

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

HOUSE BILL 2100

AN ACT

AMENDING SECTIONS 8-807, 11-483, 11-484, 13-2401, 16-153, 28-454, 39-123 AND 39-124, ARIZONA REVISED STATUTES; RELATING TO CONFIDENTIAL INFORMATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-807, Arizona Revised Statutes, is amended to
3 read:

4 8-807. DCS information; public record; use; confidentiality;
5 violation; classification; definitions

6 A. DCS information shall be maintained by the department as required
7 by federal law as a condition of the allocation of federal monies to this
8 state. All exceptions for the public release of DCS information shall be
9 construed as openly as possible under federal law.

10 B. The department, or a person who receives DCS information pursuant
11 to this subsection, shall provide DCS information to a federal agency, a
12 state agency, a tribal agency, a county or municipal agency, a law
13 enforcement agency, a prosecutor, an attorney or a guardian ad litem
14 representing a child victim of crime pursuant to article II, section 2.1,
15 Constitution of Arizona, a school, a community service provider, a contract
16 service provider or any other person that is providing services pursuant to
17 this article or article 9, 10, 11, 12, 13 or 14 of this chapter:

18 1. To meet its duties to provide for the safety, permanency and
19 well-being of a child, provide services to a parent, guardian or custodian or
20 provide services to family members to strengthen the family pursuant to this
21 article or article 9, 10, 11, 12, 13 or 14 of this chapter.

22 2. To enforce or prosecute any violation involving child abuse or
23 neglect.

24 3. To provide information to a defendant after a criminal charge has
25 been filed as required by an order of the criminal court.

26 4. To help investigate and prosecute any violation involving domestic
27 violence as defined in section 13-3601 or violent sexual assault as
28 prescribed in section 13-1423.

29 C. The department shall disclose DCS information to a court, a party
30 in a dependency or termination of parental rights proceeding or the party's
31 attorney, the foster care review board or a court appointed special advocate
32 for the purposes of and as prescribed in this title.

33 D. The department shall disclose DCS information to a domestic
34 relations, family or conciliation court if the DCS information is necessary
35 to promote the safety and well-being of children. The court shall notify the
36 parties that it has received the DCS information.

37 E. A person or agent of a person who is the subject of DCS information
38 shall have access to DCS information concerning that person.

39 F. The department:

40 1. May provide DCS information to confirm, clarify or correct
41 information concerning an allegation or actual instance of child abuse or
42 neglect that has been made public by sources outside the department.

43 2. Shall promptly provide DCS information to the public regarding a
44 case of child abuse, abandonment or neglect that has resulted in a fatality
45 or near fatality as follows:

1 (a) The department shall provide preliminary information including at
2 a minimum:

3 (i) The name, age and city, town or general location of residence of
4 the child who has suffered a near fatality or fatality.

5 (ii) The fact that a child suffered a near fatality or fatality as the
6 result of abuse, abandonment or neglect.

7 (iii) The name, age and city, town or general location of residence of
8 the alleged perpetrator, if available.

9 (iv) Whether there have been reports, or any current or past cases, of
10 abuse, abandonment or neglect involving the child and the current alleged
11 abusive or neglectful parent, guardian or custodian.

12 (v) Actions taken by the department in response to the fatality or
13 near fatality of the child.

14 (vi) A detailed synopsis of prior reports or cases of abuse,
15 abandonment or neglect involving the child and the current alleged abusive or
16 neglectful parent, guardian or custodian and of the actions taken or
17 determinations made by the department in response to these reports or cases.

18 (b) On request by any person, the department shall promptly provide
19 additional DCS information to the requestor. Before releasing additional DCS
20 information, the department shall promptly notify the county attorney of any
21 decision to release that information, and the county attorney shall promptly
22 inform the department if it believes the release would cause a specific,
23 material harm to a criminal investigation. After consulting with the county
24 attorney, pursuant to subdivision (c) of this paragraph, the department shall
25 produce to the requestor as much additional DCS information as promptly as
26 possible about a case of child abuse, abandonment or neglect that resulted in
27 a fatality or near fatality.

28 (c) On request, the department shall continue to provide DCS
29 information promptly to the public about a fatality or near fatality unless:

30 (i) After consultation with the county attorney, the county attorney
31 demonstrates that release of particular DCS information would cause a
32 specific, material harm to a criminal investigation.

33 (ii) The release would violate subsection A or L of this section or
34 the privacy of victims of crime pursuant to article II, section 2.1,
35 subsection C, Constitution of Arizona.

36 (d) If any person believes that the county attorney has failed to
37 demonstrate that release would cause a specific, material harm to a criminal
38 investigation, that person may file an action in superior court pursuant to
39 title 39, chapter 1, article 2 and subsection J of this section and request
40 the court to review the DCS information in camera and order disclosure.

41 3. May provide DCS information to a person who is conducting bona fide
42 research, the results of which might provide DCS information that is
43 beneficial in improving the department.

1 4. May provide access to DCS information to the parent, guardian or
2 custodian of a child if the DCS information is reasonably necessary to
3 promote the safety, permanency and well-being of the child.

4 G. The department shall disclose DCS information to a county medical
5 examiner or an alternate medical examiner directing an investigation into the
6 circumstances surrounding a death pursuant to section 11-593.

7 H. Access to DCS information in the central registry shall be provided
8 as prescribed in section 8-804.

9 I. To provide oversight of the department, the department shall
10 provide access to DCS information to the following persons, if the DCS
11 information is reasonably necessary for the person to perform the person's
12 official duties:

13 1. Federal or state auditors.

14 2. Persons conducting any accreditation deemed necessary by the
15 department.

16 3. A standing committee of the legislature or a committee appointed by
17 the president of the senate or the speaker of the house of representatives
18 for purposes of conducting investigations related to the legislative
19 oversight of the department. This information shall not be further disclosed
20 unless a court has ordered the disclosure of this information, the
21 information has been disclosed in a public or court record, or the
22 information has been disclosed in the course of a public meeting or court
23 proceeding.

24 4. A legislator who requests DCS information in the regular course of
25 the legislator's duties. This information shall not be further disclosed
26 unless a court has ordered the disclosure of this information, the
27 information has been disclosed in a public or court record, or the
28 information has been disclosed in the course of a public meeting or court
29 proceeding. To request a file pursuant to this paragraph:

30 (a) The legislator shall submit a written request for DCS information
31 to the presiding officer of the body of which the state legislator is a
32 member. The request shall state the name of the person whose case file is to
33 be reviewed and any other information that will assist the department in
34 locating the file.

35 (b) The presiding officer shall forward the request to the department
36 within five working days of the receipt of the request.

37 (c) The department shall make the necessary arrangements for the
38 legislator to review the file at an office of the department, chosen by the
39 legislator, within ten working days.

