



ARIZONA STATE SENATE
Fifty-Seventh Legislature, Second Regular Session

FACT SHEET FOR H.B. 2249

parents' bill of rights; remedies

Purpose

Adds, to the Parents' Bill of Rights, the right to consent and be informed if any school employee facilitates or implements any form of social transitioning for a minor child and the right to request, review and access a minor child's complete educational record. Sets minimum liability requirements and remedies if a governmental entity or institution, or employees or officials of such entities, engage in specified actions that violate the Parents' Bill of Rights.

Background

Arizona's Parents' Bill of Rights reserves parental rights to a parent of a minor child without interference from the state, a political subdivision or other governmental entity or any other institution. The state, a political subdivision or other governmental entity may not infringe on such rights without demonstrating that a compelling governmental interest as applied to an involved child is of the highest order, narrowly tailored and not otherwise served by a less restrictive means. Outlined rights include: 1) directing the child's education, upbringing and moral or religious training; 2) making health care decisions for the child; and 3) accessing and reviewing all records, including medical records, unless otherwise prohibited. Statute declares that parents have inalienable rights that are more comprehensive than those listed in the Parents' Bill of Rights, unless legally waived or terminated.

A parent may bring suit against a government entity for any action that interferes with or usurps the fundamental rights of parents to direct the upbringing, education and health of their child. If a governmental entity fails to demonstrate the required burden of proof for the interference or usurpation as outlined, a court must award appropriate relief, including declaratory or injunctive relief, compensatory damages and attorney's fees, based on the facts of the case and the law as applied to the facts. Any attempt to encourage or coerce a minor child to withhold information from the minor child's parent is grounds for discipline of an employee of the state, a political subdivision or other governmental entity or institution, except for law enforcement personnel (A.R.S. §§ [1-601](#) and [1-602](#)).

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

Provisions

Parents' Bill of Rights

1. Expands the Parents' Bill of Rights to include the rights to:
 - a) consent in writing and be informed if any school employee facilitates or implements any form of social transitioning for the minor child; and
 - b) request, review and access their minor child's complete educational record.

2. Specifies that facilitating or implementing a form of social transition for a minor child includes:
 - a) addressing or referring to a minor child by a name or nickname other than the child's legal name or a natural derivative of the child's name; and
 - b) referring to a minor child using pronouns, titles or personal identifiers that do not align with the minor child's sex.
3. Prohibits a school employee from withholding information from a parent regarding the parent's minor child, including any information in the minor child's educational record regarding the child's physical, emotional, mental or academic well-being.

Interference or Usurpation of a Fundamental Right

4. Determines that, at a minimum, a governmental entity is liable to a minor child's parent in an amount of \$500,000 for each separate instance of interfering with or usurping a fundamental right.
5. Determines that, at a minimum, a governmental entity official is personally liable to a minor child's parent in an amount of \$20,000 for each separate instance of interfering with or usurping a fundamental right.
6. Prohibits a governmental entity that employs an official from indemnifying an offending official or using public monies to pay for the official's liability for interfering with or usurping a fundamental right.
7. Specifies that the right to sue for interference with or usurpation of a fundamental right belongs to each of the minor child's parents.
8. Allows one parent to file suit for interference of or usurpation of a fundamental right even if the minor child's other parent does not consent to the action.

Facilitation, Encouragement or Coercion to Withhold Information from Parents

9. Specifies that any attempt to facilitate, encourage or coerce, or any completed act that facilitates, encourages or coerces, rather than only an attempt to encourage or coerce, a minor child to withhold information from the child's parent is grounds for discipline for employees of the state, any political divisions of the state or other governmental entity or other institution, except for law enforcement personnel who have probable cause to believe that a crime was committed by the minor child's parents and withholds the information in the course of an investigation of the crime.
10. Prohibits the state, a political subdivision, a governmental entity or an institution from maintaining a policy that allows an employee to facilitate, encourage or coerce a minor child to withhold information from the child's parent.
11. Allows a minor child's parent to bring suit against an employee who has, or has attempted to, facilitate, encourage or coerce a minor child to withhold information from the child's parent.

