

House Engrossed Senate Bill
duty to report; abuse; neglect

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1127

AN ACT

AMENDING SECTIONS 13-3620 AND 15-514, ARIZONA REVISED STATUTES; RELATING
TO THE DUTY TO REPORT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 13-3620, Arizona Revised Statutes, is amended to
3 read:

4 13-3620. Duty to report abuse, physical injury, neglect and
5 denial or deprivation of medical or surgical care
6 or nourishment of minors; medical records;
7 exception; violation; classification; definitions

8 A. Any person who reasonably believes that a minor is or has been
9 the victim of physical injury, abuse, child abuse, a reportable offense or
10 neglect that appears to have been inflicted on the minor by other than
11 accidental means or that is not explained by the available medical history
12 as being accidental in nature or who reasonably believes there has been a
13 denial or deprivation of necessary medical treatment or surgical care or
14 nourishment with the intent to cause or allow the death of an infant who
15 is protected under section 36-2281 shall immediately report or cause
16 reports to be made of this information to a peace officer, to the
17 department of child safety or to a tribal law enforcement or social
18 services agency for any Indian minor who resides on an Indian reservation,
19 except if the report concerns a person who does not have care, custody or
20 control of the minor, the report shall be made to a peace officer only. A
21 member of the clergy, a Christian Science practitioner or a priest who has
22 received a confidential communication or a confession in that person's
23 role as a member of the clergy, as a Christian Science practitioner or as
24 a priest in the course of the discipline enjoined by the church to which
25 the member of the clergy, the Christian Science practitioner or the priest
26 belongs may withhold reporting of the communication or confession if the
27 member of the clergy, the Christian Science practitioner or the priest
28 determines that it is reasonable and necessary within the concepts of the
29 religion. This exemption applies only to the communication or confession
30 and not to personal observations the member of the clergy, the Christian
31 Science practitioner or the priest may otherwise make of the minor. For
32 the purposes of this subsection, "person" means:

33 1. Any physician, physician's assistant, optometrist, dentist,
34 osteopathic physician, chiropractor, podiatrist, behavioral health
35 professional, nurse, psychologist, counselor or social worker who develops
36 the reasonable belief in the course of treating a patient.

37 2. Any peace officer, child welfare investigator, child safety
38 worker, member of the clergy, priest or Christian Science practitioner.

39 3. The parent, stepparent or guardian of the minor.

40 4. School personnel, including substitute teachers, domestic
41 violence victim advocates or sexual assault victim advocates who develop
42 the reasonable belief in the course of their employment.

43 5. Any other person who has responsibility for the care or
44 treatment of the minor.

1 6. Any person who is employed as the immediate or next higher level
2 supervisor to or administrator of a person who is listed in paragraph 1,
3 2, 4 or 5 of this subsection and who develops the reasonable belief in the
4 course of the supervisor's or administrator's employment, except that if
5 the supervisor or administrator reasonably believes that the report has
6 been made by a person who is required to report pursuant to paragraph 1,
7 2, 4 or 5 of this subsection, the supervisor or administrator is not
8 required to report pursuant to this paragraph.

9 7. Any member of a school district governing board or charter
10 school governing body.

11 B. A report is not required under this section either:

12 1. For conduct prescribed by sections 13-1404 and 13-1405 if the
13 conduct involves only minors who are fourteen, fifteen, sixteen or
14 seventeen years of age and there is nothing to indicate that the conduct
15 is other than consensual.

16 2. If a minor is of elementary school age, the physical injury
17 occurs accidentally in the course of typical playground activity during a
18 school day, occurs on the premises of the school that the minor attends
19 and is reported to the legal parent or guardian of the minor and the
20 school maintains a written record of the incident.

21 C. If a physician, psychologist or behavioral health professional
22 receives a statement from a person other than a parent, stepparent,
23 guardian or custodian of the minor during the course of providing sex
24 offender treatment that is not court ordered or that does not occur while
25 the offender is incarcerated in the state department of corrections or the
26 department of juvenile corrections, the physician, psychologist or
27 behavioral health professional may withhold the reporting of that
28 statement if the physician, psychologist or behavioral health professional
29 determines it is reasonable and necessary to accomplish the purposes of
30 the treatment.

