

House Engrossed

FILED

MICHELE REAGAN
SECRETARY OF STATE

State of Arizona
House of Representatives
Fifty-third Legislature
First Regular Session
2017

CHAPTER 170
HOUSE BILL 2435

AN ACT

AMENDING SECTIONS 8-116 AND 8-202, ARIZONA REVISED STATUTES; RELATING TO
THE JUVENILE COURT.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Section 8-116, Arizona Revised Statutes, is amended to
3 read:

4 8-116. Court order; contents; form

5 A. If, after the hearing and consideration of all the evidence, the
6 court is satisfied that the requirements of this article have been met and
7 that the adoption is in the best interests of the child, the court shall
8 order the adoption. The order may change the name of the child to ~~that of~~
9 THE NAME REQUESTED BY the adoptive parent or parents IN THE PETITION TO
10 ADOPT. IF THE CHILD BEING ADOPTED IS TWELVE YEARS OF AGE OR OLDER, THE
11 COURT SHALL CONSIDER THE WISHES OF THE CHILD WITH RESPECT TO THE NAME
12 CHANGE. The written order of the court shall include the findings of fact
13 on which it based its order, including the court's jurisdiction and the
14 date and place of birth of the child being adopted based on the best
15 available evidence.

16 B. If the exact place of birth is unknown, the order shall include
17 the information that is known and designate a place of birth according to
18 the best information known as to the country of origin.

19 C. If the exact date of birth is unknown, the order shall establish
20 a date of birth based on the medical evidence as to the probable age of
21 the child and other evidence the court considers appropriate.

22 D. The order is conclusive and binding on all persons from the date
23 of its entry subject to appeal as provided in section 8-235.

24 E. The court shall provide the adoptive parent or parents with
25 written notice of the sibling information exchange program established
26 pursuant to section 8-543.

27 Sec. 2. Section 8-202, Arizona Revised Statutes, is amended to
28 read:

29 8-202. Jurisdiction of juvenile court

30 A. The juvenile court has original jurisdiction over all
31 delinquency proceedings brought under the authority of this title.

32 B. The juvenile court has exclusive original jurisdiction over all
33 proceedings brought under the authority of this title except for
34 delinquency proceedings.

35 C. The juvenile court may consolidate any matter, except that the
36 juvenile court shall not consolidate any of the following:

37 1. A criminal proceeding that is filed in another division of
38 superior court and that involves a child who is subject to the
39 jurisdiction of the juvenile court.

40 2. A delinquency proceeding with any other proceeding that does not
41 involve delinquency, unless the juvenile delinquency adjudication
42 proceeding is not heard at the same time or in the same hearing as a
43 nondelinquency proceeding.

1 D. The juvenile court has jurisdiction of proceedings to:
2 1. Obtain judicial consent to the marriage, employment or
3 enlistment in the armed services of a child, if consent is required by
4 law.

5 2. IN AN ACTION IN WHICH PARENTAL RIGHTS ARE TERMINATED PURSUANT TO
6 CHAPTER 4, ARTICLE 5 OR 11 OF THIS TITLE, CHANGE THE NAME OF A MINOR CHILD
7 WHO IS THE SUBJECT OF THE ACTION. IF THE MINOR CHILD WHO IS THE SUBJECT
8 OF THE ACTION IS TWELVE YEARS OF AGE OR OLDER, THE COURT SHALL CONSIDER
9 THE WISHES OF THE CHILD WITH RESPECT TO THE NAME CHANGE.

10 E. The juvenile court has jurisdiction over both civil traffic
11 violations and offenses listed in section 8-323, subsection B that are
12 committed within the county by persons WHO ARE under eighteen years of age
13 unless the presiding judge of the county declines jurisdiction of these
14 cases. The presiding judge of the county may decline jurisdiction of
15 civil traffic violations committed within the county by juveniles if the
16 presiding judge finds that the declination would promote the more
17 efficient use of limited judicial and law enforcement resources located
18 within the county. If the presiding judge declines jurisdiction, juvenile
19 civil traffic violations shall be processed, heard and disposed of in the
20 same manner and with the same penalties as adult civil traffic violations.

21 F. The orders of the juvenile court under the authority of this
22 chapter or chapter 3 or 4 of this title take precedence over any order of
23 any other court of this state except the court of appeals and the supreme
24 court to the extent that they are inconsistent with orders of other
25 courts.

26 G. Except as otherwise provided by law, jurisdiction of a child
27 that is obtained by the juvenile court in a proceeding under this chapter
28 or chapter 3 or 4 of this title shall be retained by it, for the purposes
29 of implementing the orders made and filed in that proceeding, until the
30 child becomes eighteen years of age, unless terminated by order of the
31 court before the child's eighteenth birthday.

32 H. Persons who are under eighteen years of age shall be prosecuted
33 in the same manner as adults if either:

34 1. The juvenile court transfers jurisdiction pursuant to section
35 8-327.

36 2. The juvenile is charged as an adult with an offense listed in
37 section 13-501.

APPROVED BY THE GOVERNOR APRIL 18, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 18, 2017.

Passed the House February 21, 20 17

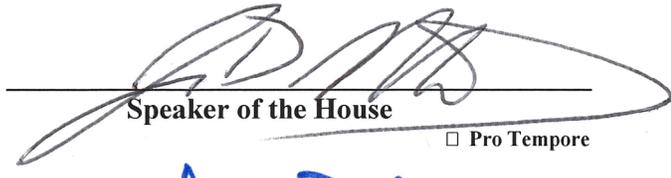
Passed the Senate April 17, 20 17

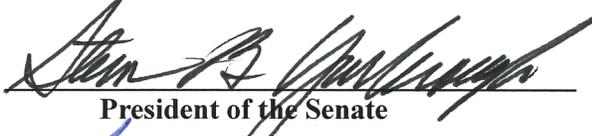
by the following vote: 57 Ayes,

by the following vote: 29 Ayes,

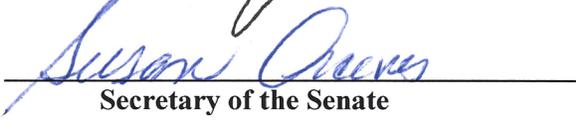
1 Nays, 2 Not Voting

0 Nays, 1 Not Voting


Speaker of the House
 Pro Tempore


President of the Senate


Chief Clerk of the House


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this
17 day of April, 20 17

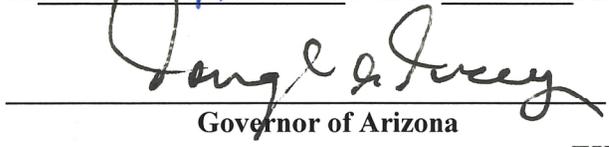
at 5:46 o'clock P. M.


Secretary to the Governor

Approved this 18th day of

April, 2017

at 11:31 o'clock A. M.


Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State
this 18 day of April, 20 17

at 4:12 o'clock P. M.


Secretary of State

H.B. 2435