

ARIZ. REV. STAT. § 13-3506.01

§ 13-3506.01. Furnishing harmful items to minors; internet activity; classification

A. It is unlawful for any person, with knowledge of the character of the item involved, to intentionally or knowingly transmit or send to a minor by means of electronic mail, personal messaging or any other direct internet communication an item that is harmful to minors when the person knows or believes at the time of the transmission that a minor in this state will receive the item.

B. This section does not apply to:

1. Posting material on an internet web site, bulletin board or newsgroup.
2. Sending material via a mailing list or listserv that is not administered by the sender. A mailing list or listserv is a method of internet communication where a message is sent to an internet address and then is retransmitted to one or more subscribers to the mailing list or listserv.

C. The term “internet” means the combination of computer facilities and electromagnetic transmission media, and related equipment and software, comprising the interconnected worldwide network of computer networks that employ the transmission control protocol or internet protocol or any successor protocol to transmit information.

D. The term “internet web site” means a location where material placed in a computer server-based file archive is publicly accessible, over the internet, using hypertext transfer protocol or any successor protocol.

E. It is not a defense to a prosecution for a violation of this section that the recipient of the transmission was a peace officer posing as a minor.

F. A violation of this section is a class 4 felony.

G. Failure to report a violation of this section is a class 6 felony as prescribed by section 13-3620.