

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

**CHAPTER 259**  
**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.  
44 4. May provide access to DCS information to the parent, guardian or  
45 custodian of a child if the DCS information is reasonably necessary to  
46 promote the safety, permanency and well-being of the child.

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

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

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

10 1. Federal or state auditors.

11 2. Persons conducting any accreditation deemed necessary by the  
12 department.

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

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

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

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

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

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

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

44 J. A person who has been denied DCS information regarding a fatality  
45 or near fatality caused by abuse, abandonment or neglect pursuant to  
46 subsection F, paragraph 2 or subsection L of this section may bring a special

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

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

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

40 M. A person who is the subject of an unfounded report or complaint  
41 made pursuant to this article or article 9, 10, 11, 12, 13 or 14 of this  
42 chapter and who believes that the report or complaint was made in bad faith  
43 or with malicious intent may petition a judge of the superior court to order  
44 the department to release the DCS information. The petition shall  
45 specifically set forth reasons supporting the person's belief that the report  
46 or complaint was made in bad faith or with malicious intent. The court shall

1 review the DCS information in camera and the person filing the petition shall  
2 be allowed to present evidence in support of the petition. If the court  
3 determines that there is a reasonable question of fact as to whether the  
4 report or complaint was made in bad faith or with malicious intent and that  
5 disclosure of the identity of the person making the report or complaint would  
6 not be likely to endanger the life or safety of the person making the report  
7 or complaint, it shall provide a copy of the DCS information to the person  
8 filing the petition and the original DCS information is subject to discovery  
9 in a subsequent civil action regarding the making of the report or complaint.

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

14 O. The department shall provide DCS information on request to a  
15 prospective adoptive parent, foster parent or guardian, if the information  
16 concerns a child the prospective adoptive parent, foster parent or guardian  
17 seeks to adopt or provide care for.

18 P. If the department receives information that is confidential by law,  
19 the department shall maintain the confidentiality of the information as  
20 prescribed in the applicable law.

21 Q. A person may authorize the release of DCS information about the  
22 person but may not waive the confidentiality of DCS information concerning  
23 any other person.

24 R. The department may provide a summary of the outcome of a department  
25 investigation to the person who reported the suspected child abuse or  
26 neglect.

27 S. The department shall adopt rules to facilitate the accessibility of  
28 DCS information.

29 T. THE DEPARTMENT OR A PERSON WHO RECEIVES DCS INFORMATION PURSUANT TO  
30 SUBSECTION B OF THIS SECTION SHALL PROVIDE DCS INFORMATION TO LAW ENFORCEMENT  
31 AND A COURT TO PROTECT THE SAFETY OF ANY EMPLOYEE OF THE DEPARTMENT OR THE  
32 OFFICE OF THE ATTORNEY GENERAL OR TO PROTECT A FAMILY MEMBER OF SUCH AN  
33 EMPLOYEE.

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

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

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

41 ~~V.~~ X. For the purposes of this section:

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

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

4           Sec. 2. Section 11-483, Arizona Revised Statutes, is amended to read:  
5           11-483. Records maintained by county recorder; confidentiality;  
6           definitions

7           A. Notwithstanding any other provision of this article, in any county  
8 an eligible person may request that the general public be prohibited from  
9 accessing the unique identifier and the recording date contained in indexes  
10 of recorded instruments maintained by the county recorder and may request the  
11 county recorder to prohibit access to that person's residential address and  
12 telephone number contained in instruments or writings recorded by the county  
13 recorder.

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

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

20           2. The full legal description and parcel number of the person's  
21 property.

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

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

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

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

40           C. If an eligible person is also requesting pursuant to section 11-484  
41 that the general public be prohibited from accessing records maintained by  
42 the county assessor and county treasurer, the eligible person may combine the  
43 request pursuant to subsection B of this section with the request pursuant to  
44 section 11-484 by filing one affidavit. The affidavit and subsequent action  
45 by the appropriate authorities shall meet all of the requirements of this  
46 section and section 11-484.