40 (d) The legislator shall sign a form, consistent with the requirements
41 of this paragraph and paragraph 3 of this subsection, before reviewing the
42 file, that outlines the confidentiality laws governing department files and
43 penalties for further release of the information.

1 5. A citizen review panel as prescribed by federal law, a child
2 fatality review team as provided in title 36, chapter 35 and the office of
3 ombudsman-citizens aide.

4 J. A person who has been denied DCS information regarding a fatality
5 or near fatality caused by abuse, abandonment or neglect pursuant to
6 subsection F, paragraph 2 or subsection L of this section may bring a special
7 action pursuant to section 39-121.02 in the superior court to order the
8 department to release that DCS information. A legislator has standing to
9 bring or to join a special action regarding the release of DCS information or
10 to challenge the redaction of released DCS information. The plaintiff shall
11 provide notice to the county attorney, who has standing and may participate
12 in the action. The court shall review the requested records in camera and
13 order disclosure consistent with subsection A, subsection F, paragraph 2 and
14 subsection L of this section. The court shall take reasonable steps to
15 prevent any clearly unwarranted invasions of privacy and protect the privacy
16 and dignity of victims of crime pursuant to article II, section 2.1,
17 subsection C, Constitution of Arizona.

18 K. The department or a person who is not specifically authorized by
19 this section to obtain DCS information may petition a judge of the superior
20 court to order the department to release DCS information. The plaintiff
21 shall provide notice to the county attorney, who has standing and may
22 participate in the action. The court shall review the requested records in
23 camera and shall balance the rights of the parties who are entitled to
24 confidentiality pursuant to this section against the rights of the parties
25 who are seeking the release of the DCS information. The court may release
26 otherwise confidential DCS information only if the rights of the parties
27 seeking the DCS information and any benefits from releasing the DCS
28 information outweigh the rights of the parties who are entitled to
29 confidentiality and any harm that may result from releasing the DCS
30 information. The court shall take reasonable steps to prevent any clearly
31 unwarranted invasions of privacy and protect the privacy and dignity of
32 victims of crime pursuant to article II, section 2.1, subsection C,
33 Constitution of Arizona.

34 L. Except as provided in subsection M of this section, before it
35 releases records under this section, the department shall take whatever
36 precautions it determines are reasonably necessary to protect the identity
37 and safety of a person who reports child abuse or neglect and to protect any
38 other person if the department believes that disclosure of the DCS
39 information would be likely to endanger the life or safety of any person.
40 The department is not required by this section to disclose DCS information if
41 the department demonstrates that disclosure would cause a specific, material
42 harm to a department investigation. The department is not required by this
43 section to disclose DCS information if, in consultation with the county
44 attorney, the county attorney demonstrates that disclosure would cause a
45 specific, material harm to a criminal investigation.

1 M. A person who is the subject of an unfounded report or complaint
2 made pursuant to this article or article 9, 10, 11, 12, 13 or 14 of this
3 chapter and who believes that the report or complaint was made in bad faith
4 or with malicious intent may petition a judge of the superior court to order
5 the department to release the DCS information. The petition shall
6 specifically set forth reasons supporting the person's belief that the report
7 or complaint was made in bad faith or with malicious intent. The court shall
8 review the DCS information in camera and the person filing the petition shall
9 be allowed to present evidence in support of the petition. If the court
10 determines that there is a reasonable question of fact as to whether the
11 report or complaint was made in bad faith or with malicious intent and that
12 disclosure of the identity of the person making the report or complaint would
13 not be likely to endanger the life or safety of the person making the report
14 or complaint, it shall provide a copy of the DCS information to the person
15 filing the petition and the original DCS information is subject to discovery
16 in a subsequent civil action regarding the making of the report or complaint.

17 N. The department shall provide the person who conducts a forensic
18 medical evaluation with any records the person requests, including social
19 history and family history regarding the child, the child's siblings and the
20 child's parents or guardians.

21 O. The department shall provide DCS information on request to a
22 prospective adoptive parent, foster parent or guardian, if the information
23 concerns a child the prospective adoptive parent, foster parent or guardian
24 seeks to adopt or provide care for.

25 P. If the department receives information that is confidential by law,
26 the department shall maintain the confidentiality of the information as
27 prescribed in the applicable law.

28 Q. A person may authorize the release of DCS information about the
29 person but may not waive the confidentiality of DCS information concerning
30 any other person.

31 R. The department may provide a summary of the outcome of a department
32 investigation to the person who reported the suspected child abuse or
33 neglect.

34 S. The department shall adopt rules to facilitate the accessibility of
35 DCS information.

36 T. THE DEPARTMENT OR A PERSON WHO RECEIVES DCS INFORMATION PURSUANT TO
37 SUBSECTION B OF THIS SECTION SHALL PROVIDE DCS INFORMATION TO LAW ENFORCEMENT
38 AND A COURT OR THE OFFICE OF THE ATTORNEY GENERAL TO PROTECT THE SAFETY OF
39 ANY EMPLOYEE OF THE DEPARTMENT OR TO PROTECT A FAMILY MEMBER OF SUCH AN
40 EMPLOYEE.

41 U. A PERSON WHO RECEIVES DCS INFORMATION SHALL MAINTAIN THE
42 CONFIDENTIALITY OF THE INFORMATION AND SHALL NOT FURTHER DISCLOSE THE
43 INFORMATION UNLESS THE DISCLOSURE IS AUTHORIZED BY LAW OR A COURT ORDER.

44 ~~T.~~ V. The department may charge a fee for copying costs required to
45 prepare DCS information for release pursuant to this section.

1 ~~W.~~ W. A person who violates this section is guilty of a class 2
2 misdemeanor.

3 ~~X.~~ X. For the purposes of this section:

4 1. "DCS information" includes all information the department gathers
5 during the course of an investigation conducted under this chapter from the
6 time a file is opened and until it is closed. DCS information does not
7 include information that is contained in child welfare agency licensing
8 records.

9 2. "Near fatality" means an act that, as certified by a physician,
10 including the child's treating physician, places a child in serious or
11 critical condition.

12 Sec. 2. Section 11-483, Arizona Revised Statutes, is amended to read:

13 11-483. Records maintained by county recorder; confidentiality;
14 definitions

15 A. Notwithstanding any other provision of this article, in any county
16 an eligible person may request that the general public be prohibited from
17 accessing the unique identifier and the recording date contained in indexes
18 of recorded instruments maintained by the county recorder and may request the
19 county recorder to prohibit access to that person's residential address and
20 telephone number contained in instruments or writings recorded by the county
21 recorder.

22 B. An eligible person may request this action by filing an affidavit
23 that states all of the following on an application form developed by the
24 administrative office of the courts in agreement with an association of
25 counties, an organization of peace officers and the motor vehicle division of
26 the department of transportation:

27 1. The person's full legal name and residential address.

