

House Engrossed Senate Bill

FILED

MICHELE REAGAN

SECRETARY OF STATE

State of Arizona
Senate
Fifty-third Legislature
First Regular Session
2017

CHAPTER 257

SENATE BILL 1107

AN ACT

AMENDING TITLE 8, CHAPTER 4, ARTICLE 1, ARIZONA REVISED STATUTES, BY ADDING SECTION 8-466; AMENDING TITLE 41, CHAPTER 1, ARTICLE 5, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-191.11; RELATING TO CHILD AND FAMILY ADVOCACY CENTERS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

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

2 Section 1. Title 8, chapter 4, article 1, Arizona Revised Statutes,
3 is amended by adding section 8-466, to read:

4 8-466. Child and family advocacy center; requirements for
5 funding; immunity; definition

6 A. TO BE CONSIDERED FOR FUNDING FROM THE CHILD AND FAMILY ADVOCACY
7 CENTER FUND ESTABLISHED BY SECTION 41-191.11, A CHILD AND FAMILY ADVOCACY
8 CENTER MUST BE A PRIVATE, NONPROFIT INCORPORATED AGENCY OR A GOVERNMENTAL
9 ENTITY THAT EITHER:

10 1. IS ACCREDITED BY A NATIONAL ORGANIZATION THAT IS ORGANIZED TO
11 PROMOTE MULTIDISCIPLINARY CHILD ABUSE INVESTIGATION AND PROSECUTION
12 PROGRAMS AS OUTLINED IN 42 UNITED STATES CODE SECTIONS 13001 THROUGH 13005
13 AND IS A MEMBER OF OR AFFILIATED WITH AN ORGANIZATION THAT HAS SET CORE
14 STANDARDS FOR BEST PRACTICES OF A CHILD AND FAMILY ADVOCACY CENTER.

15 2. ANNUALLY CERTIFIES TO THE ATTORNEY GENERAL THAT THE CENTER MEETS
16 ALL OF THE FOLLOWING:

17 (a) MAINTAINS AND PROVIDES SERVICES AT A NEUTRAL FACILITY THAT IS
18 FOCUSED ON VICTIMS AND THAT ALLOWS:

19 (i) EVIDENCE-BASED FORENSIC INTERVIEWS BY A TRAINED FORENSIC
20 INTERVIEWER OF VICTIMS OR WITNESSES OF ONE OR MORE SUSPECTED OFFENSES.

21 (ii) INTERACTION WITH A VICTIM AS INVESTIGATIVE OR TREATMENT NEEDS
22 OR VICTIM SERVICES REQUIRE.

23 (b) HAS A MULTIDISCIPLINARY CASE REVIEW TEAM THAT MEETS ON A
24 REGULAR BASIS AND THAT CONSISTS OF MEMBERS WHO ARE APPROPRIATE FOR SERVING
25 A VICTIM OF A SUSPECTED OFFENSE. MEMBERSHIP OF THE TEAM MAY INCLUDE:

26 (i) A REPRESENTATIVE OF THE DEPARTMENT.

27 (ii) A REPRESENTATIVE OF THE COUNTY ATTORNEY.

28 (iii) A MENTAL HEALTH SERVICE PROVIDER.

29 (iv) A REPRESENTATIVE OF LAW ENFORCEMENT.

30 (v) A VICTIM ADVOCATE.

31 (vi) A FORENSIC MEDICAL PROFESSIONAL.

32 (vii) A FORENSIC INTERVIEWER.

33 (c) PROVIDES MEDICAL EVALUATIONS OR REFERRALS FOR MEDICAL
34 EVALUATIONS BY A HEALTH CARE PROVIDER WHO HAS SPECIFIC TRAINING IN CHILD
35 OR ADULT SEXUAL ABUSE.

36 (d) PROVIDES MENTAL HEALTH THERAPY OR REFERRALS FOR MENTAL HEALTH
37 THERAPY BY PROFESSIONALS WHO HAVE TRAINING IN AND WHO PROVIDE
38 TRAUMA-FOCUSED AND EVIDENCE-SUPPORTED MENTAL HEALTH TREATMENT.

39 (e) FACILITATES EVIDENCE-BASED TRAINING FOR VARIOUS DISCIPLINES IN
40 THE COMMUNITY THAT RESPOND TO REPORTS OF ONE OR MORE SUSPECTED OFFENSES.

41 (f) HAS A WRITTEN COMMITMENT FROM ANY AGENCY THAT IS PARTICIPATING
42 IN THE MULTIDISCIPLINARY APPROACH TO HANDLING ONE OR MORE SUSPECTED
43 OFFENSES.

1 (g) PROVIDES THE ATTORNEY GENERAL WITH PROOF OF COMPLIANCE WITH
2 STANDARDS PRESCRIBED PURSUANT TO THIS SECTION.

3 (h) COMPLIES WITH THE RELEVANT SAFETY ASSESSMENT AND INVESTIGATION
4 PROTOCOLS DEVELOPED PURSUANT TO SECTION 8-817.

5 B. AN EMPLOYEE OR DESIGNATED AGENT OF A CHILD AND FAMILY ADVOCACY
6 CENTER THAT MEETS THE REQUIREMENTS OF SUBSECTION A OF THIS SECTION IS
7 IMMUNE FROM ANY CIVIL LIABILITY THAT ARISES FROM THE EMPLOYEE'S OR
8 DESIGNATED AGENT'S PARTICIPATION IN THE INVESTIGATION PROCESS AND SERVICES
9 PROVIDED BY THE CHILD AND FAMILY ADVOCACY CENTER, UNLESS THE EMPLOYEE OR
10 DESIGNATED AGENT ACTED WITH MALICE OR HAS BEEN CHARGED WITH OR IS
11 SUSPECTED OF ABUSING OR NEGLECTING THE CHILD WHO IS THE SUBJECT OF THE
12 INVESTIGATION OR SERVICES PROVIDED. THIS SUBSECTION DOES NOT DISPLACE OR
13 LIMIT ANY OTHER IMMUNITY PROVIDED BY LAW.