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

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

23           F. The presiding judge of the superior court shall review the petition  
24 and each attached affidavit to determine whether the action requested by each  
25 affiant should be granted. If the presiding judge of the superior court  
26 concludes that the action requested by the affiant will reduce a danger to  
27 the life or safety of the affiant or another person, the presiding judge of  
28 the superior court shall order that the county recorder prohibit access for  
29 five years to the affiant's residential address and telephone number  
30 contained in instruments or writings recorded by the county recorder and made  
31 available on the internet. If the presiding judge of the superior court  
32 concludes that the affiant or another person is in actual danger of physical  
33 harm from a person or persons with whom the affiant has had official dealings  
34 and that action pursuant to this section will reduce a danger to the life or  
35 safety of the affiant or another person, the presiding judge of the superior  
36 court shall order that the general public be prohibited for five years from  
37 accessing the unique identifier and the recording date contained in indexes  
38 of recorded instruments maintained by the county recorder and identified  
39 pursuant to subsection B of this section.

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

1 permanently vacate all or part of the court order prohibiting public access  
2 to the recorded 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 recorder. No more than ten days after the date  
6 on which the county recorder receives the court order, the county recorder  
7 shall restrict access to the information as required by subsection F of this  
8 section.

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

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

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

34 L. This section shall not be interpreted to restrict access to public  
35 records for the purposes of perfecting a lien pursuant to title 12, chapter  
36 9, article 2.

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

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

45 O. For the purposes of this section:

- 1           1. "Code enforcement officer" means a person who is employed by a  
2 state or local government and whose duties include performing field  
3 inspections of buildings, structures or property to ensure compliance with  
4 and enforce national, state and local laws, ordinances and codes.
- 5           2. "Commissioner" means a commissioner of the superior court.
- 6           3. "Corrections support staff member" means an adult or juvenile  
7 corrections employee who has direct contact with inmates.
- 8           4. "Eligible person" means a former public official, peace officer,  
9 spouse of a peace officer, spouse or minor child of a deceased peace officer,  
10 justice, judge, commissioner, public defender, prosecutor, code enforcement  
11 officer, adult or juvenile corrections officer, corrections support staff  
12 member, probation officer, member of the board of executive clemency, law  
13 enforcement support staff member, **EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY**  
14 **WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT**, national  
15 guard member who is acting in support of a law enforcement agency, person who  
16 is protected under an order of protection or injunction against harassment,  
17 person who is a participant in the address confidentiality program pursuant  
18 to title 41, chapter 1, article 3 or firefighter who is assigned to the  
19 Arizona counterterrorism center in the department of public safety.
- 20           5. "Former public official" means a person who was duly elected or  
21 appointed to Congress, the legislature or a statewide office, who ceased  
22 serving in that capacity and who was the victim of a dangerous offense as  
23 defined in section 13-105 while in office.
- 24           6. "Indexes" means only those indexes that are maintained by and  
25 located in the office of the county recorder, that are accessed  
26 electronically and that contain information beginning from and after  
27 January 1, 1987.
- 28           7. "Judge" means a judge of the United States district court, the  
29 United States court of appeals, the United States magistrate court, the  
30 United States bankruptcy court, the Arizona court of appeals, the superior  
31 court or a municipal court.
- 32           8. "Justice" means a justice of the United States or Arizona supreme  
33 court or a justice of the peace.
- 34           9. "Law enforcement support staff member" means a person who serves in  
35 the role of an investigator or prosecutorial assistant in an agency that  
36 investigates or prosecutes crimes, who is integral to the investigation or  
37 prosecution of crimes and whose name or identity will be revealed in the  
38 course of public proceedings.
- 39           10. "Peace officer" means any person vested by law, or formerly vested  
40 by law, with a duty to maintain public order and make arrests.
- 41           11. "Prosecutor" means a county attorney, a municipal prosecutor, the  
42 attorney general or a United States attorney and includes an assistant or  
43 deputy United States attorney, county attorney, municipal prosecutor or  
44 attorney general.
- 45           12. "Public defender" means a federal public defender, county public  
46 defender, county legal defender or county contract indigent defense counsel

1 and includes an assistant or deputy federal public defender, county public  
2 defender or county legal defender.

3 Sec. 3. Section 11-484, Arizona Revised Statutes, is amended to read:

4 11-484. Records maintained by county assessor and county  
5 treasurer; redaction; definitions

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

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

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

17 2. The full legal description and parcel number of the person's  
18 property.