28 2. The full legal description and parcel number of the person's
29 property.

30 3. Unless the person is the spouse of a peace officer or the spouse or
31 minor child of a deceased peace officer or the person is a former public
32 official, the position the person currently holds and a description of the
33 person's duties, except that an eligible person who is protected under an
34 order of protection or injunction against harassment shall instead attach a
35 copy of the order of protection or injunction against harassment or an
36 eligible person who is a participant in the address confidentiality program
37 shall instead attach a copy of the participant's current and valid address
38 confidentiality program authorization card issued pursuant to section 41-163
39 and a statement of certification provided by the secretary of state's office.

40 4. The reasons the person reasonably believes that the person's life
41 or safety or that of another person is in danger and that restricting access
42 pursuant to this section will serve to reduce the danger.

43 5. The document locator number and recording date of each instrument
44 for which the person requests access restriction pursuant to this section.

1 6. A copy of pages from each instrument that includes the document
2 locator number and the person's full legal name and residential address or
3 full legal name and telephone number.

4 C. If an eligible person is also requesting pursuant to section 11-484
5 that the general public be prohibited from accessing records maintained by
6 the county assessor and county treasurer, the eligible person may combine the
7 request pursuant to subsection B of this section with the request pursuant to
8 section 11-484 by filing one affidavit. The affidavit and subsequent action
9 by the appropriate authorities shall meet all of the requirements of this
10 section and section 11-484.

11 D. The affidavit shall be filed with the presiding judge of the
12 superior court in the county in which the affiant resides. To prevent
13 multiple filings, an eligible person who is a peace officer, spouse of a
14 peace officer, spouse or minor child of a deceased peace officer, public
15 defender, prosecutor, code enforcement officer, corrections or detention
16 officer, corrections support staff member or law enforcement support staff
17 member shall deliver the affidavit to the peace officer's commanding officer,
18 or to the head of the prosecuting, public defender, code enforcement, law
19 enforcement, corrections or detention agency, as applicable, or that person's
20 designee, who shall file the affidavits at one time. In the absence of an
21 affidavit that contains a request for immediate action and that is supported
22 by facts justifying an earlier presentation, the commanding officer, or the
23 head of the prosecuting, public defender, code enforcement, law enforcement,
24 corrections or detention agency, as applicable, or that person's designee,
25 shall not file affidavits more often than quarterly.

26 E. On receipt of an affidavit or affidavits, the presiding judge of
27 the superior court shall file with the clerk of the superior court a petition
28 on behalf of all requesting affiants. Each affidavit presented shall be
29 attached to the petition. In the absence of an affidavit that contains a
30 request for immediate action and that is supported by facts justifying an
31 earlier consideration, the presiding judge may accumulate affidavits and file
32 a petition at the end of each quarter.

33 F. The presiding judge of the superior court shall review the petition
34 and each attached affidavit to determine whether the action requested by each
35 affiant should be granted. If the presiding judge of the superior court
36 concludes that the action requested by the affiant will reduce a danger to
37 the life or safety of the affiant or another person, the presiding judge of
38 the superior court shall order that the county recorder prohibit access for
39 five years to the affiant's residential address and telephone number
40 contained in instruments or writings recorded by the county recorder and made
41 available on the internet. If the presiding judge of the superior court
42 concludes that the affiant or another person is in actual danger of physical
43 harm from a person or persons with whom the affiant has had official dealings
44 and that action pursuant to this section will reduce a danger to the life or
45 safety of the affiant or another person, the presiding judge of the superior

1 court shall order that the general public be prohibited for five years from
2 accessing the unique identifier and the recording date contained in indexes
3 of recorded instruments maintained by the county recorder and identified
4 pursuant to subsection B of this section.

5 G. On motion to the court, if the presiding judge of the superior
6 court concludes that an instrument or writing recorded by the county recorder
7 has been redacted or sealed in error, that the original affiant no longer
8 lives at the address listed in the original affidavit, that the cause for the
9 original affidavit no longer exists or that temporary access to the
10 instrument or writing is needed, the presiding judge may temporarily stay or
11 permanently vacate all or part of the court order prohibiting public access
12 to the recorded instrument or writing.

13 H. On entry of the court order, the clerk of the superior court shall
14 file the court order and a copy of the affidavit required by subsection B of
15 this section with the county recorder. No more than ten days after the date
16 on which the county recorder receives the court order, the county recorder
17 shall restrict access to the information as required by subsection F of this
18 section.

19 I. If the court denies an affiant's request pursuant to this section,
20 the affiant may request a court hearing. The hearing shall be conducted by
21 the court in the county where the petition was filed.

22 J. The county recorder shall remove the restrictions on all records
23 restricted pursuant to this section by January 5 in the year after the court
24 order expires. The county recorder shall send by mail one notice to either
25 the former public official, peace officer, spouse of a peace officer, spouse
26 or minor child of a deceased peace officer, public defender, prosecutor, code
27 enforcement officer, corrections or detention officer, corrections support
28 staff member, ~~or~~ law enforcement support staff member or **EMPLOYEE OF THE**
29 **DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE**
30 **OF EMPLOYMENT OR** the employing agency of a peace officer, public defender,
31 prosecutor, code enforcement officer, corrections or detention officer,
32 corrections support staff member or law enforcement support staff member who
33 was granted an order pursuant to this section of the order's expiration date
34 at least six months before the expiration date. If the notice is sent to the
35 employing agency, the employing agency shall immediately notify the person
36 who was granted the order of the upcoming expiration date. The county
37 recorder may coordinate with the county assessor and county treasurer to
38 prevent multiple notices from being sent to the same person.

39 K. To include subsequent recordings in the court order, the eligible
40 person shall present to the county recorder at the time of recordation a
41 certified copy of the court order or shall provide to the county recorder the
42 recording number of the court order. The county recorder shall ensure that
43 public access shall be restricted pursuant to subsection A of this section.

1 L. This section shall not be interpreted to restrict access to public
2 records for the purposes of perfecting a lien pursuant to title 12, chapter
3 9, article 2.

4 M. This section does not prohibit access to the records of the county
5 recorder by parties to the instrument, a law enforcement officer performing
6 the officer's official duties pursuant to subsection N of this section, a
7 title insurer, a title insurance agent or an escrow agent licensed by the
8 department of insurance or the department of financial institutions.

9 N. A law enforcement officer is deemed to be performing the officer's
10 official duties if the officer provides a subpoena, court order or search
11 warrant for the records.

12 O. For the purposes of this section:

13 1. "Code enforcement officer" means a person who is employed by a
14 state or local government and whose duties include performing field
15 inspections of buildings, structures or property to ensure compliance with
16 and enforce national, state and local laws, ordinances and codes.

