

REFERENCE TITLE: biologic weapons prohibition; crime

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2974

Introduced by
Representatives Keshel: Fink, Heap

AN ACT

AMENDING SECTION 13-2301, ARIZONA REVISED STATUTES; AMENDING TITLE 13, CHAPTER 29, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-2931; RELATING TO OFFENSES AGAINST PUBLIC ORDER.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-2301, Arizona Revised Statutes, is amended to
3 read:

4 13-2301. Definitions

5 A. For the purposes of sections 13-2302, 13-2303 and 13-2304:

6 1. "Collect an extension of credit" means to induce in any way any
7 person to make repayment of that extension.

8 2. "Creditor" means any person making an extension of credit or any
9 person claiming by, under or through any person making an extension of
10 credit.

11 3. "Debtor" means any person to whom an extension of credit is made
12 or any person who guarantees the repayment of an extension of credit, or
13 in any manner undertakes to indemnify the creditor against loss resulting
14 from the failure of any person to whom an extension is made to repay the
15 extension.

16 4. "Extend credit" means to make or renew any loan or to enter into
17 any agreement, tacit or express, whereby the repayment or satisfaction of
18 any debt or claim, whether acknowledged or disputed, valid or invalid, and
19 however arising, may or shall be deferred.

20 5. "Extortionate extension of credit" means any extension of credit
21 with respect to which it is the understanding of the creditor and the
22 debtor when the extension is made that delay in making repayment or
23 failure to make repayment could result in the use of violence or other
24 criminal means to cause harm to the person or the reputation or property
25 of any person.

26 6. "Extortionate means" means the use, or an express or implicit
27 threat of use, of violence or other criminal means to cause harm to the
28 person or the reputation or property of any person.

29 7. "Repayment of any extension of credit" means the repayment,
30 satisfaction or discharge in whole or in part of any debt or claim,
31 acknowledged or disputed, valid or invalid, resulting from or in
32 connection with that extension of credit.

33 B. For the purposes of section 13-2305, 13-2306 or 13-2307:

34 1. "Dealer in property" means a person who buys and sells property
35 as a business.

36 2. "Stolen property" means property of another as defined in
37 section 13-1801 that has been the subject of any unlawful taking.

38 3. "Traffic" means to sell, transfer, distribute, dispense or
39 otherwise dispose of stolen property to another person, or to buy,
40 receive, possess or obtain control of stolen property, with the intent to
41 sell, transfer, distribute, dispense or otherwise dispose of the property
42 to another person.

1 C. For the purposes of this chapter:

2 1. "Animal activity" means a commercial enterprise that uses
3 animals for food, clothing or fiber production, agriculture or
4 biotechnology.

5 2. "Animal facility" means a building or premises where a
6 commercial activity in which the use of animals is essential takes place,
7 including a zoo, rodeo, circus, amusement park, hunting preserve and horse
8 and dog event.

9 3. "Animal or ecological terrorism" means any felony in violation
10 of section 13-2312, subsection B that involves at least three persons
11 acting in concert, that involves the intentional or knowing infliction of
12 property damage in an amount of more than \$10,000 to the property that is
13 used by a person for the operation of a lawfully conducted animal activity
14 or to a commercial enterprise that is engaged in a lawfully operated
15 animal facility or research facility and that involves either:

16 (a) The use of a deadly weapon or dangerous instrument.

17 (b) The intentional or knowing infliction of serious physical
18 injury on a person engaged in a lawfully conducted animal activity or
19 participating in a lawfully conducted animal facility or research
20 facility.

21 4. "Biological agent":

22 (a) Means any microorganism, virus, infectious substance or
23 biological product that may be engineered through biotechnology or any
24 naturally occurring or bioengineered component of any microorganism,
25 virus, infectious substance or biological product and that is capable of
26 causing any of the following:

27 ~~(a)~~ (i) Death, disease or physical injury in a human, animal,
28 plant or other living organism.

29 ~~(b)~~ (ii) The deterioration or contamination of air, food, water,
30 equipment, supplies or material of any kind.

31 (b) INCLUDES MODIFIED MESSENGER RIBONUCLEIC ACID INJECTIONS OR
32 PRODUCTS AS DEFINED IN SECTION 13-2931.

33 5. "Combination" means persons who collaborate in carrying on or
34 furthering the activities or purposes of a criminal syndicate even though
35 such persons may not know each other's identity, membership in the
36 combination changes from time to time or one or more members may stand in
37 a wholesaler-retailer or other arm's length relationship with others as to
38 activities or dealings between or among themselves in an illicit
39 operation.