31 D. Reports shall be made immediately either electronically or by
32 telephone. The reports shall contain the following information, if known:

33 1. The names and addresses of the minor and the minor's parents or
34 the person or persons having custody of the minor.

35 2. The minor's age and the nature and extent of the minor's abuse,
36 child abuse, physical injury or neglect, including any evidence of
37 previous abuse, child abuse, physical injury or neglect.

38 3. Any other information that the person believes might be helpful
39 in establishing the cause of the abuse, child abuse, physical injury or
40 neglect.

41 E. A health care professional who is regulated pursuant to title 32
42 and who, after a routine newborn physical assessment of a newborn infant's
43 health status or following notification of positive toxicology screens of
44 a newborn infant, reasonably believes that the newborn infant may be
45 affected by the presence of alcohol or a drug listed in section 13-3401

1 shall immediately report this information, or cause a report to be made,
2 to the department of child safety. For the purposes of this subsection,
3 "newborn infant" means a newborn infant who is under thirty days of age.

4 F. A PERSON WHO HAS A DUTY TO REPORT PURSUANT TO SUBSECTION A OF
5 THIS SECTION AND WHO HAS DIRECT KNOWLEDGE THAT A MINOR IS OR HAS BEEN THE
6 VICTIM OF ABUSE OR NEGLECT SHALL IMMEDIATELY REPORT THE ABUSE OR NEGLECT
7 TO THE DEPARTMENT OF CHILD SAFETY AND MAY NOT DELEGATE ANOTHER PERSON TO
8 MAKE THE REPORT.

9 G. SUBSECTION F OF THIS SECTION DOES NOT APPLY TO A PERSON WHO IS
10 AN EMPLOYEE OR AN AGENT OF A HEALTH CARE INSTITUTION AS DEFINED IN SECTION
11 36-401. IF A PERSON WHO HAS A DUTY TO REPORT PURSUANT TO SUBSECTION A OF
12 THIS SECTION IS AN EMPLOYEE OR AN AGENT OF A HEALTH CARE INSTITUTION, THE
13 PERSON MAY DELEGATE THE MAKING OF THE REPORT TO A DESIGNATED AGENT IF THE
14 DELEGATION IS REASONABLY REQUIRED TO ALLOW THE DELEGATING PERSON TO
15 CONTINUE PATIENT CARE OR TO COMPLY WITH APPLICABLE STANDARDS OF CARE,
16 INCLUDING OBLIGATIONS UNDER STATE OR FEDERAL LAW. THIS SECTION IS NOT
17 INTENDED TO REQUIRE MORE THAN ONE REPORT FROM AN EMPLOYEE OR AN AGENT OF A
18 HEALTH CARE INSTITUTION FOR THE SAME FACTS AND CIRCUMSTANCES THAT LED TO A
19 REASONABLE BELIEF OF ABUSE OR NEGLECT.

20 ~~F.~~ H. Any person other than one required to report or cause
21 reports to be made under subsection A of this section who reasonably
22 believes that a minor is or has been a victim of abuse, child abuse,
23 physical injury, a reportable offense or neglect may report the
24 information to a peace officer or to the department of child safety,
25 except if the report concerns a person who does not have care, custody or
26 control of the minor, the report shall be made to a peace officer only.

27 ~~G.~~ I. A person who has custody or control of medical records of a
28 minor for whom a report is required or authorized under this section shall
29 make the records, or a copy of the records, available to a peace officer,
30 child welfare investigator or child safety worker investigating the
31 minor's neglect, child abuse, physical injury or abuse on written request
32 for the records signed by the peace officer, child welfare investigator or
33 child safety worker. Records disclosed pursuant to this subsection are
34 confidential and may be used only in a judicial or administrative
35 proceeding or investigation resulting from a report required or authorized
36 under this section.

37 ~~H.~~ J. When a report is received:

38 1. By a peace officer, the officer shall immediately notify the
39 department of child safety.

40 2. Notwithstanding any other statute, by the department OF CHILD
41 SAFETY, the department shall immediately notify a peace officer in the
42 appropriate jurisdiction.

43 3. By a school resource officer or school safety officer, the
44 officer shall immediately notify a law enforcement agency in the
45 appropriate jurisdiction and shall submit to the local law enforcement

1 agency all information relating to the report for the purposes of the law
2 enforcement agency investigating the reported conduct.

