

Senate Engrossed
FILED
KEN BENNETT
SECRETARY OF STATE

State of Arizona
Senate
Fiftieth Legislature
First Regular Session
2011

CHAPTER 69

SENATE BILL 1244

AN ACT

AMENDING SECTION 1-602, ARIZONA REVISED STATUTES; RELATING TO PARENTS' RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 1-602, Arizona Revised Statutes, is amended to
3 read:

4 1-602. Parents' bill of rights; definition

5 A. All parental rights are reserved to a parent of a minor child
6 without obstruction or interference from this state, any political
7 subdivision of this state, any other governmental entity or any other
8 institution, including, but not limited to, the following rights:

9 1. The right to direct the education of the minor child.

10 2. All rights of parents identified in title 15, including the right
11 to access and review all records relating to the minor child.

12 3. The right to direct the upbringing of the minor child.

13 4. The right to direct the moral or religious training of the minor
14 child.

15 5. The right to make health care decisions for the minor child,
16 including rights pursuant to sections 15-873, 36-2271 and 36-2272, unless
17 otherwise prohibited by law.

18 6. The right to access and review all medical records of the minor
19 child unless otherwise prohibited by law or the parent is the subject of an
20 investigation of a crime committed against the minor child and a law
21 enforcement official requests that the information not be released.

22 7. The right to consent in writing before a biometric scan of the
23 minor child is made pursuant to section 15-109.

24 8. The right to consent in writing before any record of the minor
25 child's blood or deoxyribonucleic acid is created, stored or shared, except
26 as required by section 36-694, or before any genetic testing is conducted on
27 the minor child pursuant to section 12-2803 unless authorized pursuant to
28 section 13-610 or a court order.

29 9. The right to consent in writing before the state or any of its
30 political subdivisions makes a video or voice recording of the minor child,
31 unless the video or voice recording is made during or as a part of a court
32 proceeding, BY LAW ENFORCEMENT OFFICERS DURING OR AS PART OF A LAW
33 ENFORCEMENT INVESTIGATION, during or as part of a forensic interview in a
34 criminal or child protective services investigation or to be used solely for
35 any of the following:

36 (a) Safety demonstrations, including the maintenance of order and
37 discipline in the common areas of a school or on pupil transportation
38 vehicles.

39 (b) A purpose related to a legitimate academic or extracurricular
40 activity.

41 (c) A purpose related to regular classroom instruction.

42 (d) Security or surveillance of buildings or grounds.

43 (e) A photo identification card.

44 10. The right to be notified promptly if an employee of this state, any
45 political subdivision of this state, any other governmental entity or any

1 other institution suspects that a criminal offense has been committed against
2 the minor child by someone other than a parent, unless the incident has first
3 been reported to law enforcement and notification of the parent would impede
4 a law enforcement or child protective services investigation. This paragraph
5 does not create any new obligation for school districts and charter schools
6 to report misconduct between students at school, such as fighting or
7 aggressive play, that are IS routinely addressed as A student disciplinary
8 matters MATTER by the school.

9 11. The right to obtain information about a child protective services
10 investigation involving the parent pursuant to section 8-807.

11 B. This section does not authorize or allow a parent to engage in
12 conduct that is unlawful or to abuse or neglect a child in violation of the
13 laws of this state. This section does not prohibit courts, law enforcement
14 officers or employees of a government agency responsible for child welfare
15 from acting in their official capacity within the scope of their authority.
16 This section does not prohibit a court from issuing an order that is
17 otherwise permitted by law.

18 C. Any attempt to encourage or coerce a minor child to withhold
19 information from the child's parent shall be grounds for discipline of an
20 employee of this state, any political subdivision of this state or any other
21 governmental entity, except for law enforcement personnel.

22 D. Unless those rights have been legally waived or legally terminated,
23 parents have inalienable rights that are more comprehensive than those listed
24 in this section. This chapter does not prescribe all rights of parents.
25 Unless otherwise required by law, the rights of parents of minor children
26 shall not be limited or denied.

27 E. For the purposes of this section, "parent" means the natural or
28 adoptive parent or legal guardian of a minor child.

29 Sec. 2. Emergency

30 This act is an emergency measure that is necessary to preserve the
31 public peace, health or safety and is operative immediately as provided by
32 law.

APPROVED BY THE GOVERNOR APRIL 12, 2011.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 12, 2011.

Passed the House April 6, 20 11,

by the following vote: 54 Ayes,

4 Nays, 2 Not Voting
With Emergency

[Signature]
Speaker of the House

Cheryl Laube
Chief Clerk of the House

Passed the Senate February 10, 20 11,

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting
With Emergency

[Signature]
President of the Senate

Charmian Ballinger
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill was received by the Governor this
7 day of April, 2011,

at 2:00 o'clock P M.

[Signature]
Secretary to the Governor

Approved this 12th day of

April, 20 11,

at 9:30 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill was received by the Secretary of State
this 12th day of April, 2011,

at 4:01 o'clock P M.

[Signature]
Secretary of State

S.B. 1244