40 6. "Communication service provider" has the same meaning prescribed
41 in section 13-3001.

42 7. "Criminal syndicate" means any combination of persons or
43 enterprises engaging, or having the purpose of engaging, on a continuing
44 basis in conduct that violates any one or more provisions of any felony
45 statute of this state.

1 8. "Explosive agent" means an explosive as defined in section
2 13-3101 and flammable fuels or fire accelerants in amounts over fifty
3 gallons but excludes:

4 (a) Fireworks as defined in section 36-1601.

5 (b) Firearms.

6 (c) A propellant actuated device or propellant actuated industrial
7 tool.

8 (d) A device that is commercially manufactured primarily for the
9 purpose of illumination.

10 (e) A rocket having a propellant charge of less than four ounces.

11 9. "Material support or resources" includes money or other
12 financial securities, financial services, lodging, sustenance, training,
13 safehouses, false documentation or identification, communications
14 equipment, facilities, weapons, lethal substances, explosives, personnel,
15 transportation, disguises and other physical assets but does not include
16 medical assistance, legal assistance or religious materials.

17 10. "Public establishment" means a structure, vehicle or craft that
18 is owned, leased or operated by any of the following:

19 (a) This state or a political subdivision as defined in section
20 38-502.

21 (b) A public agency as defined in section 38-502.

22 (c) The federal government.

23 (d) A health care institution as defined in section 36-401.

24 (e) A private educational institution.

25 11. "Research facility" means a laboratory, institution, medical
26 care facility, government facility, public or private educational
27 institution or nature preserve at which a scientific test, experiment or
28 investigation involving the use of animals is lawfully carried out,
29 conducted or attempted.

30 12. "Terrorism" means any felony, including any completed or
31 preparatory offense, that involves the use of a deadly weapon or a weapon
32 of mass destruction or the intentional or knowing infliction of serious
33 physical injury with the intent to do any of the following:

34 (a) Influence the policy or affect the conduct of this state or any
35 of the political subdivisions, agencies or instrumentalities of this
36 state.

37 (b) Cause substantial damage to or substantial interruption of
38 public communications, communication service providers, public
39 transportation, common carriers, public utilities, public establishments
40 or other public services.

41 (c) Intimidate or coerce a civilian population.

42 (d) Further the goals, desires, aims, public pronouncements,
43 manifestos or political objectives of any terrorist organization.

44 13. "Terrorist organization" means any organization that is
45 designated by the United States department of state as a foreign terrorist

organization under section 219 of the immigration and nationality act (8 United States Code section 1189).

14. "Toxin":

(a) Means the toxic material of plants, animals, microorganisms, viruses, fungi or infectious substances or a recombinant molecule, whatever its origin or method of reproduction, including:

~~(a)~~ (i) Any poisonous substance or biological product that may be engineered through biotechnology and that is produced by a living organism.

~~(b)~~ (ii) Any poisonous isomer or biological product, homolog or derivative of such a substance.

(b) INCLUDES MODIFIED MESSENGER RIBONUCLEIC ACID INJECTIONS OR PRODUCTS AS DEFINED IN SECTION 13-2931.

15. "Vector":

(a) Means a living organism or molecule, ~~including a recombinant molecule or biological product that may be engineered through biotechnology~~, that is capable of carrying a biological agent or toxin to a host.

(b) INCLUDES:

(i) A RECOMBINANT MOLECULE OR BIOLOGICAL PRODUCT THAT MAY BE ENGINEERED THROUGH BIOTECHNOLOGY.

(ii) MODIFIED MESSENGER RIBONUCLEIC ACID INJECTIONS OR PRODUCTS AS DEFINED IN SECTION 13-2931.

16. "Weapon of mass destruction":

(a) Means:

~~(a)~~ (i) Any device or object that is designed or that the person intends to use to cause multiple deaths or serious physical injuries through the use of an explosive agent or the release, dissemination or impact of a toxin, biological agent or poisonous chemical, or its precursor, or any vector.

~~(b)~~ (ii) Except as authorized and used in accordance with a license, registration or exemption by the department of health services pursuant to section 30-672, any device or object that is designed or that the person intends to use to release radiation or radioactivity at a level that is dangerous to human life.

