

House Engrossed Senate Bill

~~sex offender management working group~~
(now: sex offender management board; establishment)

State of Arizona
Senate
Fifty-sixth Legislature
Second Regular Session
2024

CHAPTER 241
SENATE BILL 1630

AN ACT

AMENDING TITLE 13, CHAPTER 38, ARTICLE 3, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3828; AMENDING TITLE 41, CHAPTER 27, ARTICLE 2, ARIZONA REVISED STATUTES, BY ADDING SECTION 41-3032.01; RELATING TO SEX OFFENDER REGISTRATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Title 13, chapter 38, article 3, Arizona Revised
3 Statutes, is amended by adding section 13-3828, to read:

4 13-3828. Sex offender management board; duties; report

5 A. THE SEX OFFENDER MANAGEMENT BOARD IS ESTABLISHED AND CONSISTS OF
6 MEMBERS WHO REPRESENT URBAN AND RURAL AREAS OF THIS STATE, WHO HAVE
7 EXPERTISE IN ADULT AND JUVENILE ISSUES THAT RELATE TO SEX OFFENDERS AND
8 WHO ARE APPOINTED AS FOLLOWS:

9 1. THE CHIEF JUSTICE OF THE SUPREME COURT SHALL APPOINT THE
10 FOLLOWING MEMBERS, WHO MAY BE ACTIVE OR RETIRED AND WHO HAVE SUFFICIENT
11 EXPERIENCE IN THE FIELD:

12 (a) ONE MEMBER WHO REPRESENTS THE JUDICIAL DEPARTMENT.

13 (b) ONE MEMBER WHO IS A SUPERIOR COURT JUDGE.

14 (c) ONE MEMBER WHO IS EITHER A JUVENILE COURT JUDGE OR A JUVENILE
15 HEARING OFFICER.

16 2. THE DIRECTOR OF THE STATE DEPARTMENT OF CORRECTIONS SHALL
17 APPOINT ONE MEMBER WHO REPRESENTS THE STATE DEPARTMENT OF CORRECTIONS.

18 3. THE DIRECTOR OF THE DEPARTMENT OF ECONOMIC SECURITY SHALL
19 APPOINT THE FOLLOWING MEMBERS:

20 (a) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF ECONOMIC SECURITY
21 AND WHO HAS RECOGNIZABLE EXPERTISE IN CHILD WELFARE AND CASE MANAGEMENT.

22 (b) ONE MEMBER WHO IS A PROVIDER OF OUT-OF-HOME PLACEMENT SERVICES
23 AND WHO HAS RECOGNIZABLE EXPERTISE IN PROVIDING SERVICES TO JUVENILES WHO
24 HAVE COMMITTED SEXUAL OFFENSES.

25 (c) ONE MEMBER WHO REPRESENTS THE DEPARTMENT OF CHILD SAFETY.

26 4. THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY SHALL APPOINT
27 THE FOLLOWING MEMBERS:

28 (a) TWO MEMBERS WHO ARE LICENSED MENTAL HEALTH PROFESSIONALS AND
29 WHO HAVE RECOGNIZABLE EXPERTISE IN THE TREATMENT OF ADULT SEX OFFENDERS.

30 (b) TWO MEMBERS WHO ARE LICENSED MENTAL HEALTH PROFESSIONALS AND
31 WHO HAVE RECOGNIZABLE EXPERTISE IN THE TREATMENT OF JUVENILES WHO HAVE
32 COMMITTED SEXUAL OFFENSES.

33 (c) ONE MEMBER WHO IS A PUBLIC DEFENDER AND WHO HAS RECOGNIZABLE
34 EXPERTISE RELATED TO SEXUAL OFFENSES.

35 (d) ONE MEMBER WHO REPRESENTS LAW ENFORCEMENT AND WHO HAS
36 RECOGNIZABLE EXPERTISE IN ADDRESSING SEXUAL OFFENSES AND VICTIMIZATION.

