



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1051

location tracking applications; disabling prohibited

Purpose

Prohibits a person from knowingly disabling, or coercing a minor to disable, a location tracking application or function installed on the minor's electronic communication device while the person is committing or attempting to commit an offense involving kidnapping, sexual offenses or sexual exploitation of a minor. Classifies a violation as a class 2 felony.

Background

A person commits *kidnapping* by knowingly restraining another person with intent to: 1) hold the victim for ransom, or as a shield or hostage; 2) hold the victim for involuntary servitude; 3) inflict death, physical injury or a sexual offense on the victim; 4) place the victim in a state of reasonable apprehension of imminent physical injury; 5) interfere with the performance of a governmental or political function; or 6) seize or exercise control over any airplane, train, bus, ship or other vehicle. If the victim is under 15 years old, kidnapping is a class 2 felony. The sentence for the kidnapping of a victim under 15 years old must run consecutively to any other sentence imposed on the defendant. ([A.R.S. § 13-1304](#)).

A person commits *sexual exploitation of a minor* by knowingly recording, filming, photographing, developing or duplicating any visual depiction in which a minor is engaged in exploitive exhibition or other sexual conduct, distributing, transporting, exhibiting, receiving, selling, purchasing, electronically transmitting, possessing or exchanging any visual depiction in which a minor is engaged in exploitive exhibition or other sexual conduct, or possessing, manufacturing, distributing, advertising, ordering, offering to sell, selling or purchasing a child sex doll that uses the face, image or likeness of a real infant or minor who is under 12 years old with the intent to replicate the physical features of the real infant or minor who is under 12 years old. Sexual exploitation of a minor is a class 2 felony ([A.R.S. § 13-3553](#)).

Electronic communication device means any electronic device that is capable of transmitting visual depictions and includes a computer, computer system, network, cellular telephone or wireless telephone ([A.R.S. § 13-3560](#)).

A class 2 felony carries a presumptive sentence of 5 years for first time offenders and a fine of not more than \$150,000 (A.R.S. §§ [13-702](#) and [13-801](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Prohibits a person from disabling, or coercing a minor to disable, a location tracking application or function installed on the minor's electronic communication device while the

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person is committing or attempting to commit an offense involving kidnapping, sexual offenses or sexual exploitation of a minor.

2. Classifies a violation as a class 2 felony.
3. Becomes effective on general affective date.

Prepared by Senate Research

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ZD/KK/cs