

REFERENCE TITLE: CPS; missing children reports

State of Arizona
House of Representatives
Forty-eighth Legislature
Second Regular Session
2008

HB 2599

Introduced by
Representatives Adams, Farley, Murphy: Anderson, Clark

AN ACT

AMENDING TITLE 8, CHAPTER 10, ARTICLE 1, ARIZONA REVISED STATUTES, IS AMENDED
BY ADDING SECTION 8-810; RELATING TO CHILD PROTECTIVE SERVICES.

(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 10, article 1, Arizona Revised Statutes,
3 is amended by adding section 8-810, to read:

4 8-810. Department of public safety; law enforcement agencies;
5 missing children; notification

6 A. IF CHILD PROTECTIVE SERVICES RECEIVES A REPORT MADE PURSUANT TO
7 SECTION 13-3620 OR RECEIVES INFORMATION DURING THE COURSE OF PROVIDING
8 SERVICES THAT INDICATES THAT A CHILD IS AT RISK OF SERIOUS HARM AND THE
9 CHILD'S LOCATION IS UNKNOWN, CHILD PROTECTIVE SERVICES SHALL NOTIFY THE
10 DEPARTMENT OF PUBLIC SAFETY AND ENTER THE FOLLOWING INFORMATION ABOUT THE
11 MISSING CHILD, IF KNOWN, IN THE DEPARTMENT OF ECONOMIC SECURITY'S CASE
12 MANAGEMENT INFORMATION SYSTEM:

13 1. THE NAME, DATE OF BIRTH AND SOCIAL SECURITY NUMBER OF THE CHILD'S
14 PARENT, GUARDIAN OR CUSTODIAN.

15 2. IF THE CHILD IS AT LEAST EIGHT YEARS OF AGE, THE CHILD'S NAME, DATE
16 OF BIRTH AND SOCIAL SECURITY NUMBER.

17 3. THE LAST KNOWN ADDRESS OR LOCATION OF THE CHILD AND THE CHILD'S
18 PARENT, GUARDIAN OR CUSTODIAN.

19 B. THE INFORMATION PROVIDED PURSUANT TO SUBSECTION A OF THIS SECTION
20 SHALL BE INTERFACED WITH THE ARIZONA CRIMINAL JUSTICE INFORMATION SYSTEM
21 PERSON FILE.

22 C. THE DEPARTMENT OF PUBLIC SAFETY SHALL IMMEDIATELY ENTER THE
23 INFORMATION PROVIDED BY CHILD PROTECTIVE SERVICES PURSUANT TO SUBSECTION A OF
24 THIS SECTION INTO THE NATIONAL CRIME INFORMATION CENTER COMPUTER SYSTEM AS A
25 MISSING CHILD REPORT.

26 D. IF ANY LAW ENFORCEMENT AGENCY HAS CONTACT WITH A CHILD OR THE
27 CHILD'S PARENT, GUARDIAN OR CUSTODIAN WHO IS A PERSON OF INTEREST, OR IF IT
28 RECEIVES INFORMATION THAT THE CHILD OR THE CHILD'S PARENT, GUARDIAN OR
29 CUSTODIAN IS OR MAY BE IN ITS JURISDICTION, THE AGENCY SHALL:

30 1. IMMEDIATELY NOTIFY CHILD PROTECTIVE SERVICES OF THE CHILD'S
31 LOCATION AND OBTAIN INFORMATION ABOUT THE STATUS OF THE CHILD PROTECTIVE
32 SERVICES CASE OR INVESTIGATION.

33 2. CONDUCT A CHILD WELFARE CHECK TO DETERMINE THE CONDITION OF THE
34 CHILD AND NOTIFY CHILD PROTECTIVE SERVICES OF THE OUTCOME OF THE WELFARE
35 CHECK.

36 3. TAKE THE CHILD INTO TEMPORARY CUSTODY IF THIS IS CLEARLY NECESSARY
37 TO PROTECT THE CHILD BECAUSE PROBABLE CAUSE EXISTS TO BELIEVE THE CHILD IS
38 ANY OF THE FOLLOWING:

39 (a) A VICTIM, OR WILL IMMINENTLY BECOME A VICTIM, OF ABUSE OR NEGLECT.

40 (b) SUFFERING SERIOUS PHYSICAL OR EMOTIONAL INJURY THAT CAN BE
41 DIAGNOSED ONLY BY A MEDICAL DOCTOR OR PSYCHOLOGIST.

1 (c) PHYSICALLY INJURED AS A RESULT OF LIVING WHERE ANY DANGEROUS DRUG
2 OR NARCOTIC DRUG IS BEING MANUFACTURED. FOR THE PURPOSES OF THIS
3 SUBDIVISION, "DANGEROUS DRUG" AND "NARCOTIC DRUG" HAVE THE SAME MEANINGS
4 PRESCRIBED IN SECTION 13-3401.

5 E. CHILD PROTECTIVE SERVICES SHALL ESTABLISH A PROCEDURE FOR PROMPT
6 RESPONSE WHEN IT IS NOTIFIED BY A LAW ENFORCEMENT AGENCY PURSUANT TO
7 SUBSECTION D, PARAGRAPH 1 OF THIS SECTION.