19 3. Unless the person is the spouse of a peace officer or the spouse or  
20 minor child of a deceased peace officer or the person is a former public  
21 official, the position the person currently holds and a description of the  
22 person's duties, except that an eligible person who is protected under an  
23 order of protection or injunction against harassment shall attach a copy of  
24 the order of protection or injunction against harassment or an eligible  
25 person who is a participant in the address confidentiality program shall  
26 instead attach a copy of the participant's current and valid address  
27 confidentiality program authorization card issued pursuant to section 41-163  
28 and a statement of certification provided by the secretary of state's office.

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

32 C. If an eligible person is also requesting pursuant to section 11-483  
33 that the general public be prohibited from accessing records maintained by  
34 the county recorder, the eligible person may combine the request pursuant to  
35 subsection B of this section with the request pursuant to section 11-483 by  
36 filing one affidavit. The affidavit and subsequent action by the appropriate  
37 authorities shall meet all of the requirements of this section and section  
38 11-483.

39 D. The affidavit shall be filed with the presiding judge of the  
40 superior court in the county in which the affiant resides. To prevent  
41 multiple filings, an eligible person who is a peace officer, spouse of a  
42 peace officer, spouse or minor child of a deceased peace officer, public  
43 defender, prosecutor, code enforcement officer, corrections or detention  
44 officer, corrections support staff member or law enforcement support staff  
45 member shall deliver the affidavit to the peace officer's commanding officer,  
46 or to the head of the prosecuting, public defender, code enforcement, law

1 enforcement, corrections or detention agency, as applicable, or that person's  
2 designee, who shall file the affidavits at one time. In the absence of an  
3 affidavit that contains a request for immediate action and that is supported  
4 by facts justifying an earlier presentation, the commanding officer, or the  
5 head of the prosecuting, public defender, code enforcement, law enforcement,  
6 corrections or detention agency, as applicable, or that person's designee,  
7 shall not file affidavits more often than quarterly.

8 E. On receipt of an affidavit or affidavits, the presiding judge of  
9 the superior court shall file with the clerk of the superior court a petition  
10 on behalf of all requesting affiants. Each affidavit presented shall be  
11 attached to the petition. In the absence of an affidavit that contains a  
12 request for immediate action and that is supported by facts justifying an  
13 earlier consideration, the presiding judge may accumulate affidavits and file  
14 a petition at the end of each quarter.

15 F. The presiding judge of the superior court shall review the petition  
16 and each attached affidavit to determine whether the action requested by each  
17 affiant should be granted. If the presiding judge of the superior court  
18 concludes that the action requested by the affiant will reduce a danger to  
19 the life or safety of the affiant or another person, the presiding judge of  
20 the superior court shall order the redaction of the affiant's residential  
21 address and telephone number that are contained in instruments, writings and  
22 information maintained by the county assessor and the county treasurer. The  
23 redaction shall be in effect for five years.

24 G. On motion to the court, if the presiding judge of the superior  
25 court concludes that an instrument or writing maintained by the county  
26 assessor or the county treasurer has been redacted or sealed in error, that  
27 the original affiant no longer lives at the address listed in the original  
28 affidavit, that the cause for the original affidavit no longer exists or that  
29 temporary access to the instrument or writing is needed, the presiding judge  
30 may temporarily stay or permanently vacate all or part of the court order  
31 prohibiting public access to the instrument or writing.

32 H. On entry of the court order, the clerk of the superior court shall  
33 file the court order and a copy of the affidavit required by subsection B of  
34 this section with the county assessor and the county treasurer. No more than  
35 ten days after the date on which the county assessor and the county treasurer  
36 receive the court order, the county assessor and the county treasurer shall  
37 restrict access to the information as required by subsection F of this  
38 section.

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

42 J. The county assessor and the county treasurer shall remove the  
43 restrictions on all records that are redacted pursuant to this section by  
44 January 5 in the year after the court order expires. The county assessor or  
45 the county treasurer shall send by mail one notice to either the former  
46 public official, peace officer, spouse of a peace officer, spouse or minor

1 child of a deceased peace officer, public defender, prosecutor, code  
2 enforcement officer, corrections or detention officer, corrections support  
3 staff member, ~~or~~ law enforcement support staff member or EMPLOYEE OF THE  
4 DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE  
5 OF EMPLOYMENT OR the employing agency of a peace officer, public defender,  
6 prosecutor, code enforcement officer, corrections or detention officer,  
7 corrections support staff member or law enforcement support staff member who  
8 was granted an order pursuant to this section of the order's expiration date  
9 at least six months before the expiration date. If the notice is sent to the  
10 employing agency, the employing agency shall immediately notify the person  
11 who was granted the order of the upcoming expiration date. The county  
12 assessor or county treasurer may coordinate with the county recorder to  
13 prevent multiple notices from being sent to the same person.

