

COMMITTEE ON GOVERNMENT
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2779
(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. Section 8-303, Arizona Revised Statutes, is amended to
3 read:

4 8-303. Taking into temporary custody; interference; release;
5 separate custody; violation; classification

6 A. Except as provided in section 8-305, a juvenile taken into
7 temporary custody shall not be detained in a police station, jail or
8 lockup where adults charged with or convicted of a crime are detained.

9 B. A child shall be taken into temporary custody:

10 1. Pursuant to an order of the juvenile court.

11 2. Pursuant to a warrant issued according to the laws of arrest.

12 C. A juvenile may be taken into temporary custody:

13 1. By a peace officer pursuant to the laws of arrest, without a
14 warrant, if there are reasonable grounds to believe that the juvenile has
15 committed a delinquent act or the child is incorrigible.

16 2. By a peace officer if there are reasonable grounds to believe
17 that the child has run away from the child's parents, guardian or other
18 custodian.

19 3. By a private person as provided by section 13-3884.

20 D. A peace officer shall take a juvenile into temporary custody
21 pursuant to the laws of arrest, with or without a warrant, when there are
22 reasonable grounds to believe that either:

23 1. The juvenile has committed a criminal act or a delinquent act
24 which if committed by an adult could be a felony or breach of the peace.

25 2. The juvenile has been apprehended in commission of a criminal
26 act or a delinquent act, which if committed by an adult would be a felony,
27 or in fresh pursuit.

1 E. A peace officer who takes a juvenile into temporary custody
 2 pursuant to subsection D of this section~~[,]~~ [shall advise the juvenile]
 3 before questioning ~~[of]~~ the ~~[juvenile's]~~ juvenile [Miranda rights in
 4 language that is comprehensible to a juvenile and, as soon as is
 5 practicable], shall [make a good faith effort to] ~~[IMMEDIATELY]~~ notify the
 6 juvenile's parents, guardian or custodian of the juvenile's custody,
 7 unless doing so would pose a risk to the juvenile~~[.]~~ ~~[AND,]~~ After making
 8 the custody notification, ~~a~~ [THE] [peace officer] shall ~~[ADVISE THE~~
 9 ~~JUVENILE OF THE JUVENILE'S JUVENILE MIRANDA RIGHTS IN LANGUAGE THAT IS~~
 10 ~~COMPREHENSIBLE TO A JUVENILE. THE PEACE OFFICER SHALL]~~ also advise the
 11 juvenile's parents, guardian or custodian of the juvenile's juvenile
 12 miranda rights. If ~~[a]~~ [THE] juvenile is a ward of ~~the~~ THIS state, ~~[a]~~
 13 [THE] peace officer shall notify the department of child safety, which
 14 shall notify the applicable public defender, any guardian ad litem or a
 15 court appointed special advocate of the juvenile's custody.

16 [F. IF A PEACE OFFICER TAKES A JUVENILE INTO TEMPORARY CUSTODY
 17 PURSUANT TO SUBSECTION D OF THIS SECTION ON SCHOOL PROPERTY, AN EMPLOYEE
 18 OF THE SCHOOL SHALL IMMEDIATELY NOTIFY THE JUVENILE'S PARENTS, GUARDIAN OR
 19 CUSTODIAN OF THE JUVENILE'S CUSTODY, UNLESS DOING SO WOULD POSE A RISK TO
 20 THE JUVENILE OR TO AN ONGOING INVESTIGATION. IF THE JUVENILE IS A WARD OF
 21 THIS STATE, A SCHOOL EMPLOYEE SHALL NOTIFY THE DEPARTMENT OF CHILD SAFETY,
 22 WHICH SHALL NOTIFY THE APPLICABLE PUBLIC DEFENDER, ANY GUARDIAN AD LITEM
 23 OR A COURT APPOINTED SPECIAL ADVOCATE OF THE JUVENILE'S CUSTODY. FOR THE
 24 PURPOSES OF THIS SUBSECTION, "SCHOOL" HAS THE SAME MEANING PRESCRIBED IN
 25 SECTION 15-101.]

26 ~~[F.]~~ [G.] A juvenile who is taken into temporary custody pursuant
 27 to subsection D of this section may be released from temporary custody
 28 only to the parents, guardian or custodian of the juvenile or to the
 29 juvenile court.