17 2. "Commissioner" means a commissioner of the superior court.

18 3. "Corrections support staff member" means an adult or juvenile
19 corrections employee who has direct contact with inmates.

20 4. "Eligible person" means a former public official, peace officer,
21 spouse of a peace officer, spouse or minor child of a deceased peace officer,
22 justice, judge, commissioner, public defender, prosecutor, code enforcement
23 officer, adult or juvenile corrections officer, corrections support staff
24 member, probation officer, member of the board of executive clemency, law
25 enforcement support staff member, **EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY
26 WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT**, national
27 guard member who is acting in support of a law enforcement agency, person who
28 is protected under an order of protection or injunction against harassment,
29 person who is a participant in the address confidentiality program pursuant
30 to title 41, chapter 1, article 3 or firefighter who is assigned to the
31 Arizona counterterrorism center in the department of public safety.

32 5. "Former public official" means a person who was duly elected or
33 appointed to Congress, the legislature or a statewide office, who ceased
34 serving in that capacity and who was the victim of a dangerous offense as
35 defined in section 13-105 while in office.

36 6. "Indexes" means only those indexes that are maintained by and
37 located in the office of the county recorder, that are accessed
38 electronically and that contain information beginning from and after
39 January 1, 1987.

40 7. "Judge" means a judge of the United States district court, the
41 United States court of appeals, the United States magistrate court, the
42 United States bankruptcy court, the Arizona court of appeals, the superior
43 court or a municipal court.

44 8. "Justice" means a justice of the United States or Arizona supreme
45 court or a justice of the peace.

1 9. "Law enforcement support staff member" means a person who serves in
2 the role of an investigator or prosecutorial assistant in an agency that
3 investigates or prosecutes crimes, who is integral to the investigation or
4 prosecution of crimes and whose name or identity will be revealed in the
5 course of public proceedings.

6 10. "Peace officer" means any person vested by law, or formerly vested
7 by law, with a duty to maintain public order and make arrests.

8 11. "Prosecutor" means a county attorney, a municipal prosecutor, the
9 attorney general or a United States attorney and includes an assistant or
10 deputy United States attorney, county attorney, municipal prosecutor or
11 attorney general.

12 12. "Public defender" means a federal public defender, county public
13 defender, county legal defender or county contract indigent defense counsel
14 and includes an assistant or deputy federal public defender, county public
15 defender or county legal defender.

16 Sec. 3. Section 11-484, Arizona Revised Statutes, is amended to read:
17 11-484. Records maintained by county assessor and county
18 treasurer; redaction; definitions

19 A. Notwithstanding any other provision of this article, in any county
20 an eligible person may request that the general public be prohibited from
21 accessing that person's residential address and telephone number that are
22 contained in instruments, writings and information maintained by the county
23 assessor and the county treasurer.

24 B. An eligible person may request this action by filing an affidavit
25 that states all of the following on an application form developed by the
26 administrative office of the courts in agreement with an association of
27 counties, an organization of peace officers and the motor vehicle division of
28 the department of transportation:

29 1. The person's full legal name and residential address.

30 2. The full legal description and parcel number of the person's
31 property.

32 3. Unless the person is the spouse of a peace officer or the spouse or
33 minor child of a deceased peace officer or the person is a former public
34 official, the position the person currently holds and a description of the
35 person's duties, except that an eligible person who is protected under an
36 order of protection or injunction against harassment shall attach a copy of
37 the order of protection or injunction against harassment or an eligible
38 person who is a participant in the address confidentiality program shall
39 instead attach a copy of the participant's current and valid address
40 confidentiality program authorization card issued pursuant to section 41-163
41 and a statement of certification provided by the secretary of state's office.

42 4. The reasons the person reasonably believes that the person's life
43 or safety or that of another person is in danger and that redacting the
44 residential address and telephone number will serve to reduce the danger.

1 C. If an eligible person is also requesting pursuant to section 11-483
2 that the general public be prohibited from accessing records maintained by
3 the county recorder, the eligible person may combine the request pursuant to
4 subsection B of this section with the request pursuant to section 11-483 by
5 filing one affidavit. The affidavit and subsequent action by the appropriate
6 authorities shall meet all of the requirements of this section and section
7 11-483.

8 D. The affidavit shall be filed with the presiding judge of the
9 superior court in the county in which the affiant resides. To prevent
10 multiple filings, an eligible person who is a peace officer, spouse of a
11 peace officer, spouse or minor child of a deceased peace officer, public
12 defender, prosecutor, code enforcement officer, corrections or detention
13 officer, corrections support staff member or law enforcement support staff
14 member shall deliver the affidavit to the peace officer's commanding officer,
15 or to the head of the prosecuting, public defender, code enforcement, law
16 enforcement, corrections or detention agency, as applicable, or that person's
17 designee, who shall file the affidavits at one time. In the absence of an
18 affidavit that contains a request for immediate action and that is supported
19 by facts justifying an earlier presentation, the commanding officer, or the
20 head of the prosecuting, public defender, code enforcement, law enforcement,
21 corrections or detention agency, as applicable, or that person's designee,
22 shall not file affidavits more often than quarterly.

23 E. On receipt of an affidavit or affidavits, the presiding judge of
24 the superior court shall file with the clerk of the superior court a petition
25 on behalf of all requesting affiants. Each affidavit presented shall be
26 attached to the petition. In the absence of an affidavit that contains a
27 request for immediate action and that is supported by facts justifying an
28 earlier consideration, the presiding judge may accumulate affidavits and file
29 a petition at the end of each quarter.

30 F. The presiding judge of the superior court shall review the petition
31 and each attached affidavit to determine whether the action requested by each
32 affiant should be granted. If the presiding judge of the superior court
33 concludes that the action requested by the affiant will reduce a danger to
34 the life or safety of the affiant or another person, the presiding judge of
35 the superior court shall order the redaction of the affiant's residential
36 address and telephone number that are contained in instruments, writings and
37 information maintained by the county assessor and the county treasurer. The
38 redaction shall be in effect for five years.

39 G. On motion to the court, if the presiding judge of the superior
40 court concludes that an instrument or writing maintained by the county
41 assessor or the county treasurer has been redacted or sealed in error, that
42 the original affiant no longer lives at the address listed in the original
43 affidavit, that the cause for the original affidavit no longer exists or that
44 temporary access to the instrument or writing is needed, the presiding judge

1 may temporarily stay or permanently vacate all or part of the court order
2 prohibiting public access to the instrument or writing.

3 H. On entry of the court order, the clerk of the superior court shall
4 file the court order and a copy of the affidavit required by subsection B of
5 this section with the county assessor and the county treasurer. No more than
6 ten days after the date on which the county assessor and the county treasurer
7 receive the court order, the county assessor and the county treasurer shall
8 restrict access to the information as required by subsection F of this
9 section.