14 K. For the purposes of this section:

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

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

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

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

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

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

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

44 8. "Law enforcement support staff member" means a person who serves in  
45 the role of an investigator or prosecutorial assistant in an agency that  
46 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" means any person vested by law, or formerly vested  
4 by law, with a duty to maintain public order and make arrests.

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

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

13 Sec. 4. Section 13-2401, Arizona Revised Statutes, is amended to read:

14 13-2401. Personal information on the world wide web; exception;  
15 classification; definitions

16 A. It is unlawful for a person to knowingly make available on the  
17 world wide web the personal information of a peace officer, justice, judge,  
18 commissioner, public defender, **EMPLOYEE OF THE DEPARTMENT OF CHILD SAFETY WHO**  
19 **HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF EMPLOYMENT** or prosecutor if  
20 the dissemination of the personal information poses an imminent and serious  
21 threat to the peace officer's, justice's, judge's, commissioner's, public  
22 defender's, **DEPARTMENT OF CHILD SAFETY EMPLOYEE'S** or prosecutor's safety or  
23 the safety of that person's immediate family and the threat is reasonably  
24 apparent to the person making the information available on the world wide web  
25 to be serious and imminent.

26 B. It is not a violation of this section if an employee of a county  
27 recorder, county treasurer or county assessor publishes personal information,  
28 in good faith, on the ~~web-site~~ **WEBSITE** of the county recorder, county  
29 treasurer or county assessor in the ordinary course of carrying out public  
30 functions.

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

32 D. For the purposes of this section:

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

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

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

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

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

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

5           7. "Public defender" means a federal public defender, county public  
6 defender, county legal defender or county contract indigent defense counsel  
7 and includes an assistant or deputy federal public defender, county public  
8 defender or county legal defender.

9           Sec. 5. Section 16-153, Arizona Revised Statutes, is amended to read:

10           16-153. Voter registration; confidentiality; definitions

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

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

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

21           2. Unless the person is the spouse of a peace officer or the spouse or  
22 minor child of a deceased peace officer or the person is a former public  
23 official, the position the person currently holds and a description of the  
24 person's duties, except that an eligible person who is protected under an  
25 order of protection or injunction against harassment shall instead attach a  
26 copy of the order of protection or injunction against harassment.

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

31           C. The affidavit shall be filed with the presiding judge of the  
32 superior court in the county in which the affiant resides. To prevent  
33 multiple filings, an eligible person who is a peace officer, prosecutor,  
34 public defender, code enforcement officer, corrections or detention officer,  
35 corrections support staff member or law enforcement support staff member  
36 shall deliver the affidavit to the peace officer's commanding officer, or to  
37 the head of the prosecuting, public defender, code enforcement, law  
38 enforcement, corrections or detention agency, as applicable, or that person's  
39 designee, who shall file the affidavits at one time. In the absence of an  
40 affidavit that contains a request for immediate action and is supported by  
41 facts justifying an earlier presentation, the commanding officer, or the head  
42 of the prosecuting, public defender, code enforcement, law enforcement,  
43 corrections or detention agency, as applicable, or that person's designee,  
44 shall not file affidavits more often than quarterly.

45           D. On receipt of an affidavit or affidavits, the presiding judge of  
46 the superior court shall file with the clerk of the superior court a petition

1 on behalf of all requesting affiants. The petition shall have attached each  
2 affidavit presented. In the absence of an affidavit that contains a request  
3 for immediate action and that is supported by facts justifying an earlier  
4 consideration, the presiding judge may accumulate affidavits and file a  
5 petition at the end of each quarter.

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

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

31 G. On entry of the court order, the clerk of the superior court shall  
32 file the court order with the county recorder. On receipt of the court order  
33 the county recorder shall seal the voter registration of the persons listed  
34 in the court order no later than one hundred twenty days from the date of  
35 receipt of the court order. To include a subsequent voter registration in  
36 the court order, a person listed in the court order shall present to the  
37 county recorder at the time of registration a certified copy of the court  
38 order or shall provide the county recorder the recording number of the court  
39 order. The information in the registration shall not be disclosed and is not  
40 a public record.

