

Senate Engrossed House Bill

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, ~~the~~ THE peace officer
35 shall also advise the juvenile's parents, guardian or custodian of the
36 juvenile's juvenile Miranda rights. If ~~the~~ THE juvenile is a ward of ~~the~~
37 THIS state, ~~the~~ 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, AFTER CONSULTATION WITH THE INVESTIGATING LAW ENFORCEMENT
43 AGENCY TO ENSURE THAT NOTIFICATION WOULD NOT POSE A RISK TO THE JUVENILE
44 OR THE INVESTIGATION, SHALL IMMEDIATELY NOTIFY THE JUVENILE'S PARENTS,

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

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

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

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

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

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

23 A. THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE ARIZONA
24 PEACE OFFICER STANDARDS AND TRAINING BOARD, SHALL ESTABLISH A TRAINING
25 PROGRAM FOR LAW ENFORCEMENT OFFICERS AND SECURITY PERSONNEL WHO ARE
26 EMPLOYED BY A SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE. THE
27 DEPARTMENT SHALL PROVIDE A CERTIFICATE OF COMPLETION TO EACH INDIVIDUAL
28 WHO SUCCESSFULLY COMPLETES THE TRAINING PROGRAM.

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

1 C. FOR THE PURPOSES OF THIS SECTION:

2 1. "LAW ENFORCEMENT OFFICER":

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

6 (b) DOES NOT INCLUDE A PEACE OFFICER WHO IS ASSIGNED TO WORK ON
7 OFF-DUTY SECURITY DETAIL OR A SCHOOL RESOURCE OFFICER WHO IS ASSIGNED TO A
8 SCHOOL DISTRICT OR CHARTER SCHOOL PURSUANT TO THE SCHOOL SAFETY PROGRAM
9 ESTABLISHED BY SECTION 15-154.

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

12 Sec. 3. Effective date

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