

House Engrossed

juveniles; temporary custody; parental notification

State of Arizona
House of Representatives
Fifty-seventh Legislature
First Regular Session
2025

HOUSE BILL 2779

AN ACT

AMENDING SECTION 8-303, ARIZONA REVISED STATUTES; AMENDING TITLE 15, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 15-249.08; RELATING TO JUVENILE OFFENDERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-303, Arizona Revised Statutes, is amended to
3 read:

4 8-303. Taking into temporary custody; interference; release;
5 separate custody; violation; classification

6 A. Except as provided in section 8-305, a juvenile taken into
7 temporary custody shall not be detained in a police station, jail or
8 lockup where adults charged with or convicted of a crime are detained.

9 B. A child shall be taken into temporary custody:

10 1. Pursuant to an order of the juvenile court.

11 2. Pursuant to a warrant issued according to the laws of arrest.

12 C. A juvenile may be taken into temporary custody:

13 1. By a peace officer pursuant to the laws of arrest, without a
14 warrant, if there are reasonable grounds to believe that the juvenile has
15 committed a delinquent act or the child is incorrigible.

16 2. By a peace officer if there are reasonable grounds to believe
17 that the child has run away from the child's parents, guardian or other
18 custodian.

19 3. By a private person as provided by section 13-3884.

20 D. A peace officer shall take a juvenile into temporary custody
21 pursuant to the laws of arrest, with or without a warrant, when there are
22 reasonable grounds to believe that either:

23 1. The juvenile has committed a criminal act or a delinquent act
24 which if committed by an adult could be a felony or breach of the peace.

25 2. The juvenile has been apprehended in commission of a criminal
26 act or a delinquent act, which if committed by an adult would be a felony,
27 or in fresh pursuit.

28 E. A peace officer who takes a juvenile into temporary custody
29 pursuant to subsection D of this section shall advise the juvenile before
30 questioning of the juvenile's juvenile Miranda rights in language that is
31 comprehensible to a juvenile and, as soon as is practicable, shall make a
32 good faith effort to notify the juvenile's parents, guardian or custodian
33 of the juvenile's custody, unless doing so would pose a risk to the
34 juvenile. After making the custody notification, ~~a~~ THE peace officer
35 shall also advise the juvenile's parents, guardian or custodian of the
36 juvenile's juvenile Miranda rights. If ~~a~~ THE juvenile is a ward of ~~the~~
37 THIS state, ~~a~~ THE peace officer shall notify the department of child
38 safety, which shall notify the applicable public defender, any guardian
39 ad litem or a court appointed special advocate of the juvenile's custody.

40 F. IF A PEACE OFFICER TAKES A JUVENILE INTO TEMPORARY CUSTODY
41 PURSUANT TO SUBSECTION D OF THIS SECTION ON SCHOOL PROPERTY, AN EMPLOYEE
42 OF THE SCHOOL SHALL IMMEDIATELY NOTIFY THE JUVENILE'S PARENTS, GUARDIAN OR
43 CUSTODIAN OF THE JUVENILE'S CUSTODY, UNLESS DOING SO WOULD POSE A RISK TO
44 THE JUVENILE OR TO AN ONGOING INVESTIGATION. IF THE JUVENILE IS A WARD OF

1 THIS STATE, A SCHOOL EMPLOYEE SHALL NOTIFY THE DEPARTMENT OF CHILD SAFETY,
2 WHICH SHALL NOTIFY THE APPLICABLE PUBLIC DEFENDER, ANY GUARDIAN AD LITEM
3 OR A COURT APPOINTED SPECIAL ADVOCATE OF THE JUVENILE'S CUSTODY. FOR THE
4 PURPOSES OF THIS SUBSECTION, "SCHOOL" HAS THE SAME MEANING PRESCRIBED IN
5 SECTION 15-101.

6 ~~F.~~ G. A juvenile who is taken into temporary custody pursuant to
7 subsection D of this section may be released from temporary custody only
8 to the parents, guardian or custodian of the juvenile or to the juvenile
9 court.

