

HOUSE FLOOR AMENDMENT EXPLANATION



Bill Number: **HB 2432**

Gress Floor Amendment

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1. Requires each sheriff's office to post on their website a list of *neutral safe exchange locations* within their county for exchanging children under a court-ordered parenting plan.
 2. Allows rather than requires a sheriff's office to designate two or more parking spots at their office or substation as a *neutral safe exchange location*.
 3. Permits a municipality police department to designate two or more parking spots at the police department or substation as a *neutral safe exchange location*.
 4. Specifies that a parenting plan must include when the exchange location is required to take place at a safe exchange location.
 5. Allows the court to enter an order requiring parties to exchange a child at a safe exchange location if it is in the best interest of the child.
 6. Modifies the definition of safe exchange location.

Amendment explanation prepared by mtorres

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2/25/2025

GRESS FLOOR AMENDMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2432
(Reference to printed bill)

Amendment instruction key:

[GREEN UNDERLINING IN BRACKETS] indicates text added to statute or previously enacted session law.

[Green underlining in brackets] indicates text added to new session law or text restoring existing law.

~~[GREEN STRIKEOUT IN BRACKETS]~~ indicates new text removed from statute or previously enacted session law.

~~[Green strikeout in brackets]~~ indicates text removed from existing statute, previously enacted session law or new session law.

<<Green carets>> indicate a section added to the bill.

~~<<Green strikeout in carets>>~~ indicates a section removed from the bill.

1 The bill as proposed to be amended is reprinted as follows:

2 Section 1. Title 11, chapter 3, article 2, Arizona Revised
3 Statutes, is amended by adding section 11-452, to read:

4 11-452. Neutral safe exchange locations; parenting time;
5 designation; immunity

6 A. EACH ~~[SHERIFF'S OFFICE]~~ [COUNTY SHERIFF] SHALL ~~[DESIGNATE AT~~
7 ~~LEAST ONE PARKING LOT AT THE SHERIFF'S OFFICE OR SHERIFF'S OFFICE~~
8 ~~SUBSTATION AS A]~~ [MAINTAIN ON THE OFFICE'S PUBLIC WEBSITE A LIST OF THE]
9 NEUTRAL SAFE EXCHANGE [LOCATION] [LOCATIONS WITHIN THEIR COUNTY] FOR THE
10 PURPOSES OF EXCHANGING CHILDREN PURSUANT TO A PARENTING PLAN UNDER SECTION
11 25-403.10.

12 [B. ANY SHERIFF'S OFFICE MAY DESIGNATE TWO OR MORE PARKING SPOTS
13 AT THE SHERIFF'S OFFICE OR ANY SHERIFF'S OFFICE SUBSTATION AS A NEUTRAL
14 SAFE EXCHANGE LOCATION FOR THE PURPOSES OF EXCHANGING CHILDREN. ANY
15 POLICE DEPARTMENT OF A CITY OR TOWN MAY DESIGNATE TWO OR MORE PARKING
16 SPOTS AT THE POLICE DEPARTMENT OR ANY POLICE DEPARTMENT SUBSTATION AS A
17 NEUTRAL SAFE EXCHANGE LOCATION.]

18 ~~[B.]~~ [C.] EACH PARKING LOT THAT IS DESIGNATED AS A NEUTRAL SAFE
19 EXCHANGE LOCATION SHALL HAVE A PURPLE LIGHT OR A SIGN CLEARLY IDENTIFYING
20 THE AREA AS A NEUTRAL SAFE EXCHANGE LOCATION. THE NEUTRAL SAFE EXCHANGE
21 LOCATION SHALL MEET ALL OF THE FOLLOWING:

22 1. PROVIDE ACCESSIBILITY TWENTY-FOUR HOURS A DAY, SEVEN DAYS A
23 WEEK.

24 2. HAVE ADEQUATE LIGHTING AND AN EXTERNAL VIDEO SURVEILLANCE SYSTEM
25 THAT RECORDS CONTINUOUSLY TWENTY-FOUR HOURS A DAY, SEVEN DAYS A WEEK AND
26 THAT HAS THE ABILITY TO RETAIN VIDEOS FOR FORTY-FIVE DAYS.

27 3. HAVE AT LEAST ONE CAMERA THAT IS FIXED IN OR NEAR THE DESIGNATED
28 NEUTRAL SAFE EXCHANGE LOCATION, THAT CAPTURES IMAGES THAT CLEARLY AND

1 ACCURATELY DISPLAY THE TIME AND DATE AND THAT HAS THE ABILITY TO STORE
2 IMAGES FOR FORTY-FIVE DAYS.

3 ~~[C.]~~ [D.] COUNTIES, [CITIES, TOWNS.] SHERIFFS, LAW ENFORCEMENT
4 OFFICERS AND EMPLOYEES OF THE DESIGNATED NEUTRAL SAFE EXCHANGE LOCATION
5 ARE NOT LIABLE FOR CIVIL DAMAGES FOR ANY ACT OR OMISSION RELATING TO AN
6 INCIDENT ARISING OUT OF THE EXCHANGE OF A CHILD AT A NEUTRAL SAFE EXCHANGE
7 LOCATION.