10 I. If the court denies an affiant's request pursuant to this section,
11 the affiant may request a court hearing. The hearing shall be conducted by
12 the court in the county where the petition was filed.

13 J. The county assessor and the county treasurer shall remove the
14 restrictions on all records that are redacted pursuant to this section by
15 January 5 in the year after the court order expires. The county assessor or
16 the county treasurer shall send by mail one notice to either the former
17 public official, peace officer, spouse of a peace officer, spouse or minor
18 child of a deceased peace officer, public defender, prosecutor, code
19 enforcement officer, corrections or detention officer, corrections support
20 staff member, ~~or~~ law enforcement support staff member or **EMPLOYEE OF THE**
21 **DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE**
22 **OF EMPLOYMENT OR** the employing agency of a peace officer, public defender,
23 prosecutor, code enforcement officer, corrections or detention officer,
24 corrections support staff member or law enforcement support staff member who
25 was granted an order pursuant to this section of the order's expiration date
26 at least six months before the expiration date. If the notice is sent to the
27 employing agency, the employing agency shall immediately notify the person
28 who was granted the order of the upcoming expiration date. The county
29 assessor or county treasurer may coordinate with the county recorder to
30 prevent multiple notices from being sent to the same person.

31 K. For the purposes of this section:

32 1. "Code enforcement officer" means a person who is employed by a
33 state or local government and whose duties include performing field
34 inspections of buildings, structures or property to ensure compliance with
35 and enforce national, state and local laws, ordinances and codes.

36 2. "Commissioner" means a commissioner of the superior court.

37 3. "Corrections support staff member" means an adult or juvenile
38 corrections employee who has direct contact with inmates.

39 4. "Eligible person" means a former public official, peace officer,
40 spouse of a peace officer, spouse or minor child of a deceased peace officer,
41 justice, judge, commissioner, public defender, prosecutor, code enforcement
42 officer, adult or juvenile corrections officer, corrections support staff
43 member, probation officer, member of the board of executive clemency, law
44 enforcement support staff member, **EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY**
45 **WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT,** national

1 guard member who is acting in support of a law enforcement agency, person who
2 is protected under an order of protection or injunction against harassment,
3 person who is a participant in the address confidentiality program pursuant
4 to title 41, chapter 1, article 3, or firefighter who is assigned to the
5 Arizona counterterrorism center in the department of public safety.

6 5. "Former public official" means a person who was duly elected or
7 appointed to Congress, the legislature or a statewide office, who ceased
8 serving in that capacity and who was the victim of a dangerous offense as
9 defined in section 13-105 while in office.

10 6. "Judge" means a judge of the United States district court, the
11 United States court of appeals, the United States magistrate court, the
12 United States bankruptcy court, the Arizona court of appeals, the superior
13 court or a municipal court.

14 7. "Justice" means a justice of the United States or Arizona supreme
15 court or a justice of the peace.

16 8. "Law enforcement support staff member" means a person who serves in
17 the role of an investigator or prosecutorial assistant in an agency that
18 investigates or prosecutes crimes, who is integral to the investigation or
19 prosecution of crimes and whose name or identity will be revealed in the
20 course of public proceedings.

21 9. "Peace officer" means any person vested by law, or formerly vested
22 by law, with a duty to maintain public order and make arrests.

23 10. "Prosecutor" means a county attorney, a municipal prosecutor, the
24 attorney general or a United States attorney and includes an assistant or
25 deputy United States attorney, county attorney, municipal prosecutor or
26 attorney general.

27 11. "Public defender" means a federal public defender, county public
28 defender, county legal defender or county contract indigent defense counsel
29 and includes an assistant or deputy federal public defender, county public
30 defender or county legal defender.

31 Sec. 4. Section 13-2401, Arizona Revised Statutes, is amended to read:
32 13-2401. Personal information on the world wide web: exception:
33 classification: definitions

34 A. It is unlawful for a person to knowingly make available on the
35 world wide web the personal information of a peace officer, justice, judge,
36 commissioner, public defender, **EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY WHO**
37 **HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT** or prosecutor if
38 the dissemination of the personal information poses an imminent and serious
39 threat to the peace officer's, justice's, judge's, commissioner's, public
40 defender's, **DEPARTMENT OF CHILD SAFETY EMPLOYEE'S** or prosecutor's safety or
41 the safety of that person's immediate family and the threat is reasonably
42 apparent to the person making the information available on the world wide web
43 to be serious and imminent.

44 B. It is not a violation of this section if an employee of a county
45 recorder, county treasurer or county assessor publishes personal information,

1 in good faith, on the ~~web-site~~ WEBSITE of the county recorder, county
2 treasurer or county assessor in the ordinary course of carrying out public
3 functions.

4 C. A violation of subsection A is a class 5 felony.

5 D. For the purposes of this section:

6 1. "Commissioner" means a commissioner of the superior court.

7 2. "Immediate family" means a peace officer's, justice's, judge's,
8 commissioner's, public defender's or prosecutor's spouse, child or parent and
9 any other adult who lives in the same residence as the person.

10 3. "Judge" means a judge of the United States district court, the
11 United States court of appeals, the United States magistrate court, the
12 United States bankruptcy court, the Arizona court of appeals, the superior
13 court or a municipal court.

14 4. "Justice" means a justice of the United States or Arizona supreme
15 court or a justice of the peace.

16 5. "Personal information" means a peace officer's, justice's, judge's,
17 commissioner's, public defender's or prosecutor's home address, home
18 telephone number, pager number, personal photograph, directions to the
19 person's home or photographs of the person's home or vehicle.

20 6. "Prosecutor" means a county attorney, a municipal prosecutor, the
21 attorney general or a United States attorney and includes an assistant or
22 deputy United States attorney, county attorney, municipal prosecutor or
23 attorney general.

24 7. "Public defender" means a federal public defender, county public
25 defender, county legal defender or county contract indigent defense counsel
26 and includes an assistant or deputy federal public defender, county public
27 defender or county legal defender.

28 Sec. 5. Section 16-153, Arizona Revised Statutes, is amended to read:
29 16-153. Voter registration; confidentiality; definitions

30 A. Eligible persons, and any other registered voter who resides at the
31 same residence address as the eligible person, may request that the general
32 public be prohibited from accessing the residential address, telephone number
33 and voting precinct number contained in their voter registration record.

34 B. Eligible persons may request this action by filing an affidavit
35 that states all of the following on an application form developed by the
36 administrative office of the courts in agreement with an association of
37 counties and an organization of peace officers:

38 1. The person's full legal name, residential address and date of
39 birth.