12. Determines that, at a minimum, a governmental entity employee who is found liable is personally liable to a minor child's parent in an amount of \$20,000 for facilitating, encouraging or coercing a minor child to withhold information from the child's parent.
13. Prohibits a governmental entity from indemnifying an offending employee or using public monies to pay for the employee's liability for facilitating, encouraging or coercing a minor child to withhold information from the child's parent.
14. Allows a parent to bring suit against the state, a political subdivision or any other governmental entity or institution that maintains a policy that allows the facilitation, encouragement or coercion by an employee of a minor child to withhold information from the child's parent.
15. Determines that, at a minimum, a governmental entity or institution that maintained a policy that allows the facilitation, encouragement or coercion to withhold information is liable to a minor child's parent in an amount of \$500,000 for each occurrence where information was withheld from the child's parent.
16. Specifies that the right to sue for the facilitation, encouragement or coercion to withhold information as outlined belongs to each of the minor child's parents.
17. Allows one parent to file suit for the facilitation, encouragement or coercion to withhold information as outlined even if the minor child's other parent does not consent to the action.
18. Sets the statute of limitations for an action where information was withheld from a minor child's parent at five years after the conduct ceased and the minor child's parent became aware of the conduct.
19. Allows a minor child's parent to demonstrate that a governmental entity or institution maintained a policy of facilitating, encouraging or coercing a minor child to withhold information from the child's parent through:
 - a) written documents that are maintained by the governmental entity or institution, including guidance or policy documents, emails, memoranda or spreadsheets;
 - b) demonstrating that a person who has supervisory authority in the governmental entity or institution required or recommended that employees engage in the conduct; or
 - c) demonstrating that the governmental entity's or institution's employees regularly engaged in the conduct.

Disclosure of the Facilitation, Encouragement or Coercion to Withhold Information

20. Requires the state, a political subdivision, a governmental entity or institution, or an employee of such entities that facilitated, encouraged or coerced, or attempted to facilitate, encourage or coerce a minor child to withhold information from the child's parent before the general effective date to disclose the offending action to the minor child's parent within 6 months of the general effective date.
21. Determines that the state, a political subdivision, a governmental entity or institution, or an employee of such entities, is civilly liable to a minor child's parent for any prior violation that was not disclosed within 6 months of the general effective date as outlined.

22. Determines that the state, a political subdivision or governmental entity or institution is liable to a minor child's parent for at least \$500,000 for each separate act that was not disclosed to the child's parent as outlined.
23. Determines that an employee of the state, a political subdivision or governmental entity or institution is personally liable to a minor child's parent for at least \$20,000 for each separate act that was not disclosed to the child's parent as outlined.
24. Prohibits a governmental entity or institution from indemnifying an offending employee or using public monies to pay for the employee's liability or an insurance policy to cover the civil liability for an act that was not disclosed to a child's parent as outlined.
25. Specifies that, for the purposes of disclosing offending actions within 6 months of the general effective date, a governmental entity or institution includes an educational institution.

Miscellaneous

26. Defines *educational record* to include attendance records, test scores from school-administered tests and statewide assessments, grades, extracurricular activity or club participation records, email account records, online or virtual accounts or data, disciplinary records, counseling recordings, psychological records, applications for admission, teacher and counselor evaluations, reports of the minor child's behavioral patterns, therapy notes, treatment plan and health and immunization information, including any medical records maintained by a health clinic or medical facility that is operated or controlled by a school district or located on school district property.
27. Defines *social transitioning* as the process in which a person goes from identifying with and living as a gender that corresponds to the person's sex to identifying with and living as a gender that is different from the person's sex and may involve social, legal or physical changes.
28. Makes technical and conforming changes.
29. Becomes effective on the general effective date.

House Action

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3 rd Read	2/25/26		31-23-6

Prepared by Senate Research
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