

CHAPTER 222

Senate Bill 174

AN ACT

RELATING TO CRIMES; PROHIBITING CERTAIN TRESPASS UPON THE PROPERTY OF EDUCATIONAL INSTITUTIONS; PROHIBITING INTERFERENCE WITH THE PEACEFUL CONDUCT OF EDUCATIONAL INSTITUTIONS; DIRECTING THE ADOPTION OF RULES GOVERNING CONDUCT, AND AMENDING TITLE 13, CHAPTER 3, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 17.

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

Section 1. PURPOSE

The legislature, in recognition of unlawful campus disorders across the nation which are disruptive of the educational process and dan-

gerous to the health and safety of persons and damaging to public and private property, establishes by this act criminal penalties for conduct herein declared to be unlawful, and directs the adoption of rules and regulations for the maintenance of public order at education facilities. It is the purpose of this act to guarantee to students, faculty and other staff and the public that tax supported educational facilities will remain accessible and useful at all times for educational and other authorized public purposes in accordance with appropriate rules and regulations established by their governing boards.

Sec. 2. Title 13, chapter 3, Arizona Revised Statutes, is amended by adding article 17, sections 13-1091 to 13-1094, inclusive, to read:

**ARTICLE 17. INTERFERENCE WITH PEACEFUL  
CONDUCT OF EDUCATIONAL INSTITUTIONS**

**13-1091. DEFINITIONS**

In this article, unless the context otherwise requires:

1. "Educational institution" means any public university, college, junior college, high school or common school in the state.
2. "Governing board" means the public body, whether appointed or elected, which has responsibility for the maintenance and government of an educational institution.
3. "Property" means all land, buildings and other facilities owned, operated or controlled by the governing board of an educational institution and devoted to educational purposes.

**13-1092. TRESPASS UPON THE PROPERTY OF EDUCATIONAL INSTITUTIONS; INTERFERENCE WITH ITS LAWFUL USE BY OTHERS; PENALTY**

A. No person shall go upon or remain upon the property of any educational institution in violation of any rule or regulation of such institution or for the purpose of interfering with the lawful use of such property by others or in such manner as to deny or interfere with the lawful use of such property by others.

B. When the chief administrative officer of an educational institution or an officer or employee designated by him to maintain order has probable cause to believe that any person or persons are committing an act or acts which interfere with or disrupt the lawful use of such property by others at the educational institution, or has probable cause to believe a person or persons have entered upon the property for the purpose of committing such an act or acts, said officer or employee may order such person or persons to leave the property of the educational institution. No person shall refuse to obey said order.

C. Any person who violates any of the provisions of this section is guilty of a misdemeanor punishable by a fine of not more than five hundred dollars, by imprisonment in the county jail for a period not to exceed one year, or both.

D. The provisions of this section may be enforced by any peace officer in the state wherever and whenever a violation occurs.

#### 13-1093. GOVERNING BOARD TO ADOPT RULES, REGULATIONS

A. The appropriate governing board of every educational institution shall within ninety days after the effective date of this article adopt rules and regulations for the maintenance of public order upon all property under its jurisdiction which is used for educational purposes and shall provide a program for the enforcement thereof. Such rules and regulations shall govern the conduct of students, faculty and other staff, and all members of the public while on the property. Penalties for violations of such rules and regulations shall be clearly set forth and enforced. Penalties shall include provisions for the ejection of a violator from the property and, in the case of a student, faculty member or other staff violator, his suspension, expulsion or other appropriate disciplinary action. Adoption of all rules and regulations required by this section shall be governed by the provisions of title 41, chapter 6, and such rules shall be amended from time to time to ensure the maintenance of public order.

B. No educational institution shall be eligible to receive any state aid or assistance unless rules and regulations are adopted in accordance with this section.

#### 13-1094. LIMITATIONS

No provision in this article shall prevent or limit the authority of the governing board of any educational institution to discharge any employee or expel, suspend or otherwise punish any student for violation of its rules or regulations, even though such violation is unlawful under this article or is otherwise a crime.

Approved by the Governor — May 18, 1970

Filed in the Office of the Secretary of State — May 18, 1970

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