

REFERENCE TITLE: independent activities; neglect; prohibition

State of Arizona
Senate
Fifty-fourth Legislature
Second Regular Session
2020

SB 1255

Introduced by
Senators Mendez; Quezada; Representative Salman

AN ACT

AMENDING SECTION 8-201.01, ARIZONA REVISED STATUTES; RELATING TO CHILD
NEGLECT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-201.01, Arizona Revised Statutes, is amended
3 to read:

4 8-201.01. Prohibitions

5 A. Notwithstanding any other provision of this chapter or chapter
6 4, articles 8, 9, 10, 11, 12, 13 and 14 of this title:

7 1. A child who in good faith is being furnished Christian Science
8 treatment by a duly accredited practitioner shall not, for that reason
9 alone, be considered to be an abused, neglected or dependent child.

10 2. A child whose parent, guardian or custodian refuses to put the
11 child on a psychiatric medication or questions the use of a psychiatric
12 medication shall not be considered to be an abused, neglected or dependent
13 child for that reason alone.

14 B. A parent may not be considered as having abused, neglected or
15 abandoned or **BE** charged with abuse, neglect or abandonment of a
16 biological, foster or adoptive child solely for seeking inpatient
17 treatment or an out-of-home placement if the child's behavioral health
18 needs pose a risk to the safety and welfare of the family.

19 C. A parent may not be considered as having abused or neglected or
20 **BE** charged with abuse or neglect of a child solely for bringing into the
21 home a biological, foster or adoptive child whose behavioral health needs
22 pose a risk to the safety and welfare of the family.

23 D. **A PARENT MAY NOT BE CONSIDERED AS HAVING NEGLECTED OR BE CHARGED
24 WITH NEGLECT OF A CHILD SOLELY FOR ALLOWING A CHILD, WHOSE BASIC NEEDS ARE
25 MET AND WHO IS OF SUFFICIENT AGE AND MATURITY TO AVOID HARM OR
26 UNREASONABLE RISK OF HARM, TO ENGAGE IN INDEPENDENT ACTIVITIES, INCLUDING:**

27 1. **TRAVELING TO AND FROM SCHOOL, INCLUDING BY WALKING, RUNNING OR
28 BICYCLING.**

29 2. **TRAVELING TO OR FROM NEARBY COMMERCIAL OR RECREATIONAL
30 FACILITIES.**

31 3. **PLAYING OUTDOORS.**

32 4. **REMAINING IN A VEHICLE UNATTENDED, UNLESS BOTH OF THE FOLLOWING
33 ARE TRUE:**

34 (a) **THE CHILD IS UNDER NINE YEARS OF AGE.**

35 (b) **THE CONDITIONS PRESENT A RISK TO THE CHILD OF HYPERTHERMIA,
36 HYPOTHERMIA OR DEHYDRATION.**

37 5. **REMAINING AT HOME UNATTENDED.**

38 Sec. 2. Short title

39 This act may be cited as the "Free Range Parenting Act".