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

44 I. On motion to the court, if the presiding judge of the superior  
45 court concludes that a voter registration record has been sealed in error or  
46 that the cause for the original affidavit no longer exists, the presiding

1 judge may vacate the court order prohibiting public access to the voter  
2 registration record.

3 J. On request by a person who is protected under an order of  
4 protection or injunction against harassment and presentation of an order of  
5 protection issued pursuant to section 13-3602, an injunction against  
6 harassment issued pursuant to section 12-1809 or an order of protection or  
7 injunction against harassment issued by a court in another state or a program  
8 participant in the address confidentiality program pursuant to title 41,  
9 chapter 1, article 3, the county recorder shall seal the voter registration  
10 record of the person who is protected and, on request, any other registered  
11 voter who resides at the residence address of the protected person. The  
12 record shall be sealed no later than one hundred twenty days from the date of  
13 receipt of the court order. The information in the registration shall not be  
14 disclosed and is not a public record.

15 K. For the purposes of this section:

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

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

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

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

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

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

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

44 8. "Law enforcement support staff member" means a person who serves in  
45 the role of an investigator or prosecutorial assistant in an agency that  
46 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. "Prosecutor" means a United States attorney, a county attorney, a  
4 municipal prosecutor or the attorney general and includes an assistant or  
5 deputy United States attorney, county attorney, municipal prosecutor or  
6 attorney general.

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

11 Sec. 6. Section 28-454, Arizona Revised Statutes, is amended to read:  
12 28-454. Records maintained by department of transportation;  
13 redaction; definitions

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

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

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

23 2. Unless the person is the spouse of a peace officer or the spouse or  
24 minor child of a deceased peace officer or the person is a former public  
25 official, the position the person currently holds and a description of the  
26 person's duties, except that an eligible person who is protected under an  
27 order of protection or injunction against harassment shall attach a copy of  
28 the order of protection or injunction against harassment.

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

33 C. The affidavit shall be filed with the presiding judge of the  
34 superior court in the county in which the affiant resides. To prevent  
35 multiple filings, an eligible person who is a peace officer, spouse of a  
36 peace officer, spouse or minor child of a deceased peace officer, prosecutor,  
37 code enforcement officer, corrections or detention officer, corrections  
38 support staff member or law enforcement support staff member shall deliver  
39 the affidavit to the peace officer's commanding officer, or to the head of  
40 the prosecuting, code enforcement, law enforcement, corrections or detention  
41 agency, as applicable, or that person's designee, who shall file the  
42 affidavits at one time. In the absence of an affidavit that contains a  
43 request for immediate action and that is supported by facts justifying an  
44 earlier presentation, the commanding officer, or the head of the prosecuting,  
45 code enforcement, law enforcement, corrections or detention agency, as

1 applicable, or that person's designee, shall not file affidavits more often  
2 than quarterly.

3 D. On receipt of an affidavit or affidavits, the presiding judge of  
4 the superior court shall file with the clerk of the superior court a petition  
5 on behalf of all requesting affiants. Each affidavit presented shall be  
6 attached to the petition. In the absence of an affidavit that contains a  
7 request for immediate action and that is supported by facts justifying an  
8 earlier consideration, the presiding judge may accumulate affidavits and file  
9 a petition at the end of each quarter.

10 E. The presiding judge of the superior court shall review the petition  
11 and each attached affidavit to determine whether the action requested by each  
12 affiant should be granted. The presiding judge of the superior court shall  
13 order the redaction of the residence address and telephone number from the  
14 public records maintained by the department if the judge concludes that this  
15 action will reduce a danger to the life or safety of the affiant or another  
16 person.

17 F. On entry of the court order, the clerk of the superior court shall  
18 file the court order with the department. No more than one hundred fifty  
19 days after the date the department receives the court order, the department  
20 shall redact the residence addresses and telephone numbers of the affiants  
21 listed in the court order from the public records of the department. The  
22 residence addresses and telephone numbers shall not be disclosed and are not  
23 part of a public record.

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

27 H. On motion to the court, if the presiding judge of the superior  
28 court concludes that a residential address or telephone number has been  
29 sealed in error or that the cause for the original affidavit no longer  
30 exists, the presiding judge may vacate the court order prohibiting public  
31 access to the residential address or telephone number.