40 2. Unless the person is the spouse of a peace officer or the spouse or
41 minor child of a deceased peace officer or the person is a former public
42 official, the position the person currently holds and a description of the
43 person's duties, except that an eligible person who is protected under an
44 order of protection or injunction against harassment shall instead attach a
45 copy of the order of protection or injunction against harassment.

1 3. The reasons for reasonably believing that the person's life or
2 safety or that of another person is in danger and that sealing the
3 residential address, telephone number and voting precinct number of the
4 person's voting record will serve to reduce the danger.

5 C. The affidavit shall be filed with the presiding judge of the
6 superior court in the county in which the affiant resides. To prevent
7 multiple filings, an eligible person who is a peace officer, prosecutor,
8 public defender, code enforcement officer, corrections or detention officer,
9 corrections support staff member or law enforcement support staff member
10 shall deliver the affidavit to the peace officer's commanding officer, or to
11 the head of the prosecuting, public defender, code enforcement, law
12 enforcement, corrections or detention agency, as applicable, or that person's
13 designee, who shall file the affidavits at one time. In the absence of an
14 affidavit that contains a request for immediate action and is supported by
15 facts justifying an earlier presentation, the commanding officer, or the head
16 of the prosecuting, public defender, code enforcement, law enforcement,
17 corrections or detention agency, as applicable, or that person's designee,
18 shall not file affidavits more often than quarterly.

19 D. On receipt of an affidavit or affidavits, the presiding judge of
20 the superior court shall file with the clerk of the superior court a petition
21 on behalf of all requesting affiants. The petition shall have attached each
22 affidavit presented. In the absence of an affidavit that contains a request
23 for immediate action and that is supported by facts justifying an earlier
24 consideration, the presiding judge may accumulate affidavits and file a
25 petition at the end of each quarter.

26 E. The presiding judge of the superior court shall review the petition
27 and each attached affidavit to determine whether the action requested by each
28 affiant should be granted. The presiding judge of the superior court shall
29 order the sealing for five years of the information contained in the voter
30 record of the affiant and, on request, any other registered voter who resides
31 at the same residence address if the presiding judge concludes that this
32 action will reduce a danger to the life or safety of the affiant.

33 F. The recorder shall remove the restrictions on all voter records
34 submitted pursuant to subsection E of this section by January 5 in the year
35 after the court order expires. The county recorder shall send by mail one
36 notice to either the former public official, peace officer, spouse of a peace
37 officer, spouse or minor child of a deceased peace officer, public defender,
38 prosecutor, code enforcement officer, corrections or detention officer,
39 corrections support staff member, ~~or~~ law enforcement support staff member or
40 **EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH**
41 **FAMILIES IN THE COURSE OF EMPLOYMENT OR** the employing agency of a peace
42 officer, public defender, prosecutor, code enforcement officer, corrections
43 or detention officer, corrections support staff member or law enforcement
44 support staff member who was granted an order pursuant to this section of the
45 order's expiration date at least six months before the expiration date. If

1 the notice is sent to the employing agency, the employing agency shall
2 immediately notify the person who was granted the order of the upcoming
3 expiration date. The county recorder may coordinate with the county assessor
4 and county treasurer to prevent multiple notices from being sent to the same
5 person.

6 G. On entry of the court order, the clerk of the superior court shall
7 file the court order with the county recorder. On receipt of the court order
8 the county recorder shall seal the voter registration of the persons listed
9 in the court order no later than one hundred twenty days from the date of
10 receipt of the court order. To include a subsequent voter registration in
11 the court order, a person listed in the court order shall present to the
12 county recorder at the time of registration a certified copy of the court
13 order or shall provide the county recorder the recording number of the court
14 order. The information in the registration shall not be disclosed and is not
15 a public record.

16 H. If the court denies an affiant's requested sealing of the voter
17 registration record, the affiant may request a court hearing. The hearing
18 shall be conducted by the court where the petition was filed.

19 I. On motion to the court, if the presiding judge of the superior
20 court concludes that a voter registration record has been sealed in error or
21 that the cause for the original affidavit no longer exists, the presiding
22 judge may vacate the court order prohibiting public access to the voter
23 registration record.

24 J. On request by a person who is protected under an order of
25 protection or injunction against harassment and presentation of an order of
26 protection issued pursuant to section 13-3602, an injunction against
27 harassment issued pursuant to section 12-1809 or an order of protection or
28 injunction against harassment issued by a court in another state or a program
29 participant in the address confidentiality program pursuant to title 41,
30 chapter 1, article 3, the county recorder shall seal the voter registration
31 record of the person who is protected and, on request, any other registered
32 voter who resides at the residence address of the protected person. The
33 record shall be sealed no later than one hundred twenty days from the date of
34 receipt of the court order. The information in the registration shall not be
35 disclosed and is not a public record.

36 K. For the purposes of this section:

37 1. "Code enforcement officer" means a person who is employed by a
38 state or local government and whose duties include performing field
39 inspections of buildings, structures or property to ensure compliance with
40 and enforce national, state and local laws, ordinances and codes.

41 2. "Commissioner" means a commissioner of the superior court.

42 3. "Corrections support staff member" means an adult or juvenile
43 corrections employee who has direct contact with inmates.

44 4. "Eligible person" means a former public official, peace officer,
45 spouse of a peace officer, spouse or minor child of a deceased peace officer,

1 border patrol agent, justice, judge, commissioner, public defender,
2 prosecutor, code enforcement officer, adult or juvenile corrections officer,
3 corrections support staff member, probation officer, member of the board of
4 executive clemency, law enforcement support staff member, **EMPLOYEE OF THE**
5 **DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE**
6 **OF EMPLOYMENT**, national guard member who is acting in support of a law
7 enforcement agency, person who is protected under an order of protection or
8 injunction against harassment or firefighter who is assigned to the Arizona
9 counterterrorism center in the department of public safety.

10 5. "Former public official" means a person who was duly elected or
11 appointed to congress, the legislature or a statewide office, who ceased
12 serving in that capacity and who was the victim of a dangerous offense as
13 defined in section 13-105 while in office.

14 6. "Judge" means a judge of the United States district court, the
15 United States court of appeals, the United States magistrate court, the
16 United States bankruptcy court, the Arizona court of appeals, the superior
17 court or a municipal court.

18 7. "Justice" means a justice of the United States or Arizona supreme
19 court or a justice of the peace.

20 8. "Law enforcement support staff member" means a person who serves in
21 the role of an investigator or prosecutorial assistant in an agency that
22 investigates or prosecutes crimes, who is integral to the investigation or
23 prosecution of crimes and whose name or identity will be revealed in the
24 course of public proceedings.

