



ARIZONA STATE SENATE
Fifty-Sixth Legislature, Second Regular Session

FACT SHEET FOR S.B. 1664

DCS; tiered central registry; hearings

Purpose

Requires, beginning March 15, 2025, the Department of Child Safety (DCS) to implement a tiered system relating to persons placed on the central registry of abuse and neglect based on the severity of the abuse or neglect and the risk a person presents to commit further acts of abuse or neglect. Outlines findings by the court that constitute a substantiated allegation and procedures for proceedings based on a petition to the juvenile court regarding allegations of abuse and neglect.

Background

DCS's primary purpose is to protect children. Required DCS duties necessary to achieve that purpose include: 1) investigating reports of abuse and neglect; 2) assessing, promoting and supporting the safety of a child in a safe and stable family; 3) working cooperatively with law enforcement regarding reports that include criminal conduct allegations; and 4) without compromising child safety, coordinating services to achieve and maintain permanency on behalf of the child, strengthen the family and provide child-safety prevention, intervention and treatment services ([A.R.S. § 8-451](#)).

DCS must maintain a central registry of reports of child abuse and neglect that are substantiated and the outcome of the investigations of the reports. A finding made by a court that a child is dependent based on an allegation of abuse or neglect must be recorded in the central registry as a substantiated finding. DCS conducts central registry background checks and uses the information contained in the central registry for purposes that include, but are not limited to: 1) determining qualifications for positions that provide direct service to children or vulnerable adults; 2) determining qualifications for foster home licensing, adoptive parent certification, child welfare agency licensing and child care home certification; and 3) providing information to licensee's such as foster care homes regarding persons who are employed or seeking employment to provide direct services to children or vulnerable adults ([A.R.S. § 8-804](#)).

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

Provisions

1. Allows DCS to enter a person in the central registry of abuse and neglect if a court finds the following:
 - a) a child is a dependent child based on an allegation of abuse or neglect at a dependency adjudication hearing or that the person has committed an act of child abuse or neglect; and
 - b) the nature and circumstances of the abuse or neglect indicate the person would present a significant risk of committing further abuse or neglect if the person were in a position outside of the person's home that involves care of or substantial contact with children.

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2. Requires DCS to:
 - a) adopt rules, by March 15, 2025, to establish a tiered system in the central registry for abuse and neglect for the placement of persons who commit child abuse or neglect as found by the court;
 - b) designate time frames for how long a person is maintained on the central registry based on the type of abuse or neglect and the risk of the person committing further abuse and neglect, as prescribed;
 - c) conform all entries in the central registry to the tiered system, by May 15, 2025;
 - d) make a reasonable effort to notify any person whose central registry entry was altered as a result of the adoption of rules;
 - e) maintain entries in the central registry system for a maximum of 25 years after a court finding of abuse or neglect; and
 - f) purge central registry entries at least monthly according to the timeframes established by adopted rules.
3. Requires DCS in adopting rules to:
 - a) consider the act of abuse or neglect and the risk of the person who commits the abuse or neglect may pose if the person is in a setting that involves the care of or substantial contact with children;
 - b) determine which acts of abuse or neglect require placement on the central registry;
 - c) designate tiers based on the type of abuse or neglect and the risk of future abuse or neglect and specify the length of time a person must be on the registry for each tier; and
 - d) include procedures for a person listed on the central registry to request early removal.
4. Allows DCS to petition the juvenile court, if no dependency petition is filed, for a finding that a person committed an act of child abuse or neglect and that the type of abuse or neglect indicates that the person presents a significant risk of recommitting.
5. Requires a petition to the juvenile court to be verified and to include the names and addresses of all parties to the abuse and a statement supporting the conclusion that the person has committed an act of child abuse or neglect and is at risk of recommitting.
6. Requires DCS to serve the petition to the juvenile court and notice to all parties to the abuse or neglect allegation.
7. Requires the notice of a petition to the juvenile court to contain:
 - a) the names and address of the person to whom the notice is directed and of the parties involved in the allegation of abuse or neglect;
 - b) the date, time and place of the hearing on the petition;
 - c) a statement that the person alleged to commit the act of child abuse or neglect is entitled to have an attorney present at the hearing and that, if the person is indigent and cannot afford an attorney, an attorney will be provided; and
 - d) a statement that as the result of the hearing or further proceedings the person could be placed on the central registry of child abuse and neglect.
8. Requires the court to conduct an initial hearing within 45 days after the petition is filed and a hearing on the merits within 90 days after service of the petition.

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9. Requires the court to advise the respondent in an allegation proceeding of prescribed rights.
10. Specifies if the court finds the allegations are true, the court must state it has jurisdiction, the basis for finding the allegations to be true, that the person presents a risk of recommitting and that DCS may place the person on the central registry.
11. Specifies if the court does not find that the allegations are true then the petition is dismissed, and the person may not be placed on the central registry.
12. Allows the court to find a respondent has waived the respondent's right to contest a petition by failing to appear for the hearing and enter a finding that allows DCS to place the respondent on the central registry.
13. Requires a notice for a dependency proceeding to include a statement that as a result of the proceedings the parent or guardian may be placed on the central registry.
14. Enacts all provisions other than the additional required statement included the dependency petition notice on March 15, 2025.
15. Makes technical and conforming changes.
16. Becomes effective on the general effective date, with a delayed effective date as noted.

Prepared by Senate Research

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MM/KS/mg