10 ~~G.~~ H. A person who knowingly interferes with the taking of a
11 juvenile into temporary custody under ~~the provisions of~~ this section is
12 guilty of a class 2 misdemeanor.

13 ~~H.~~ I. In determining ~~if~~ WHETHER a child should be taken into
14 custody under subsection C of this section, the peace officer or child
15 safety worker may consider as a mitigating factor the participation of the
16 parent, guardian or custodian in the healthy families program established
17 by section 8-481.

18 Sec. 2. Title 15, chapter 2, article 2, Arizona Revised Statutes,
19 is amended by adding section 15-249.08, to read:

20 15-249.08. Training program; school officers and security;
21 certification; definitions

22 A. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A TRAINING PROGRAM
23 FOR LAW ENFORCEMENT OFFICERS AND SECURITY PERSONNEL WHO ARE EMPLOYED BY A
24 SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE. THE DEPARTMENT SHALL
25 PROVIDE A CERTIFICATE OF COMPLETION TO EACH INDIVIDUAL WHO SUCCESSFULLY
26 COMPLETES THE TRAINING PROGRAM.

27 B. EACH SCHOOL DISTRICT IN THIS STATE SHALL REQUIRE ANY LAW
28 ENFORCEMENT OFFICER OR SECURITY PERSONNEL EMPLOYED BY THE SCHOOL DISTRICT,
29 INCLUDING EMPLOYMENT THROUGH A THIRD-PARTY CONTRACTOR, TO COMPLETE THE
30 TRAINING PROGRAM ESTABLISHED PURSUANT TO SUBSECTION A OF THIS SECTION NOT
31 LATER THAN ONE MONTH AFTER THE INDIVIDUAL BEGINS WORKING FOR THE SCHOOL
32 DISTRICT. AN INDIVIDUAL WHO SUCCESSFULLY COMPLETED THE TRAINING PROGRAM
33 LESS THAN TWO YEARS BEFORE THE DATE ON WHICH THE INDIVIDUAL BEGINS WORKING
34 FOR THE SCHOOL DISTRICT IS NOT REQUIRED TO COMPLETE THE TRAINING PROGRAM
35 IF THE INDIVIDUAL SUBMITS TO THE SCHOOL DISTRICT A VALID CERTIFICATE OF
36 COMPLETION. A SCHOOL DISTRICT MAY TERMINATE AN EMPLOYEE OR CONTRACTOR WHO
37 FAILS TO COMPLETE THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION. A
38 CHARTER SCHOOL MAY CHOOSE TO REQUIRE A LAW ENFORCEMENT OFFICER OR SECURITY
39 OFFICER EMPLOYED BY THE CHARTER SCHOOL, INCLUDING EMPLOYMENT THROUGH A
40 THIRD-PARTY CONTRACTOR, TO COMPLETE THE TRAINING PROGRAM ESTABLISHED
41 PURSUANT TO SUBSECTION A OF THIS SECTION.

42 C. FOR THE PURPOSES OF THIS SECTION:

43 1. "LAW ENFORCEMENT OFFICER":

1 (a) MEANS A PEACE OFFICER, SCHOOL RESOURCE OFFICER OR SCHOOL SAFETY
2 OFFICER WHO IS EMPLOYED BY A SCHOOL DISTRICT OR CHARTER SCHOOL IN AN
3 OFF-DUTY CAPACITY.

4 (b) DOES NOT INCLUDE A SCHOOL RESOURCE OFFICER WHO IS ASSIGNED TO A
5 SCHOOL DISTRICT OR CHARTER SCHOOL PURSUANT TO THE SCHOOL SAFETY PROGRAM
6 ESTABLISHED BY SECTION 15-154.

7 2. "SCHOOL SAFETY OFFICER" MEANS A SCHOOL RESOURCE OFFICER WHO IS
8 WORKING IN AN OFF-DUTY CAPACITY.

9 Sec. 3. Effective date

10 Section 15-249.08, Arizona Revised Statutes, as added by this act,
11 is effective from and after June 30, 2026.