

State of Arizona
Senate
Fifty-fourth Legislature
First Regular Session
2019

CHAPTER 92
SENATE BILL 1076

AN ACT

AMENDING TITLE 13, CHAPTER 13, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-1310; RELATING TO CUSTODY OF CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Title 13, chapter 13, Arizona Revised Statutes, is
3 amended by adding section 13-1310, to read:
4 13-1310. Abduction of child from a state agency:
5 classification; definition
6 A. A PERSON COMMITS ABDUCTION OF A CHILD FROM A STATE AGENCY IF,
7 KNOWING OR HAVING REASON TO KNOW THAT A CHILD IS ENTRUSTED BY AUTHORITY OF
8 LAW TO THE CUSTODY OF A STATE AGENCY, THE PERSON DOES EITHER OF THE
9 FOLLOWING:
10 1. TAKES, ENTICES OR KEEPS THE CHILD FROM THE LAWFUL CUSTODY OF THE
11 STATE AGENCY.
12 2. INTENTIONALLY FAILS OR REFUSES TO IMMEDIATELY RETURN OR IMPEDES
13 THE IMMEDIATE RETURN OF A CHILD TO THE LAWFUL CUSTODY OF THE STATE AGENCY,
14 INCLUDING AT THE EXPIRATION OF VISITATION OR ACCESS.
15 B. A VIOLATION OF SUBSECTION A, PARAGRAPH 2 OF THIS SECTION IS A
16 CLASS 5 FELONY. A VIOLATION OF SUBSECTION A, PARAGRAPH 1 OF THIS SECTION
17 IS:
18 1. A CLASS 3 FELONY IF THE CHILD IS TAKEN, ENTICED OR KEPT FROM THE
19 LAWFUL CUSTODY OF THE STATE AGENCY AND IS TAKEN OUTSIDE OF THIS STATE.
20 2. A CLASS 4 FELONY IF THE CHILD IS TAKEN, ENTICED OR KEPT FROM THE
21 LAWFUL CUSTODY OF THE STATE AGENCY BUT THE CHILD REMAINS IN THIS STATE AT
22 ALL TIMES.
23 3. A CLASS 6 FELONY IF THE PERSON VOLUNTARILY RETURNS THE CHILD
24 WITHOUT PHYSICAL INJURY NOT LATER THAN FORTY-EIGHT HOURS AFTER THE PERSON
25 TAKES, ENTICES OR KEEPS THE CHILD FROM THE LAWFUL CUSTODY OF THE STATE
26 AGENCY.
27 C. FOR THE PURPOSES OF THIS SECTION, "STATE AGENCY" MEANS THE
28 DEPARTMENT OF CHILD SAFETY OR THE DEPARTMENT OF JUVENILE CORRECTIONS.

APPROVED BY THE GOVERNOR APRIL 16, 2019.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 16, 2019.