(b) INCLUDES MODIFIED MESSENGER RIBONUCLEIC ACID INJECTIONS OR PRODUCTS AS DEFINED IN SECTION 13-2931.

D. For the purposes of sections 13-2312, 13-2313, 13-2314 and 13-2315, unless the context otherwise requires:

1. "Control", in relation to an enterprise, means the possession of sufficient means to allow substantial direction over the affairs of an enterprise and, in relation to property, means to acquire or possess.

2. "Enterprise" means any corporation, partnership, association, labor union or other legal entity or any group of persons associated in fact although not a legal entity.

3. "Financial institution" means a banking or securities regulatory agency of the United States, a business coming within the definition of a bank, financial agency or financial institution as prescribed by 31 United States Code section 5312 or 31 Code of Federal Regulations section 1010.100 or a business under the jurisdiction of the securities division of the corporation commission, the state real estate department or the department of insurance and financial institutions.

4. "Racketeering" means any act, including any preparatory or completed offense, that is chargeable or indictable under the laws of the state or country in which the act occurred and, if the act occurred in a state or country other than this state, that would be chargeable or indictable under the laws of this state if the act had occurred in this state, and that would be punishable by imprisonment for more than one year under the laws of this state and, if the act occurred in a state or country other than this state, under the laws of the state or country in which the act occurred, regardless of whether the act is charged or indicted, and the act involves either:

(a) Terrorism, animal terrorism or ecological terrorism that results or is intended to result in a risk of serious physical injury or death.

(b) Any of the following acts if committed for financial gain:

(i) Homicide.

(ii) Robbery.

(iii) Kidnapping.

(iv) Forgery.

(v) Theft.

(vi) Bribery.

(vii) Gambling.

(viii) Usury.

(ix) Extortion.

(x) Extortionate extensions of credit.

(xi) Prohibited drugs, marijuana or other prohibited chemicals or substances.

(xii) Trafficking in explosives, weapons or stolen property.

(xiii) Participating in a criminal syndicate.

(xiv) Obstructing or hindering criminal investigations or prosecutions.

(xv) Asserting false claims, including false claims asserted through fraud or arson.

(xvi) Intentional or reckless false statements or publications concerning land for sale or lease or sale of subdivided lands or sale and mortgaging of unsubdivided lands.

(xvii) Resale of realty with intent to defraud.

(xviii) Intentional or reckless fraud in the purchase or sale of securities.

1 (xix) Intentional or reckless sale of unregistered securities or
2 real property securities.

3 (xx) A scheme or artifice to defraud.

4 (xxi) Obscenity.

5 (xxii) Sexual exploitation of a minor.

6 (xxiii) Prostitution.

7 (xxiv) Restraint of trade or commerce in violation of section
8 34-252.

9 (xxv) Terrorism.

10 (xxvi) Money laundering.

11 (xxvii) Obscene or indecent telephone communications to minors for
12 commercial purposes.

13 (xxviii) Counterfeiting marks as proscribed in section 44-1453.

14 (xxix) Animal terrorism or ecological terrorism.

15 (xxx) Smuggling of human beings.

16 (xxxi) Child sex trafficking.

17 (xxxii) Sex trafficking.

18 (xxxiii) Trafficking of persons for forced labor or services.

19 (xxxiv) Manufacturing, selling or distributing misbranded drugs in
20 violation of section 13-3406, subsection A, paragraph 9.

21 (xxxv) Holding an unauthorized racing meeting as proscribed in
22 section 5-107.01.

23 5. "Records" means any book, paper, writing, computer program,
24 data, image or information that is collected, recorded, preserved or
25 maintained in any form of storage medium.

26 6. "Remedy racketeering" means to enter a civil judgment pursuant
27 to this chapter or chapter 39 of this title against property or a person
28 who is subject to liability, including liability for injury to the state
29 that is caused by racketeering or by actions in concert with racketeering.

30 E. For the purposes of sections 13-2316, 13-2316.01 and 13-2316.02:

31 1. "Access" means to instruct, communicate with, store data in,
32 retrieve data from or otherwise make use of any resources of a computer,
33 computer system or network.

34 2. "Access device" means any card, token, code, account number,
35 electronic serial number, mobile or personal identification number,
36 password, encryption key, biometric identifier or other means of account
37 access, including a canceled or revoked access device, that can be used
38 alone or in conjunction with another access device to obtain money, goods,
39 services, computer or network access or any other thing of value or that
40 can be used to initiate a transfer of any thing of value.