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

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

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

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

42 K. For the purposes of this section:

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

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

3           3. "Eligible person" means a former public official, peace officer,  
4 spouse of a peace officer, spouse or minor child of a deceased public  
5 officer, justice, judge, commissioner, public defender, prosecutor, code  
6 enforcement officer, adult or juvenile corrections officer, corrections  
7 support staff member, probation officer, member of the board of executive  
8 clemency, law enforcement support staff member, **EMPLOYEE OF THE DEPARTMENT OF**  
9 **CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE OF**  
10 **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 or firefighter who is assigned to the Arizona  
13 counterterrorism center in the department of public safety.

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

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

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

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

27           39-123. Information identifying eligible persons:  
28                                   confidentiality; definitions

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

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

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

35           2. The custodian of records of the agency or governmental entity  
36 determines that release of the information does not create a reasonable risk  
37 of physical injury to the person or the person's immediate family or damage  
38 to the property of the person or the person's immediate family.

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

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

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

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

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

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

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

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

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

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

13 F. For the purposes of this section:

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

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

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

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

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

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

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

44 8. "Law enforcement support staff member" means a person who serves in  
45 the role of an investigator or prosecutorial assistant in an agency that  
46 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.

12 Sec. 8. Section 39-124, Arizona Revised Statutes, is amended to read:

13 39-124. Releasing information identifying an eligible person;  
14 violations; classification; definitions

15 A. Any person who is employed by a state or local government entity  
16 and who, in violation of section 39-123, knowingly releases the home address  
17 or home telephone number of an eligible person with the intent to hinder an  
18 investigation, cause physical injury to an eligible person or the eligible  
19 person's immediate family or cause damage to the property of an eligible  
20 person or the eligible person's immediate family is guilty of a class 6  
21 felony.

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

28 C. For the purposes of this section:

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

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

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

36 4. "Eligible person" means a former public official, peace officer,  
37 spouse of a peace officer, spouse or minor child of a deceased peace officer,  
38 border patrol agent, justice, judge, commissioner, public defender,  
39 prosecutor, code enforcement officer, adult or juvenile corrections officer,  
40 corrections support staff member, probation officer, member of the board of  
41 executive clemency, law enforcement support staff member, **EMPLOYEE OF THE**  
42 **DEPARTMENT OF CHILD SAFETY WHO HAS DIRECT CONTACT WITH FAMILIES IN THE COURSE**  
43 **OF EMPLOYMENT**, national guard member who is acting in support of a law  
44 enforcement agency, person who is protected under an order of protection or  
45 injunction against harassment, firefighter who is assigned to the Arizona  
46 counterterrorism center in the department of public safety or victim of

- 1 domestic violence or stalking who is protected under an order of protection  
2 or injunction against harassment.
- 3 5. "Former public official" means a person who was duly elected or  
4 appointed to Congress, the legislature or a statewide office, who ceased  
5 serving in that capacity and who was the victim of a dangerous offense as  
6 defined in section 13-105 while in office.
- 7 6. "Judge" means a judge of the United States district court, the  
8 United States court of appeals, the United States magistrate court, the  
9 United States bankruptcy court, the Arizona court of appeals, the superior  
10 court or a municipal court.
- 11 7. "Justice" means a justice of the United States or Arizona supreme  
12 court or a justice of the peace.
- 13 8. "Law enforcement support staff member" means a person who serves in  
14 the role of an investigator or prosecutorial assistant in an agency that  
15 investigates or prosecutes crimes, who is integral to the investigation or  
16 prosecution of crimes and whose name or identity will be revealed in the  
17 course of public proceedings.
- 18 9. "Peace officer" has the same meaning prescribed in section 13-105.
- 19 10. "Prosecutor" means a county attorney, a municipal prosecutor, the  
20 attorney general or a United States attorney and includes an assistant or  
21 deputy United States attorney, county attorney, municipal prosecutor or  
22 attorney general.
- 23 11. "Public defender" means a federal public defender, county public  
24 defender, county legal defender or county contract indigent defense counsel  
25 and includes an assistant or deputy federal public defender, county public  
26 defender or county legal defender.

APPROVED BY THE GOVERNOR APRIL 10, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 13, 2015.