



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

AMENDED
FACT SHEET FOR S.B. 1328

domestic relations; parents' rights

Purpose

Adds, to the declared public policy of Arizona and to the general purpose of Arizona statute relating to marital and domestic relations, the protection and promotion of parents' rights and the Parents' Bill of Rights, as well as a child's right to equal access to both co-parents.

Background

Statute prohibits a governmental entity or official from interfering with or usurping the fundamental right of parents to direct the upbringing, education, health care and mental health of the parent's children. A parent may bring suit against a governmental entity or official that violates this prohibition as either a claim or defense, in which case the governmental entity or official has the burden of proof to demonstrate that the interference is essential to accomplish a compelling government interest of the highest order and that the method of interference or usurpation used by the government is narrowly tailored and is not otherwise served by less restrictive means ([A.R.S. § 1-602](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Adds, to the declared public policy of Arizona and to the general purpose of Arizona statute relating to marital and domestic relations, the protection and promotion of parents' rights and the Parents' Bill of Rights, as well as a child's right to access to both co-parents as it pertains to the child's best interests.
2. Contains a statement of legislative intent.
3. Becomes effective on the general effective date.

Amendments Adopted by Committee

1. Adds, to the declared public policy of Arizona and to the general purpose of Arizona statute, that it is in a child's best interest to have equal access to both co-parents.
2. Adds a statement of legislative intent.