41 3. "Computer" means an electronic device that performs logic,
42 arithmetic or memory functions by the manipulations of electronic or
43 magnetic impulses and includes all input, output, processing, storage,
44 software or communication facilities that are connected or related to such
45 a device in a system or network.

1 4. "Computer contaminant" means any set of computer instructions
2 that is designed to modify, damage, destroy, record or transmit
3 information within a computer, computer system or network without the
4 intent or permission of the owner of the information, computer system or
5 network. Computer contaminant includes a group of computer instructions,
6 such as viruses or worms, that is self-replicating or self-propagating and
7 that is designed to contaminate other computer programs or computer data,
8 to consume computer resources, to modify, destroy, record or transmit data
9 or in some other fashion to usurp the normal operation of the computer,
10 computer system or network.

11 5. "Computer program" means a series of instructions or statements,
12 in a form acceptable to a computer, that allow the functioning of a
13 computer system in a manner designed to provide appropriate products from
14 the computer system.

15 6. "Computer software" means a set of computer programs, procedures
16 and associated documentation concerned with the operation of a computer
17 system.

18 7. "Computer system" means a set of related, connected or
19 unconnected computer equipment, devices and software, including storage,
20 media and peripheral devices.

21 8. "Critical infrastructure resource" means any computer or
22 communications system or network that is involved in providing services
23 necessary to ensure or protect the public health, safety or welfare,
24 including services that are provided by any of the following:

- 25 (a) Medical personnel and institutions.
- 26 (b) Emergency services agencies.
- 27 (c) Public and private utilities, including water, power,
28 communications and transportation services.
- 29 (d) Fire departments, districts or volunteer organizations.
- 30 (e) Law enforcement agencies.
- 31 (f) Financial institutions.
- 32 (g) Public educational institutions.
- 33 (h) Government agencies.

34 9. "False or fraudulent pretense" means the unauthorized use of an
35 access device or the use of an access device to exceed authorized access.

36 10. "Financial instrument" means any check, draft, money order,
37 certificate of deposit, letter of credit, bill of exchange, credit card or
38 marketable security or any other written instrument as defined in section
39 13-2001 that is transferable for value.

40 11. "Network" includes a complex of interconnected computer or
41 communication systems of any type.

42 12. "Property" means financial instruments, information, including
43 electronically produced data, computer software and programs in either
44 machine or human readable form, and anything of value, tangible or
45 intangible.

13. "Proprietary or confidential computer security information" means information about a particular computer, computer system or network that relates to its access devices, security practices, methods and systems, architecture, communications facilities, encryption methods and system vulnerabilities and that is not made available to the public by its owner or operator.

14. "Services" includes computer time, data processing, storage functions and all types of communication functions.

Sec. 2. Title 13, chapter 29, Arizona Revised Statutes, is amended by adding section 13-2931, to read:

13-2931. Unlawful manufacturing, acquisition, possession or making of modified messenger ribonucleic acid injections or products; enforcement; nonfeasance in public office; classification; definition

A. IT IS UNLAWFUL FOR A PERSON TO INTENTIONALLY OR KNOWINGLY MANUFACTURE, ACQUIRE, POSSESS OR MAKE READILY ACCESSIBLE TO ANOTHER PERSON MODIFIED MESSENGER RIBONUCLEIC ACID INJECTIONS OR PRODUCTS.

B. THE GOVERNOR, THE ATTORNEY GENERAL AND ALL COUNTY ATTORNEYS, COUNTY SHERIFF'S DEPARTMENTS AND OTHER LAW ENFORCEMENT AGENCIES SHALL COLLABORATE AND SHALL USE ALL LAWFUL MEANS NECESSARY TO ENFORCE THIS SECTION.

C. THE ENFORCEMENT OF THIS SECTION IS A MANDATORY DUTY IMPOSED BY LAW. A STATE OR LOCAL GOVERNMENT OFFICIAL WHO KNOWINGLY FAILS TO ENFORCE OR INVESTIGATE VIOLATIONS OF THIS SECTION AFTER BEING PROVIDED WITH REASONABLE EVIDENCE OF VIOLATIONS IS GUILTY OF NONFEASANCE IN PUBLIC OFFICE PURSUANT TO SECTION 38-443.

D. A RESIDENT OF THIS STATE MAY SEEK INJUNCTIVE RELIEF, DECLARATORY RELIEF AND MONETARY DAMAGES FROM THIS STATE OR A STATE OR LOCAL GOVERNMENT OFFICIAL FOR LACK OF ENFORCEMENT OF THIS SECTION.

