

REFERENCE TITLE: parents bill of rights; definition

State of Arizona
House of Representatives
Fifty-fifth Legislature
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2022

HB 2654

Introduced by
Representatives DeGrazia: Fernandez B, Hernandez M, Longdon, Pawlik,
Powers Hannley, Quiñonez, Schwiebert

AN ACT

AMENDING SECTION 1-602, ARIZONA REVISED STATUTES; RELATING TO PARENTAL 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:

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

10 2. All rights of parents identified in title 15, including the
11 right 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 **UNLESS** the parent is the
20 subject of an investigation of a crime committed against the minor child
21 and a law enforcement official requests that the information not be
22 released.

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

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

30 9. The right to consent in writing before ~~the~~ **THIS** state or any of
31 its political subdivisions makes a video or voice recording of the minor
32 child, unless the video or voice recording is made during or as a part of
33 a court proceeding, by law enforcement officers during or as part of a law
34 enforcement investigation, during or as part of an interview in a criminal
35 or child safety services investigation or to be used solely for any of the
36 following:

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

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

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

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

44 (e) A photo identification card.

1 10. The right to be notified promptly if an employee of this state,
2 any political subdivision of this state, any other governmental entity or
3 any other institution suspects that a criminal offense has been committed
4 against the minor child by someone other than a parent, unless the
5 incident has first been reported to law enforcement and ~~notification of~~
6 **NOTIFYING** the parent would impede a law enforcement or child safety
7 services investigation. This paragraph does not create any new obligation
8 for school districts and charter schools to report misconduct between
9 students at school, such as fighting or aggressive play, that is routinely
10 addressed as a student disciplinary matter by the school.

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

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

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

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

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