruction
43 requirement; instructional materials

44 A. BEGINNING IN THE 2027-2028 SCHOOL YEAR, EACH SCHOOL DISTRICT AND
45 CHARTER SCHOOL SHALL PROVIDE ANNUAL, AGE-APPROPRIATE FIREARM SAFETY

1 AWARENESS INSTRUCTION TO STUDENTS IN KINDERGARTEN PROGRAMS AND EACH OF
2 GRADES ONE THROUGH TWELVE. THE INSTRUCTION REQUIRED BY THIS SECTION MUST:
3 1. BE LIMITED TO ACCIDENT PREVENTION AND PERSONAL SAFETY AWARENESS.
4 2. INCLUDE AT LEAST THE FOLLOWING:
5 (a) INSTRUCTION ON THE IMPORTANCE OF SAFE FIREARM STORAGE IN HOMES
6 AND MOTOR VEHICLES.
7 (b) GUIDANCE ON APPROPRIATE ACTIONS IF A STUDENT ENCOUNTERS A
8 FIREARM, INCLUDING NOT TOUCHING THE FIREARM, LEAVING THE IMMEDIATE AREA
9 AND IMMEDIATELY NOTIFYING A PARENT, TEACHER OR OTHER TRUSTED ADULT.
10 (c) AGE-APPROPRIATE DISCUSSION OF RISKS ASSOCIATED WITH UNSAFE
11 HANDLING OR UNAUTHORIZED ACCESS TO FIREARMS.
12 [(d) INSTRUCTION ON THE CONSEQUENCES OF COMMITTING MISCONDUCT
13 INVOLVING WEAPONS PURSUANT TO SECTION 13-3102.]
14 3. NOT INCLUDE ANY OF THE FOLLOWING:
15 (a) A LIVE FIREARM.
16 (b) AMMUNITION OR SIMULATED AMMUNITION.
17 (c) A DEMONSTRATION THAT INVOLVES HANDLING, OPERATING, LOADING,
18 UNLOADING OR FIRING A FIREARM.
19 (d) INSTRUCTION THAT IS INTENDED TO TRAIN STUDENTS IN THE USE OF
20 FIREARMS.
21 (e) A MORAL JUDGMENT REGARDING LAWFUL FIREARM POSSESSION.
22 (f) AN INQUIRY, SURVEY OR REQUEST FOR INFORMATION ABOUT WHETHER A
23 STUDENT, STUDENT'S PARENT OR MEMBER OF THE STUDENT'S HOUSEHOLD OWNS,
24 POSSESSES OR MAY POSSESS A FIREARM OR ABOUT THE FIREARMS STORAGE PRACTICES
25 OF A STUDENT, STUDENT'S PARENT OR MEMBER OF THE STUDENT'S HOUSEHOLD.
26 4. BE OBJECTIVE AND NOT EITHER PROMOTE OR DISCOURAGE FIREARM
27 OWNERSHIP OR ADVOCATE FOR OR AGAINST ANY POLITICAL POSITION, PUBLIC POLICY
28 OR LEGISLATIVE PROPOSAL.
29 B. A SCHOOL DISTRICT OR CHARTER SCHOOL MAY PROVIDE THE INSTRUCTION
30 REQUIRED BY THIS SECTION THROUGH ANY OF THE FOLLOWING:
31 1. CLASSROOM-BASED INSTRUCTION.
32 2. AN ASSEMBLY PRESENTATION.
33 3. VIDEO INSTRUCTION OR DIGITAL INSTRUCTIONAL MATERIALS THAT ARE
34 APPROVED BY THE DEPARTMENT OF EDUCATION.
35 4. INSTRUCTION THAT IS INCORPORATED INTO THE SCHOOL DISTRICT'S OR
36 CHARTER SCHOOL'S EXISTING HEALTH OR SAFETY CURRICULA.
37 C. THE DEPARTMENT OF EDUCATION SHALL COORDINATE WITH THE DEPARTMENT
38 OF PUBLIC SAFETY AND THE ARIZONA GAME AND FISH DEPARTMENT TO DEVELOP
39 FIREARM SAFETY AND AWARENESS INSTRUCTIONAL MATERIALS AND SHALL MAKE THE
40 INSTRUCTIONAL MATERIALS AVAILABLE TO SCHOOL DISTRICTS AND CHARTER SCHOOLS
41 IN THIS STATE. THE INSTRUCTIONAL MATERIALS DEVELOPED PURSUANT TO THIS
42 SUBSECTION MUST BE:
43 1. DEVELOPMENTALLY APPROPRIATE FOR EACH GRADE BAND.
44 2. FACT-BASED AND NEUTRAL IN PRESENTATION.
45 3. DESIGNED TO PROMOTE INJURY PREVENTION AND STUDENT SAFETY.

House Amendments to S.B. 1424

1 D. NOTWITHSTANDING SECTION 15-113, SUBSECTION B, EACH SCHOOL
2 DISTRICT AND CHARTER SCHOOL IN THIS STATE SHALL MAKE ALL LEARNING
3 MATERIALS THAT ARE USED TO SATISFY THE INSTRUCTION REQUIREMENTS PRESCRIBED
4 BY THIS SECTION AVAILABLE FOR PARENTAL REVIEW, INCLUDING THROUGH
5 ELECTRONIC ACCESS WHEN PRACTICABLE.

6 E. THIS SECTION DOES NOT:

7 1. REGULATE THE POSSESSION, OWNERSHIP, TRANSFER OR LAWFUL USE OF
8 FIREARMS.

9 2. AUTHORIZE ANY PERSON TO COLLECT STUDENT INFORMATION RELATED TO
10 FIREARMS.

11 3. CONFLICT WITH ANY FIREARM PREEMPTION LAW IN THIS STATE.

12 Enroll and engross to conform

13 Amend title to conform

NANCY GUTIERREZ

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