

REFERENCE TITLE: false allegations; child abuse; parents

State of Arizona
Senate
Fifty-seventh Legislature
First Regular Session
2025

SB 1018

Introduced by
Senator Rogers

AN ACT

AMENDING TITLE 12, CHAPTER 6, ARTICLE 12, ARIZONA REVISED STATUTES, BY
ADDING SECTION 12-723; RELATING TO CIVIL LIABILITY.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 12, chapter 6, article 12, Arizona Revised
3 Statutes, is amended by adding section 12-723, to read:

4 12-723. False allegations; domestic violence; child abuse;
5 civil liability; remedies; definitions

6 A. A PERSON WHO INTENTIONALLY AND KNOWINGLY MAKES A FALSE
7 ALLEGATION OF DOMESTIC VIOLENCE INVOLVING A SPOUSE OR A FALSE ALLEGATION
8 THAT THE CHILD'S PARENT OR LEGAL GUARDIAN HAS COMMITTED CHILD ABUSE OR
9 NEGLECT, SEXUAL ABUSE OF A CHILD OR MOLESTATION OF A CHILD IS LIABLE TO
10 THE SPOUSE OR THE CHILD'S PARENT OR LEGAL GUARDIAN FOR DAMAGES AS
11 DETERMINED BY THE COURT.

12 B. A CLAIMANT WHO PREVAILS UNDER THIS SECTION SHALL BE AWARDED
13 ACTUAL DAMAGES, INCLUDING DAMAGES FOR LOSS OF REPUTATION, EMOTIONAL
14 DISTRESS, COURT COSTS AND REASONABLE ATTORNEY FEES. THE LIABILITY IMPOSED
15 BY THIS SECTION IS IN ADDITION TO ANY LIABILITY OTHERWISE IMPOSED BY LAW.

16 C. THE APPLICABLE STATUTE OF LIMITATIONS DOES NOT BEGIN TO RUN
17 UNTIL THE CHILD ATTAINS EIGHTEEN YEARS OF AGE.

18 D. IF AT A LATER TIME, AND DUE TO NEW INFORMATION, THE LOSING PARTY
19 IS ABLE TO PROVE THE ORIGINAL ALLEGATIONS TO BE FALSE BEYOND A REASONABLE
20 DOUBT, THE LOSING PARTY SHALL BE AWARDED DAMAGES PURSUANT TO SUBSECTION B
21 OF THIS SECTION.

22 E. FOR THE PURPOSES OF THIS SECTION:

23 1. "FALSE ALLEGATION" MEANS A CLAIM THAT A PERSON MAKES TO A LAW
24 ENFORCEMENT AGENCY, THE DEPARTMENT OF ECONOMIC SECURITY, THE DEPARTMENT OF
25 CHILD SAFETY, THE SOCIAL SECURITY ADMINISTRATION, THE REGISTRAR OF
26 CONTRACTORS, THE ARIZONA STATE BOARD OF NURSING OR A COURT AGAINST A
27 SPOUSE OR PARENT AND THAT A COURT FINDS TO BE FALSE BEYOND A REASONABLE
28 DOUBT.

29 2. "PARENT":

30 (a) MEANS A CHILD'S MOTHER, FATHER, ADOPTIVE PARENT, GRANDPARENT OR
31 GUARDIAN.

32 (b) INCLUDES ANY PERSON WHO HAS THE DUTY AND AUTHORITY TO MAKE
33 IMPORTANT DECISIONS IN MATTERS HAVING A PERMANENT EFFECT ON THE LIFE AND
34 DEVELOPMENT OF A CHILD AND TO BE CONCERNED ABOUT THE CHILD'S GENERAL
35 WELFARE.

36 Sec. 2. Legislative intent

37 The legislature recognizes the importance of protecting the sanctity
38 of family life and the well-being of children in this state. The
39 legislature intends to ensure that:

40 1. Parents who are dedicated caregivers and responsible partners
41 are not unjustly maligned by false claims of abuse or danger as a tool to
42 win family law cases.

43 2. Individuals who are in same-sex relationships and who are
44 serving as loving parents are afforded the same protections against false
45 allegations.

1 3. Accountability is encouraged among individuals who may make
2 allegations without substantiation, thus fostering a more respectful
3 dialogue regarding family dynamics and safety concerns.

4 4. Victims of genuine domestic violence will continue to be
5 supported by existing laws and services, while ensuring that the rights of
6 falsely accused individuals are equally protected.

7 Sec. 3. Severability

8 If a provision of this act or its application to any person or
9 circumstance is held invalid, the invalidity does not affect other
10 provisions or applications of the act that can be given effect without the
11 invalid provision or application, and to this end the provisions of this
12 act are severable.

13 Sec. 4. Short title

14 This act may be cited as the "Good Parent Act".

15 Sec. 5. Emergency

16 This act is an emergency measure that is necessary to preserve the
17 public peace, health or safety and is operative immediately as provided by
18 law.