14 C. FOR THE PURPOSES OF THIS SECTION, "SUSPECTED OFFENSE" MEANS ONE
15 OR MORE OF THE FOLLOWING:

- 16 1. CHILD ABUSE OR NEGLECT.
- 17 2. ABUSE OF AN ADULT OR A VULNERABLE ADULT.
- 18 3. SEXUAL ASSAULT.
- 19 4. DOMESTIC VIOLENCE.
- 20 5. JUVENILE SEX TRAFFICKING.
- 21 6. HOMICIDE.

22 Sec. 2. Title 41, chapter 1, article 5, Arizona Revised Statutes,
23 is amended by adding section 41-191.11, to read:

24 41-191.11. Child and family advocacy center fund; report

25 A. THE CHILD AND FAMILY ADVOCACY CENTER FUND IS ESTABLISHED
26 CONSISTING OF MONIES APPROPRIATED TO THE FUND AND MONIES AVAILABLE TO THE
27 FUND FROM ANY OTHER SOURCE. THE ATTORNEY GENERAL SHALL ADMINISTER THE
28 FUND AND MAY ACCEPT PRIVATE GRANTS, GIFTS, CONTRIBUTIONS AND DEVICES TO BE
29 USED FOR THE PURPOSES OF THIS SECTION. MONIES IN THE FUND ARE
30 CONTINUOUSLY APPROPRIATED.

31 B. THE ATTORNEY GENERAL MAY USE ANNUALLY UP TO FIVE PERCENT OF THE
32 MONIES IN THE FUND FOR ADMINISTRATIVE COSTS AND SHALL DISTRIBUTE THE
33 REMAINDER OF THE FUND MONIES TO CHILD AND FAMILY ADVOCACY CENTERS THAT
34 APPLY FOR FUNDING AND CERTIFY ON A FORM PROVIDED BY THE ATTORNEY GENERAL
35 THAT THE CENTERS MEET THE REQUIREMENTS OF SECTION 8-466. THE ATTORNEY
36 GENERAL SHALL DISTRIBUTE THE REMAINDER AS FOLLOWS:

37 1. FIVE PERCENT TO A STATEWIDE MEMBERSHIP ORGANIZATION THAT SETS
38 CORE STANDARDS FOR BEST PRACTICES AND PROVIDES SUPPORT AND TRAINING TO
39 EMERGING AND EXISTING CHILD AND FAMILY ADVOCACY CENTERS AND
40 MULTIDISCIPLINARY TEAMS.

41 2. FORTY-SEVEN AND ONE-HALF PERCENT EQUALLY AMONG THE CHILD AND
42 FAMILY ADVOCACY CENTERS THAT MEET THE QUALIFICATIONS PRESCRIBED IN THIS
43 SUBSECTION.

1 3. FORTY-SEVEN AND ONE-HALF PERCENT TO THE CHILD AND FAMILY
2 ADVOCACY CENTERS THAT MEET THE QUALIFICATIONS PRESCRIBED IN THIS
3 SUBSECTION BASED ON EACH CENTER'S PROPORTION OF ALL VICTIMS SERVED.
4 C. WITHIN THIRTY DAYS AFTER THE LAST DAY OF EACH CALENDAR QUARTER,
5 THE ATTORNEY GENERAL SHALL REPORT TO THE JOINT LEGISLATIVE BUDGET
6 COMMITTEE A SUMMARY OF THE QUARTERLY AND YEAR-TO-DATE EXPENDITURES,
7 INCLUDING THE EXPENDITURE OF ANY MONIES APPROPRIATED TO THE FUND IN A
8 PRIOR FISCAL YEAR.

APPROVED BY THE GOVERNOR MAY 2, 2017.

FILED IN THE OFFICE OF THE SECRETARY OF STATE MAY 2, 2017.

Passed the House April 17, 2017,

Passed the Senate February 23, 2017,

by the following vote: 44 Ayes,

by the following vote: 30 Ayes,

14 Nays, 1 Not Voting

0 Nays, 0 Not Voting

[Signature]
Speaker of the House

[Signature]
President of the Senate

[Signature]
Chief Clerk of the House

[Signature]
Secretary of the Senate

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR~~

~~This Bill was received by the Governor this~~

~~_____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary to the Governor~~

~~Approved this _____ day of~~

~~_____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Governor of Arizona~~

~~EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE~~

~~This Bill was received by the Secretary of State~~

~~this _____ day of _____, 20____,~~

~~at _____ o'clock _____ M.~~

~~_____
Secretary of State~~

S.B. 1107

SENATE CONCURS IN HOUSE
AMENDMENTS AND FINAL PASSAGE

Passed the Senate April 24, 20 17

by the following vote: 22 Ayes,

6 Nays, 2 Not Voting


President of the Senate


Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this

20th day of April, 20 17

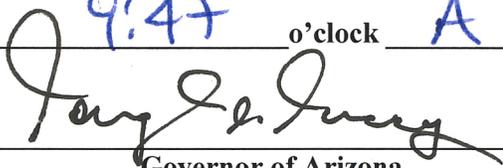
at 11:57 o'clock A. M.


Secretary to the Governor

Approved this 2nd day of

May 2017

at 9:47 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 2 day of May, 20 17

at 12:35 o'clock P. M.


Secretary of State

S.B. 1107