E. A VIOLATION OF THIS SECTION IS A CLASS 2 FELONY AND MAY BE PROSECUTED UNDER SECTION 13-2308.01 AS TERRORISM AND UNDER SECTION 13-2308.03 AS UNLAWFUL USE OF AN INFECTIOUS BIOLOGICAL SUBSTANCE WHEN THE ELEMENTS OF THOSE OFFENSES ARE ESTABLISHED. A PERSON CONVICTED OF A VIOLATION OF THIS SECTION IS SUBJECT TO THE ENHANCED PENALTIES PRESCRIBED IN SECTIONS 13-2308.01 AND 13-2308.03 WHEN APPLICABLE, INCLUDING THE POSSIBILITY OF LIFE IMPRISONMENT IF THE VIOLATION CAUSES A PERSON'S DEATH.

F. FOR THE PURPOSES OF THIS SECTION, "MODIFIED MESSENGER RIBONUCLEIC ACID INJECTIONS OR PRODUCTS":

1. MEANS ANY OF THE FOLLOWING:

(a) WITH REGARDS TO COVID-19 INJECTIONS, MODIFIED MESSENGER RIBONUCLEIC ACID AS RELATED TO THE GENE ALTERING AGENTS. FOR THE PURPOSES OF THIS SUBDIVISION, "GENE ALTERING" MEANS TO SUBSTITUTE TWO N-METHYL-PSEUDOURIDINE AMINO ACIDS FOR THE USUAL URIDINE COMPONENTS TO ELUDE IMMUNE DESTRUCTION OF THE MESSENGER RIBONUCLEIC ACID, WHICH THEN

1 ALLOWS THE MESSENGER RIBONUCLEIC ACID THAT PRODUCES THE PATHOGENIC SPIKE
2 PROTEIN TO EXIST WITHIN CELLS FOR A LONGER PERIOD OF TIME.

3 (b) ANY INJECTION OR PRODUCT THAT CONTAINS MODIFIED MESSENGER
4 RIBONUCLEIC ACID.

5 (c) ANY HUMAN GENE THERAPY PRODUCT FOR ANY INFECTIOUS DISEASE
6 INDICATION, REGARDLESS OF WHETHER THE ADMINISTRATION IS TERMED AN
7 IMMUNIZATION, A VACCINATION OR ANOTHER SIMILAR TERM.

8 (d) NANOTECHNOLOGY OR NANOPARTICLES THAT ALTER GENES AND THAT
9 CREATE A BIOSYNTHETIC CELL REPLICATION.

10 (e) SELF-AMPLIFYING OR SELF-REPLICATING MODIFIED MESSENGER
11 RIBONUCLEIC ACID. FOR THE PURPOSES OF THIS SUBDIVISION, "SELF-AMPLIFYING"
12 OR "SELF-REPLICATING" MEANS A FORM OF MODIFIED MESSENGER RIBONUCLEIC ACID
13 THAT IS CAPABLE OF MAKING COPIES OF ITSELF ONCE INSIDE A CELL, LEADING TO
14 A HIGHER LEVEL OF ANTIGEN PRODUCTION OVER A PROLONGED PERIOD.

15 2. DOES NOT INCLUDE NATURALLY OCCURRING MESSENGER RIBONUCLEIC ACID
16 THAT IS A SINGLE-STRANDED MOLECULE OF RIBONUCLEIC ACID THAT CORRESPONDS TO
17 THE GENETIC SEQUENCE OF A GENE.

18 Sec. 3. Legislative intent

19 It is the intent of the legislature to designate modified messenger
20 ribonucleic acid injections and products as biological agents and weapons
21 of mass destruction as defined in section 13-2301, Arizona Revised
22 Statutes, as amended by this act, and to both:

23 1. Declare that their use is an act of terrorism under section
24 13-2308.01, Arizona Revised Statutes, and an unlawful use of an infectious
25 biological substance under section 13-2308.03, Arizona Revised Statutes.

26 2. Prohibit their possession, use or distribution in this state.

27 Sec. 4. Short title

28 This act may be cited as the "Sansone mRNA Bioweapons Prohibition
29 Act".

30 Sec. 5. Emergency

31 This act is an emergency measure that is necessary to preserve the
32 public peace, health or safety and is operative immediately as provided by
33 law.