8 Sec. 2. Section 25-403.02, Arizona Revised Statutes, is amended to
9 read:

10 25-403.02. Parenting plans

11 A. If the child's parents cannot agree on a plan for legal
12 decision-making or parenting time, each parent must submit a proposed
13 parenting plan.

14 B. Consistent with the child's best interests in section 25-403 and
15 sections 25-403.03, 25-403.04 and 25-403.05, the court shall adopt a
16 parenting plan that provides for both parents to share legal
17 decision-making regarding their child and that maximizes their respective
18 parenting time. The court shall not prefer a parent's proposed plan
19 because of the parent's or child's gender.

20 C. Parenting plans shall include at least the following:

21 1. A designation of the legal decision-making as joint or sole as
22 defined in section 25-401.

23 2. A DESCRIPTION OF each parent's rights and responsibilities for
24 the personal care of the child and for decisions in areas such as
25 education, health care and religious training.

26 3. A practical schedule of parenting time for the child, including
27 holidays and school vacations.

28 4. A procedure for the exchanges of the child, including location
29 and responsibility for transportation. ~~THE PARENTING PLAN [SHALL INDICATE~~
30 ~~WHETHER]~~ [MUST SPECIFY WHEN] THE EXCHANGE ~~[LOCATION]~~ IS REQUIRED TO ~~[BE]~~
31 [TAKE PLACE AT] A SAFE EXCHANGE LOCATION PURSUANT TO SECTION 25-403.10.

32 5. A procedure by which proposed changes, relocation of where a
33 child resides with either parent pursuant to section 25-408, disputes and
34 alleged breaches may be mediated or resolved, which may include the use of
35 conciliation services or private counseling.

36 6. A procedure for periodic review of the plan's terms by the
37 parents.

38 7. A procedure for ~~communicating~~ PARENTS TO COMMUNICATE with each
39 other about the child, including methods and frequency.

40 8. A statement that each party has read, understands and will abide
41 by the notification requirements of section 25-403.05, subsection B.

42 D. If the parents are unable to agree on any element to be included
43 in a parenting plan, the court shall determine that element. The court
44 may determine other factors that are necessary to promote and protect the
45 emotional and physical health of the child.

46 E. Shared legal decision-making does not necessarily mean equal
47 parenting time.

1 Sec. 3. Title 25, chapter 4, article 1, Arizona Revised Statutes,
2 is amended by adding section 25-403.10, to read:

3 25-403.10. Parenting time; safe exchange locations; court
4 order

5 A. IN ANY PROCEEDING IN WHICH THE COURT ENTERS A PARENTING PLAN OR
6 A LEGAL DECISION-MAKING OR PARENTING PLAN ORDER, INCLUDING THE
7 MODIFICATION OF AN EXISTING PARENTING PLAN OR A LEGAL DECISION-MAKING OR
8 PARENTING PLAN ORDER, THE COURT MAY ENTER AN ORDER REQUIRING THE PARTIES
9 TO EXCHANGE CUSTODY OF THE MINOR CHILD AT A SAFE EXCHANGE LOCATION IF THE
10 COURT FINDS ~~[ANY OF THE FOLLOWING:~~

11 ~~1. THERE IS A RISK OR IMMINENT THREAT OF HARM TO ONE PARTY OR THE~~
12 ~~CHILD DURING THE EXCHANGE OF THE CHILD.~~

13 ~~2. THE REQUIREMENT IS NECESSARY TO ENSURE THE SAFETY OF A PARENT OR~~
14 ~~THE CHILD.~~

15 ~~3. THE REQUIREMENT] [THAT IT]~~ IS IN THE BEST INTERESTS OF THE
16 CHILD.

17 B. A SAFE EXCHANGE LOCATION INCLUDES ~~[ALL]~~ [ANY] OF THE FOLLOWING:

18 1. A DESIGNATED NEUTRAL SAFE EXCHANGE LOCATION PURSUANT TO SECTION
19 11-452.

20 ~~[2. A LOCATION APPROVED BY AN AUTHORIZED AGENT WHO CURRENTLY~~
21 ~~PROVIDES PROFESSIONAL SUPERVISED VISITATION TO THE PARTIES.]~~

22 ~~[3.]~~ [2.] A LOCATION APPROVED BY THE COURT.

23 ~~[4.]~~ [3.] A LOCATION AGREED TO BY THE PARTIES.

24 Enroll and engross to conform

25 Amend title to conform

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