



**ARIZONA STATE SENATE**  
*Fifty-Sixth Legislature, First Regular Session*

FACT SHEET FOR H.B. 2516

child abuse; investigations; forensic interview

Purpose

Allows a person who takes a child into custody because of an exigent circumstance and is required to immediately have the child examined by a physician to also have the child forensically interviewed by a person who is trained in forensic interviewing.

Background

Any person who reasonably believes that a minor is or has been the victim of physical injury, abuse, child abuse, a reportable offense or neglect that appears to have been inflicted on the minor by other than accidental means or that is not explained by the available medical history as being accidental in nature, or who reasonably believes there has been a denial or deprivation of necessary medical treatment or surgical care or nourishment with the intent to cause or allow the death of an infant, must immediately report or cause reports to be made of this information to a peace officer or the Department of Child Safety (DCS) ([A.R.S. § 13-3620](#)).

The superior court, on a dependency petition filed by a statutorily outlined person, is allowed to issue an order authorizing DCS to take temporary custody of a child on finding that probable cause exists to believe that temporary custody is clearly necessary to protect the child from suffering abuse or neglect and it is contrary to the child's welfare to remain in the home. A child must not remain in temporary custody for more than 72 hours, excluding Saturdays, Sundays and holidays, unless a dependency petition is filed ([A.R.S. § 8-821](#)).

An *exigent circumstance* means there is probable cause to believe that the child is likely to suffer serious harm in the time it would take to obtain a court order for removal and if either of the following is true: 1) there is no less intrusive alternative to taking temporary custody of the child that would reasonably and sufficiently protect the child's health or safety; or 2) probable cause exists to believe that the child is a victim of sexual abuse or abuse involving serious physical injury that can be diagnosed only by a statutorily outlined physician or health care provider ([A.R.S. § 8-821](#)).

There is no anticipated fiscal impact to the state General Fund associated with this legislation.

Provisions

1. Allows a person who is trained in forensic interviewing to conduct a forensic interview of a child who is taken into custody because of an exigent circumstance.
2. Allows both forensic interviews and medical examinations of the involved minor to be performed.

FACT SHEET

H.B. 2516

Page 2

3. Modifies the definition of *reportable offense* to specify that it is unlawful for any person, with knowledge of the character of the item involved, to recklessly furnish, present, provide, make available, give, lend, show, advertise or distribute to minors any item that is harmful to minors.
4. Becomes effective on the general effective date.

House Action

JUD	2/1/23	DP	8-0-0-0
3 <sup>rd</sup> Read	2/20/23		56-0-4

Prepared by Senate Research  
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ZD/SB/sr