



# BACKGROUND MATERIAL

September 28, 2026

PROPOSED CHANGES TO

ARS §13-3821

ARS § 13-3822

ARS § 13-3825

PROVIDED BY

BOARD MEMBER

DET. BEN COOK,

PINAL COUNTY SHERIFF'S OFFICE

# PROPOSED ARIZONA LEGISLATION

## A.R.S. § 13-3821

### *Sex offender registration — school access information*

Purpose: Replace the requirement to identify a child and the child's school enrollment status with a requirement to identify the school or school-related facility the registrant reasonably expects to access in connection with a child's education, care, transportation, or extracurricular activities.

#### **Section 1. Section 13-3821, Arizona Revised Statutes, is amended to read:**

13-3821. Persons required to register; procedure; identification card; assessment; definitions

I. At the time of registering, the person shall sign or affix an electronic fingerprint to a statement giving such information as required by the director of the department of public safety. The sheriff shall fingerprint and photograph the person and within three days thereafter shall send copies of the statement, fingerprints and photographs to the department of public safety and the chief of police, if any, of the place where the person resides. The information that is required by this subsection shall include all of the following:

~~5. If the person has legal custody of a child who is enrolled in school, the child's name and enrollment status.~~

#### **Proposed changes**

13-3821.I.5. IF THE PERSON EXPECTS TO ENTER A PRE-K-12 PUBLIC, CHARTER, PRIVATE OR PAROCHIAL SCHOOL IN CONNECTION WITH THE EDUCATION, CARE, TRANSPORTATION OR EXTRACURRICULAR ACTIVITIES OF A CHILD, THE PERSON SHALL PROVIDE THE NAME AND PHYSICAL ADDRESS OF THE SCHOOL, EDUCATIONAL INSTITUTION OR SCHOOL-RELATED FACILITY.

13-3821.S.2 "Child" or "children" as used in reference to age of persons means persons under eighteen years of age.

#### **Legislative purpose**

- Shift the registration requirement from identifying the child to identifying the location where the registrant expects to have child-related school access.
- Reduce the collection of child-specific identifying information while giving law enforcement a location that can be used for notification and safety planning.
- Create the information needed for the related school-notification provisions proposed in A.R.S. §§ 13-3822 and 13-3825.
- Subsection J of this statute requires annual confirmation of this information.
- We are allowing this for persons with children, not for entrance associated with employees or others associated with the school?

## Key effect

- The proposed language does not prohibit school access.
- It does not require the child's name or enrollment status to be reported.
- It focuses the registration information on the school, educational institution, or school-related facility the registrant reasonably expects to access.

## Material Source

PROPOSING AGENCY: Pinal County Sheriff's Office

SUBJECT: Sex Offender Registration and School Access

STATUTES AFFECTED: A.R.S. §§ 13-3821, 13-3822 and 13-3825

STATUS: Proposed Statutory Amendments – For Legislative Consideration

# PROPOSED ARIZONA LEGISLATION

## A.R.S. § 13-3822

### *Presence on School Property and Notice*

Purpose: Establish a reporting mechanism for school access that was not previously disclosed under A.R.S. § 13-3821, while establishing an immediate school check-in requirement when a registrant enters school property.

### **Section 1. Section 13-3822, Arizona Revised Statutes, is amended to read:**

13-3822. Notice of moving from place of residence or change of name, electronic information or vehicle information; forwarding of information; definitions

~~E. A person who is required to register pursuant to this article and who has legal custody of a child who is enrolled in school shall notify the sheriff in person or electronically within seventy-two hours, excluding weekends and legal holidays, after the person makes any changes to the enrollment status of the person's child at the child's school.~~

F. For the purposes of this section:

1. "Address" means all locations at which the person receives mail.
- ~~2. "Legal custody" means the right to have physical possession of a child.~~

### **Proposed changes:**

E. A person required to register pursuant to this chapter who enters the property of a public, charter, private or parochial school, educational institution or school-related facility shall:

1. Upon entering the property, immediately report to the principal, administrator or designated school official and identify themselves as a person required to register pursuant to this chapter.
2. Comply with reasonable procedures established by the school, school district, educational institution or school-related facility for identifying and monitoring the person's presence on the property.

Notice to the school pursuant to this subsection is not required for a location or activity previously disclosed pursuant to section 13-3821.I.5.

The notice requirements of this section do not apply to a person's presence at a school, educational institution or school-related facility for any of the following purposes:

1. Voting, or providing assistance to a voter as authorized by law.
2. Responding to an emergency or providing or receiving emergency medical, fire, law enforcement or other emergency services.
3. Complying with a court order or a directive from a law enforcement, fire, medical or other governmental authority.
4. Any other access expressly authorized by law.

Notification or compliance with this section does not create a right to enter or remain on school property and does not limit the authority of a school, school district, educational institution or law enforcement agency to restrict, deny or condition the person's access to the property.