3 ~~I~~ K. Any person who is required to receive reports pursuant to
4 subsection A of this section may take or cause to be taken photographs of
5 the minor and the vicinity involved. Forensic interviews or medical
6 examinations, or both, of the involved minor may be performed.

7 ~~J~~ L. A person who furnishes a report, information or records
8 required or authorized under this section, or a person who participates in
9 a judicial or administrative proceeding or investigation resulting from a
10 report, information or records required or authorized under this section,
11 is immune from any civil or criminal liability by reason of that action
12 unless the person acted with malice or unless the person has been charged
13 with or is suspected of abusing or neglecting the child or children in
14 question.

15 ~~K~~ M. Except for the attorney client privilege or the privilege
16 under subsection ~~L~~ N of this section, no privilege applies to any:

17 1. Civil or criminal litigation or administrative proceeding in
18 which a minor's neglect, dependency, abuse, child abuse, physical injury
19 or abandonment is an issue.

20 2. Judicial or administrative proceeding resulting from a report,
21 information or records submitted pursuant to this section.

22 3. Investigation of a minor's child abuse, physical injury, neglect
23 or abuse conducted by a peace officer or the department of child safety.

24 ~~L~~ N. In any civil or criminal litigation in which a child's
25 neglect, dependency, physical injury, abuse, child abuse or abandonment is
26 an issue, a member of the clergy, a Christian Science practitioner or a
27 priest shall not, without his consent, be examined as a witness concerning
28 any confession made to him in his role as a member of the clergy, a
29 Christian Science practitioner or a priest in the course of the discipline
30 enjoined by the church to which he belongs. This subsection does not
31 discharge a member of the clergy, a Christian Science practitioner or a
32 priest from the duty to report pursuant to subsection A of this section.

33 ~~M~~ O. If psychiatric records are requested pursuant to subsection
34 ~~G~~ I of this section, the custodian of the records shall notify the
35 attending psychiatrist, who may excise from the records, before they are
36 made available:

37 1. Personal information about individuals other than the patient.

38 2. Information regarding specific diagnosis or treatment of a
39 psychiatric condition, if the attending psychiatrist certifies in writing
40 that release of the information would be detrimental to the patient's
41 health or treatment.

42 ~~N~~ P. If any portion of a psychiatric record is excised pursuant
43 to subsection ~~M~~ O of this section, a court, on application of a peace
44 officer, child welfare investigator or child safety worker, may order that
45 the entire record or any portion of the record that contains information

1 relevant to the reported abuse, child abuse, physical injury or neglect be
2 made available to the peace officer, child welfare investigator or child
3 safety worker investigating the abuse, child abuse, physical injury or
4 neglect.

5 ~~Q.~~ Q. A student who is identified as a potential victim of a
6 reportable offense may be interviewed only as provided by the local county
7 protocol that is adopted pursuant to section 8-817. This subsection does
8 not prevent a school resource officer or a school safety officer from
9 either:

10 1. Receiving a voluntary report of a reportable offense from a
11 student who is an alleged victim.

12 2. Asking a student minimal follow-up questions that are necessary
13 and authorized by the county protocol.

14 ~~R.~~ R. A report to a school resource officer or a school safety
15 officer does not satisfy the reporting requirement prescribed by this
16 section.

17 ~~S.~~ S. A person who violates this section is guilty of a class 1
18 misdemeanor, except if the failure to report involves a reportable
19 offense, the person is guilty of a class 6 felony.

20 ~~T.~~ T. For the purposes of this section:

21 1. "Abuse" has the same meaning prescribed in section 8-201.

22 2. "Child abuse" means child abuse pursuant to section 13-3623.

23 3. "Neglect" has the same meaning prescribed in section 8-201.

24 4. "Reportable offense" means any of the following:

25 (a) Any offense listed in chapters 14 and 35.1 of this title or
26 section 13-3506.

27 (b) Surreptitious photographing, videotaping, filming or digitally
28 recording or viewing a minor pursuant to section 13-3019.

29 (c) Child sex trafficking pursuant to section 13-3212.

30 (d) Incest pursuant to section 13-3608.

31 (e) Unlawful mutilation pursuant to section 13-1214.

32 5. "School safety officer" has the same meaning prescribed in
33 section 15-514.