25 9. "Prosecutor" means a United States attorney, a county attorney, a
26 municipal prosecutor or the attorney general and includes an assistant or
27 deputy United States attorney, county attorney, municipal prosecutor or
28 attorney general.

29 10. "Public defender" means a federal public defender, county public
30 defender, county legal defender or county contract indigent defense counsel
31 and includes an assistant or deputy federal public defender, county public
32 defender or county legal defender.

33 Sec. 6. Section 28-454, Arizona Revised Statutes, is amended to read:

34 **28-454. Records maintained by department of transportation:**
35 **redaction; definitions**

36 A. Notwithstanding sections 28-447 and 28-455, an eligible person may
37 request that persons be prohibited from accessing the eligible person's
38 residential address and telephone number contained in any record maintained
39 by the department.

40 B. An eligible person may request this action by filing an affidavit
41 that states all of the following on an application form developed by the
42 administrative office of the courts in agreement with an association of
43 counties, an organization of peace officers and the department:

44 1. The person's full legal name and residential address.

1 2. Unless the person is the spouse of a peace officer or the spouse or
2 minor child of a deceased peace officer or the person is a former public
3 official, the position the person currently holds and a description of the
4 person's duties, except that an eligible person who is protected under an
5 order of protection or injunction against harassment shall attach a copy of
6 the order of protection or injunction against harassment.

7 3. The reasons the person reasonably believes that the person's life
8 or safety or that of another person is in danger and that redacting the
9 residential address and telephone number from the department's public records
10 will serve to reduce the danger.

11 C. The affidavit shall be filed with the presiding judge of the
12 superior court in the county in which the affiant resides. To prevent
13 multiple filings, an eligible person who is a peace officer, spouse of a
14 peace officer, spouse or minor child of a deceased peace officer, prosecutor,
15 code enforcement officer, corrections or detention officer, corrections
16 support staff member or law enforcement support staff member shall deliver
17 the affidavit to the peace officer's commanding officer, or to the head of
18 the prosecuting, code enforcement, law enforcement, corrections or detention
19 agency, as applicable, or that person's designee, who shall file the
20 affidavits at one time. In the absence of an affidavit that contains a
21 request for immediate action and that is supported by facts justifying an
22 earlier presentation, the commanding officer, or the head of the prosecuting,
23 code enforcement, law enforcement, corrections or detention agency, as
24 applicable, or that person's designee, shall not file affidavits more often
25 than quarterly.

26 D. On receipt of an affidavit or affidavits, the presiding judge of
27 the superior court shall file with the clerk of the superior court a petition
28 on behalf of all requesting affiants. Each affidavit presented shall be
29 attached to the petition. In the absence of an affidavit that contains a
30 request for immediate action and that is supported by facts justifying an
31 earlier consideration, the presiding judge may accumulate affidavits and file
32 a petition at the end of each quarter.

33 E. The presiding judge of the superior court shall review the petition
34 and each attached affidavit to determine whether the action requested by each
35 affiant should be granted. The presiding judge of the superior court shall
36 order the redaction of the residence address and telephone number from the
37 public records maintained by the department if the judge concludes that this
38 action will reduce a danger to the life or safety of the affiant or another
39 person.

40 F. On entry of the court order, the clerk of the superior court shall
41 file the court order with the department. No more than one hundred fifty
42 days after the date the department receives the court order, the department
43 shall redact the residence addresses and telephone numbers of the affiants
44 listed in the court order from the public records of the department. The

1 residence addresses and telephone numbers shall not be disclosed and are not
2 part of a public record.

3 G. If the court denies an affiant's request pursuant to this section,
4 the affiant may request a court hearing. The hearing shall be conducted by
5 the court in the county where the petition was filed.

6 H. On motion to the court, if the presiding judge of the superior
7 court concludes that a residential address or telephone number has been
8 sealed in error or that the cause for the original affidavit no longer
9 exists, the presiding judge may vacate the court order prohibiting public
10 access to the residential address or telephone number.

11 I. Notwithstanding sections 28-447 and 28-455, the department shall
12 not release a photograph of a peace officer if the peace officer has made a
13 request as prescribed in this section that persons be prohibited from
14 accessing the peace officer's residential address and telephone number in any
15 record maintained by the department.

16 J. This section does not prohibit the use of a peace officer's
17 photograph that is either:

18 1. Used by a law enforcement agency to assist a person who has a
19 complaint against an officer to identify the officer.

20 2. Obtained from a source other than the department.

21 K. For the purposes of this section:

22 1. "Code enforcement officer" means a person who is employed by a
23 state or local government and whose duties include performing field
24 inspections of buildings, structures or property to ensure compliance with
25 and enforce national, state and local laws, ordinances and codes.

26 2. "Corrections support staff member" means an adult or juvenile
27 corrections employee who has direct contact with inmates.

28 3. "Eligible person" means a former public official, peace officer,
29 spouse of a peace officer, spouse or minor child of a deceased public
30 officer, justice, judge, commissioner, public defender, prosecutor, code
31 enforcement officer, adult or juvenile corrections officer, corrections
32 support staff member, probation officer, member of the board of executive
33 clemency, law enforcement support staff member, **EMPLOYEE OF THE DEPARTMENT OF**
34 **CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF**
35 **EMPLOYMENT**, national guard member who is acting in support of a law
36 enforcement agency, person who is protected under an order of protection or
37 injunction against harassment or firefighter who is assigned to the Arizona
38 counterterrorism center in the department of public safety.

39 4. "Former public official" means a person who was duly elected or
40 appointed to Congress, the legislature or a statewide office, who ceased
41 serving in that capacity and who was the victim of a dangerous offense as
42 defined in section 13-105 while in office.

43 5. "Law enforcement support staff member" means a person who serves in
44 the role of an investigator or prosecutorial assistant in an agency that
45 investigates or prosecutes crimes, who is integral to the investigation or

1 prosecution of crimes and whose name or identity will be revealed in the
2 course of public proceedings.

3 6. "Prosecutor" means a county attorney, a municipal prosecutor or the
4 attorney general and includes an assistant or deputy county attorney,
5 municipal prosecutor or attorney general.

6 Sec. 7. Section 39-123, Arizona Revised Statutes, is amended to read:

7 39-123. Information identifying eligible persons:
8 confidentiality; definitions

9 A. Nothing in this chapter requires disclosure from a personnel file
10 by a law enforcement agency or employing state or local governmental entity
11 of the home address or home telephone number of eligible persons.

12 B. The agency or governmental entity may release the information in
13 subsection A of this section only if either:

14 1. The person consents in writing to the release.

15 2. The custodian of records of the agency or governmental entity
16 determines that release of the information does not create a reasonable risk
17 of physical injury to the person or the person's immediate family or damage
18 to the property of the person or the person's immediate family.