F. A person required to register pursuant to this article who has previously disclosed a school, educational institution, or school-related facility pursuant to section 13-3821 and whose anticipated child-related school access changes shall notify the Sheriff of the county in which the person is registered in person or electronically, within seventy-two (72) hours, excluding weekends and legal holidays, after the change occurs. The notice shall identify the school, educational institution, or school-related facility and the physical address of the property.

### **Legislative purpose**

- Establish a reporting mechanism for non-routine school access that was not previously disclosed under A.R.S. § 13-3821.
- Require an immediate check-in with the principal, administrator or designated school official when a registrant enters school property.
- Avoid repeated reporting when the school location or activity has already been disclosed.
- Maintain a 72-hour reporting period for changes consistent with reporting periods already used elsewhere in Arizona's sex-offender registration statutes.

### **Key effect**

- The provision addresses non-routine access and actual presence on school property rather than prohibiting school attendance.
- A registrant who enters school property must immediately report to the designated school official and comply with reasonable school procedures for identifying and monitoring the person's presence.
- The exception is intended to prevent duplicative reporting for locations or activities previously disclosed under § 13-3821.
- The specified exceptions preserve access for voting, emergencies, governmental directives and other access expressly authorized by law.
- The school-change provision provides a 72-hour period to update the sheriff when previously disclosed school-access information changes.

### **Drafting note**

This proposal should be read together with proposed § 13-3821(I)(5) and proposed § 13-3825(F). The provisions create a sequence of annual/anticipated registrant disclosure, non-routine access notice, actual school-property check-in, and law-enforcement notification to the school.

### **Material Source**

PROPOSING AGENCY: Pinal County Sheriff's Office

SUBJECT: Sex Offender Registration and School Access

STATUTES AFFECTED: A.R.S. §§ 13-3821, 13-3822 and 13-3825

STATUS: Proposed Statutory Amendments – For Legislative Consideration

# PROPOSED ARIZONA LEGISLATION

## A.R.S. § 13-3825

### *Law-enforcement notification to school administrators*

Purpose: Establish a specific law-enforcement notification procedure when a registrant provides notice of anticipated school access under §§ 13-3821 or 13-3822.

### **Section 1. Section 13-3825, Arizona Revised Statutes, is amended to read:**

13-3825. Community notification; definitions

C. The community notification requirements are as follows:

1. For level one offenders who have been convicted of a dangerous crime against children as defined in section 13-705 and for level two and level three offenders, the notification must be disseminated in a non-electronic format to the surrounding neighborhood, area schools, appropriate community groups, and prospective employers. ~~and, if the offender has legal custody of a child, the child's school.~~ The notification must include the offender's photograph and exact address and a summary of the offender's status and criminal background. A press release and the notification containing all required offender information must be given to the local electronic and print media to enable information to be placed in a local publication.

13-3825.O.1. "Legal custody" means the right to have physical possession of a child.

### **Proposed newly added subsection**

**F IF A PERSON REQUIRED TO REGISTER PURSUANT TO THIS CHAPTER PROVIDES NOTICE OF SCHOOL ACCESS PURSUANT TO SECTION 13-3821, NOTIFICATION SHALL BE MADE YEARLY TO THE SCHOOLS LISTED BY THE PERSON. THE NOTIFICATION MAY BE MADE IN ELECTRONIC FORMAT AND MUST INCLUDE THE OFFENDER'S PHOTOGRAPH AND EXACT ADDRESS AND A SUMMARY OF THE OFFENDER'S STATUS AND CRIMINAL BACKGROUND.**

THE NOTICE REQUIREMENTS OF THIS SECTION DO NOT APPLY TO A PERSON'S PRESENCE AT A SCHOOL, EDUCATIONAL INSTITUTION OR SCHOOL-RELATED FACILITY FOR ANY OF THE FOLLOWING PURPOSES:

1. VOTING, OR PROVIDING ASSISTANCE TO A VOTER AS AUTHORIZED BY LAW.
2. RESPONDING TO AN EMERGENCY OR PROVIDING OR RECEIVING EMERGENCY MEDICAL, FIRE, LAW ENFORCEMENT OR OTHER EMERGENCY SERVICES.
3. COMPLYING WITH A COURT ORDER OR A DIRECTIVE FROM A LAW ENFORCEMENT, FIRE, MEDICAL OR OTHER GOVERNMENTAL AUTHORITY.
4. ANY OTHER ACCESS EXPRESSLY AUTHORIZED BY LAW.

## Legislative purpose

- Create a direct communication between the law enforcement agency of jurisdiction and the school administrator.
- Provide the school with advance notice of a registrant's anticipated presence, rather than requiring the school to independently discover the information.
- Provide the school with the registrant's identity and details regarding offender status

## Key effect

- The provision does not itself prohibit the registrant from entering the school.
- The notification is directed to the appropriate school administrator rather than broadly disseminated to the public.
- The intent is to eliminate repeated notifications by the offender to a disclosed location.

## Legislative addition

This proposal would insert a new subsection to accommodate a new notification concept. The statute would need to be realigned. This will not eliminate the current subsection F.

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