34 6. "Student" means a student who is enrolled in a kindergarten
35 program or any of grades one through twelve.

36 Sec. 2. Section 15-514, Arizona Revised Statutes, is amended to
37 read:

38 15-514. Immoral or unprofessional conduct; duty to report;
39 immunity; definitions

40 A. Any certificated personnel, a noncertificated person or a member
41 of a school district governing board or charter school governing body who
42 reasonably suspects or receives a reasonable allegation that a public
43 school employee, including employment through a third-party contractor,
44 has engaged in conduct involving minors that would be subject to the
45 reporting requirements of section 13-3620 shall immediately report or

1 cause reports to be made to a local law enforcement agency. If the
2 employee who is the subject of the suspicion or allegation is certificated
3 by the state board of education or is a noncertificated person, the person
4 shall also report the suspicion or allegation to the state board of
5 education in writing as soon as is reasonably practicable but not later
6 than three business days after the person first suspects or receives an
7 allegation of the conduct. A report to a school resource officer or a
8 school safety officer does not satisfy the reporting requirement
9 prescribed by this subsection. A LAW ENFORCEMENT INVESTIGATION INTO THE
10 ALLEGED CONDUCT PURSUANT TO THIS SECTION MAY NOT BE SUPERVISED, MANAGED OR
11 DIRECTED BY A SCHOOL RESOURCE OFFICER OR SCHOOL SAFETY OFFICER.

12 B. The superintendent of a school district or the chief
13 administrator of a charter school who reasonably suspects or receives a
14 reasonable allegation that an act of immoral or unprofessional conduct
15 that would constitute grounds for dismissal or criminal charges by a
16 certificated or noncertificated person has occurred shall report the
17 conduct to the state board of education.

18 C. A person who in good faith reports or provides information
19 pursuant to this section regarding the immoral or unprofessional conduct
20 of a certificated or noncertificated person is not subject to an action
21 for civil damages as a result.

22 D. A governing board or school or school district employee who has
23 control over personnel decisions shall not take unlawful reprisal against
24 an employee because the employee reports in good faith information as
25 required by this section. For the purposes of this subsection, "unlawful
26 reprisal" means an action that is taken by a governing board or school or
27 school district employee who has control over personnel decisions as a
28 direct result of a lawful report pursuant to this section and, with
29 respect to the reporting employee, results in one or more of the
30 following:

- 31 1. Disciplinary action.
- 32 2. Transfer or reassignment.
- 33 3. Suspension, demotion or dismissal.
- 34 4. An unfavorable performance evaluation.
- 35 5. Other significant changes in duties or responsibilities that are
36 inconsistent with the employee's salary or employment classification.

37 E. Failure to report information as required by this section by a
38 certificated or noncertificated person constitutes grounds for
39 disciplinary action by the state board of education.

40 F. A governing board or school district employee who has control
41 over personnel decisions and who reasonably suspects or receives a
42 reasonable allegation that a person certificated by the state board of
43 education or a noncertificated person has engaged in conduct involving
44 minors that would be subject to the reporting requirements of section
45 13-3620 and this article shall not accept the resignation of the

1 certificate holder or noncertificated person until these suspicions or
2 allegations have been reported to the state board of education.

3 G. If the conduct that is the subject of the suspicions or
4 allegations reported pursuant to this section is a reportable offense, any
5 investigation related to the suspicions, allegations or report is subject
6 to the following:

7 1. If a school resource officer, school safety officer or school
8 administrator receives a report regarding suspicions or allegations of a
9 reportable offense, the school resource officer, school safety officer or
10 school administrator shall submit to a local law enforcement agency all
11 information relating to the report for the purposes of the local law
12 enforcement agency investigating the reported conduct.

13 2. A student who is identified as a potential victim of the alleged
14 conduct may be interviewed only as provided by the local county protocol
15 that is adopted pursuant to section 8-817. This paragraph does not prevent
16 a school employee, school resource officer or school safety officer from
17 receiving a voluntary report from a student who is an alleged victim that
18 a school employee committed a reportable offense.

19 H. For the purposes of this section:

20 1. "Noncertificated person" has the same meaning prescribed in
21 section 15-505.

22 2. "Reportable offense" has the same meaning prescribed in section
23 13-3620.

24 3. "School safety officer" means a peace officer who is working in
25 an off-duty capacity at a school.