19 C. A law enforcement agency may release a photograph of a peace
20 officer if either:

21 1. The peace officer has been arrested or has been formally charged by
22 complaint, information or indictment for a misdemeanor or a felony offense.

23 2. The photograph is requested by a representative of a newspaper for
24 a specific newsworthy event unless:

25 (a) The peace officer is serving in an undercover capacity or is
26 scheduled to be serving in an undercover capacity within sixty days.

27 (b) The release of the photograph is not in the best interest of this
28 state after taking into consideration the privacy, confidentiality and safety
29 of the peace officer.

30 (c) An order pursuant to section 28-454 is in effect.

31 D. This section does not prohibit the use of a peace officer's
32 photograph that is either:

33 1. Used by a law enforcement agency to assist a person who has a
34 complaint against an officer to identify the officer.

35 2. Obtained from a source other than the law enforcement agency.

36 E. This section does not apply to a certified peace officer or code
37 enforcement officer who is no longer employed as a peace officer or code
38 enforcement officer by a state or local government entity.

39 F. For the purposes of this section:

40 1. "Code enforcement officer" means a person who is employed by a
41 state or local government and whose duties include performing field
42 inspections of buildings, structures or property to ensure compliance with
43 and enforce national, state and local laws, ordinances and codes.

44 2. "Commissioner" means a commissioner of the superior court.

1 3. "Corrections support staff member" means an adult or juvenile
2 corrections employee who has direct contact with inmates.

3 4. "Eligible person" means a former public official, peace officer,
4 spouse of a peace officer, spouse or minor child of a deceased peace officer,
5 border patrol agent, justice, judge, commissioner, public defender,
6 prosecutor, code enforcement officer, adult or juvenile corrections officer,
7 corrections support staff member, probation officer, member of the board of
8 executive clemency, law enforcement support staff member, **EMPLOYEE OF THE**
9 **DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE**
10 **OF EMPLOYMENT**, national guard member who is acting in support of a law
11 enforcement agency, person who is protected under an order of protection or
12 injunction against harassment, firefighter who is assigned to the Arizona
13 counterterrorism center in the department of public safety or victim of
14 domestic violence or stalking who is protected under an order of protection
15 or injunction against harassment.

16 5. "Former public official" means a person who was duly elected or
17 appointed to Congress, the legislature or a statewide office, who ceased
18 serving in that capacity and who was the victim of a dangerous offense as
19 defined in section 13-105 while in office.

20 6. "Judge" means a judge of the United States district court, the
21 United States court of appeals, the United States magistrate court, the
22 United States bankruptcy court, the Arizona court of appeals, the superior
23 court or a municipal court.

24 7. "Justice" means a justice of the United States or Arizona supreme
25 court or a justice of the peace.

26 8. "Law enforcement support staff member" means a person who serves in
27 the role of an investigator or prosecutorial assistant in an agency that
28 investigates or prosecutes crimes, who is integral to the investigation or
29 prosecution of crimes and whose name or identity will be revealed in the
30 course of public proceedings.

31 9. "Peace officer" has the same meaning prescribed in section 13-105.

32 10. "Prosecutor" means a county attorney, a municipal prosecutor, the
33 attorney general or a United States attorney and includes an assistant or
34 deputy United States attorney, county attorney, municipal prosecutor or
35 attorney general.

36 11. "Public defender" means a federal public defender, county public
37 defender, county legal defender or county contract indigent defense counsel
38 and includes an assistant or deputy federal public defender, county public
39 defender or county legal defender.

40 Sec. 8. Section 39-124, Arizona Revised Statutes, is amended to read:
41 **39-124. Releasing information identifying an eligible person;**
42 **violations; classification; definitions**

43 A. Any person who is employed by a state or local government entity
44 and who, in violation of section 39-123, knowingly releases the home address
45 or home telephone number of an eligible person with the intent to hinder an

1 investigation, cause physical injury to an eligible person or the eligible
2 person's immediate family or cause damage to the property of an eligible
3 person or the eligible person's immediate family is guilty of a class 6
4 felony.

5 B. Any person who is employed by a state or local government entity
6 and who, in violation of section 39-123, knowingly releases a photograph of a
7 peace officer with the intent to hinder an investigation, cause physical
8 injury to a peace officer or the peace officer's immediate family or cause
9 damage to the property of a peace officer or the peace officer's immediate
10 family is guilty of a class 6 felony.

11 C. For the purposes of this section:

12 1. "Code enforcement officer" means a person who is employed by a
13 state or local government and whose duties include performing field
14 inspections of buildings, structures or property to ensure compliance with
15 and enforce national, state and local laws, ordinances and codes.

16 2. "Commissioner" means a commissioner of the superior court.

17 3. "Corrections support staff member" means an adult or juvenile
18 corrections employee who has direct contact with inmates.

19 4. "Eligible person" means a former public official, peace officer,
20 spouse of a peace officer, spouse or minor child of a deceased peace officer,
21 border patrol agent, justice, judge, commissioner, public defender,
22 prosecutor, code enforcement officer, adult or juvenile corrections officer,
23 corrections support staff member, probation officer, member of the board of
24 executive clemency, law enforcement support staff member, **EMPLOYEE OF THE**
25 **DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE**
26 **OF EMPLOYMENT**, national guard member who is acting in support of a law
27 enforcement agency, person who is protected under an order of protection or
28 injunction against harassment, firefighter who is assigned to the Arizona
29 counterterrorism center in the department of public safety or victim of
30 domestic violence or stalking who is protected under an order of protection
31 or injunction against harassment.

32 5. "Former public official" means a person who was duly elected or
33 appointed to Congress, the legislature or a statewide office, who ceased
34 serving in that capacity and who was the victim of a dangerous offense as
35 defined in section 13-105 while in office.

36 6. "Judge" means a judge of the United States district court, the
37 United States court of appeals, the United States magistrate court, the
38 United States bankruptcy court, the Arizona court of appeals, the superior
39 court or a municipal court.

40 7. "Justice" means a justice of the United States or Arizona supreme
41 court or a justice of the peace.

42 8. "Law enforcement support staff member" means a person who serves in
43 the role of an investigator or prosecutorial assistant in an agency that
44 investigates or prosecutes crimes, who is integral to the investigation or

1 prosecution of crimes and whose name or identity will be revealed in the
2 course of public proceedings.

3 9. "Peace officer" has the same meaning prescribed in section 13-105.

4 10. "Prosecutor" means a county attorney, a municipal prosecutor, the
5 attorney general or a United States attorney and includes an assistant or
6 deputy United States attorney, county attorney, municipal prosecutor or
7 attorney general.

8 11. "Public defender" means a federal public defender, county public
9 defender, county legal defender or county contract indigent defense counsel
10 and includes an assistant or deputy federal public defender, county public
11 defender or county legal defender.