30 ~~[G.]~~ [H.] A person who knowingly interferes with the taking of a
 31 juvenile into temporary custody under ~~the provisions of~~ this section is
 32 guilty of a class 2 misdemeanor.

33 ~~[H.]~~ [I.] In determining ~~if~~ WHETHER a child should be taken into
 34 custody under subsection C of this section, the peace officer or child
 35 safety worker may consider as a mitigating factor the participation of the
 36 parent, guardian or custodian in the healthy families program established
 37 by section 8-481.

38 <<Sec. 2. Title 15, chapter 2, article 2, Arizona Revised Statutes,
 39 is amended by adding section 15-249.08, to read:

40 15-249.08. Training program; school officers and security;
 41 certification; definitions

42 [A. THE DEPARTMENT OF EDUCATION SHALL ESTABLISH A TRAINING PROGRAM
 43 FOR LAW ENFORCEMENT OFFICERS AND SECURITY PERSONNEL WHO ARE EMPLOYED BY A
 44 SCHOOL DISTRICT OR CHARTER SCHOOL IN THIS STATE. THE DEPARTMENT SHALL
 45 PROVIDE A CERTIFICATE OF COMPLETION TO EACH INDIVIDUAL WHO SUCCESSFULLY
 46 COMPLETES THE TRAINING PROGRAM.]

1 B. EACH SCHOOL DISTRICT IN THIS STATE SHALL REQUIRE ANY LAW
2 ENFORCEMENT OFFICER OR SECURITY PERSONNEL EMPLOYED BY THE SCHOOL DISTRICT,
3 INCLUDING EMPLOYMENT THROUGH A THIRD-PARTY CONTRACTOR, TO COMPLETE THE
4 TRAINING PROGRAM ESTABLISHED PURSUANT TO SUBSECTION A OF THIS SECTION NOT
5 LATER THAN ONE MONTH AFTER THE INDIVIDUAL BEGINS WORKING FOR THE SCHOOL
6 DISTRICT. AN INDIVIDUAL WHO SUCCESSFULLY COMPLETED THE TRAINING PROGRAM
7 LESS THAN TWO YEARS BEFORE THE DATE ON WHICH THE INDIVIDUAL BEGINS WORKING
8 FOR THE SCHOOL DISTRICT IS NOT REQUIRED TO COMPLETE THE TRAINING PROGRAM
9 IF THE INDIVIDUAL SUBMITS TO THE SCHOOL DISTRICT A VALID CERTIFICATE OF
10 COMPLETION. A SCHOOL DISTRICT MAY TERMINATE AN EMPLOYEE OR CONTRACTOR WHO
11 FAILS TO COMPLETE THE TRAINING PROGRAM REQUIRED BY THIS SUBSECTION. A
12 CHARTER SCHOOL MAY CHOOSE TO REQUIRE A LAW ENFORCEMENT OFFICER OR SECURITY
13 OFFICER EMPLOYED BY THE CHARTER SCHOOL, INCLUDING EMPLOYMENT THROUGH A
14 THIRD-PARTY CONTRACTOR, TO COMPLETE THE TRAINING PROGRAM ESTABLISHED
15 PURSUANT TO SUBSECTION A OF THIS SECTION.
16 C. FOR THE PURPOSES OF THIS SECTION:
17 1. "LAW ENFORCEMENT OFFICER":
18 (a) MEANS A PEACE OFFICER, SCHOOL RESOURCE OFFICER OR SCHOOL SAFETY
19 OFFICER WHO IS EMPLOYED BY A SCHOOL DISTRICT OR CHARTER SCHOOL IN AN
20 OFF-DUTY CAPACITY.
21 (b) DOES NOT INCLUDE A SCHOOL RESOURCE OFFICER WHO IS ASSIGNED TO A
22 SCHOOL DISTRICT OR CHARTER SCHOOL PURSUANT TO THE SCHOOL SAFETY PROGRAM
23 ESTABLISHED BY SECTION 15-154.
24 2. "SCHOOL SAFETY OFFICER" MEANS A SCHOOL RESOURCE OFFICER WHO IS
25 WORKING IN AN OFF-DUTY CAPACITY.]>>
26 <<Sec. 3. Effective date
27 [Section 15-249.08, Arizona Revised Statutes, as added by this act,
28 is effective from and after June 30, 2026.]>>

29 Enroll and engross to conform
30 Amend title to conform
And, as so amended, it do pass

WALT BLACKMAN
CHAIRMAN

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