37 (e) THREE MEMBERS WHO ARE RECOGNIZED EXPERTS IN THE FIELD OF SEXUAL
38 ABUSE AND WHO REPRESENT SEXUAL ABUSE VICTIMS AND VICTIMS' RIGHTS
39 ORGANIZATIONS.

40 (f) ONE PUBLIC MEMBER WHO HAS EXPERTISE RELATED TO THE EVALUATION,
41 TREATMENT OR SUPERVISION OF SEX OFFENDERS.

42 (g) ONE MEMBER WHO IS A CLINICAL POLYGRAPH EXAMINER AND WHO IS
43 TRAINED IN POSTCONVICTION SEX OFFENDER TESTING.

44 (h) ONE MEMBER WHO IS A CURRENT OR FORMER PROBATION REPRESENTATIVE
45 AND WHO HAS RECOGNIZABLE EXPERTISE RELATED TO SEXUAL OFFENSES.

1 (i) ONE MEMBER WHO IS A COUNTY DIRECTOR OF HUMAN OR SOCIAL SERVICES
2 AND WHO IS APPOINTED AFTER CONSULTATION WITH A STATEWIDE GROUP
3 REPRESENTING COUNTIES.

4 (j) TWO MEMBERS WHO ARE MEMBERS OF A COUNTY BOARD OF SUPERVISORS OR
5 WHO ARE MEMBERS OF THE GOVERNING COUNCIL FOR A JURISDICTION THAT IS A
6 CONTIGUOUS CITY AND COUNTY, ONE OF WHOM REPRESENTS AN URBAN OR SUBURBAN
7 COUNTY AND ONE OF WHOM REPRESENTS A RURAL COUNTY, AND WHO ARE APPOINTED
8 AFTER CONSULTATION WITH A STATEWIDE GROUP REPRESENTING COUNTIES.

9 (k) ONE MEMBER WHO REPRESENTS THE HIGHWAY PATROL DIVISION IN THE
10 DEPARTMENT OF PUBLIC SAFETY.

11 5. THE DIRECTOR OF THE ARIZONA PROSECUTING ATTORNEYS' ADVISORY
12 COUNCIL SHALL APPOINT ONE MEMBER WHO REPRESENTS THE INTERESTS OF
13 PROSECUTING ATTORNEYS AND WHO HAS RECOGNIZABLE EXPERTISE IN PROSECUTING
14 SEXUAL OFFENSES.

15 6. THE SUPERINTENDENT OF PUBLIC INSTRUCTION SHALL APPOINT ONE
16 MEMBER WHO HAS EXPERIENCE WITH JUVENILES WHO HAVE COMMITTED SEXUAL
17 OFFENSES AND WHO IS IN THE PUBLIC SCHOOL SYSTEM.

18 7. THE SPEAKER OF THE HOUSE OF REPRESENTATIVES SHALL APPOINT ONE
19 MEMBER OF THE HOUSE OF REPRESENTATIVES WHO SHALL SERVE AS COCHAIPERSON.
20 THE SPEAKER OF THE HOUSE OF REPRESENTATIVES MAY APPOINT UP TO TWO
21 ADDITIONAL MEMBERS OF THE HOUSE OF REPRESENTATIVES FROM DIFFERENT
22 POLITICAL PARTIES.

23 8. THE PRESIDENT OF THE SENATE SHALL APPOINT ONE MEMBER OF THE
24 SENATE WHO SHALL SERVE AS COCHAIPERSON. THE PRESIDENT OF THE SENATE MAY
25 APPOINT UP TO TWO ADDITIONAL MEMBERS OF THE SENATE FROM DIFFERENT
26 POLITICAL PARTIES.

27 9. THE GOVERNOR MAY APPOINT UP TO TWO ADDITIONAL MEMBERS FROM
28 DIFFERENT POLITICAL PARTIES.

29 B. APPOINTED MEMBERS SERVE AT THE PLEASURE OF THE APPOINTING
30 AUTHORITY. THE INITIAL MEMBERS SHALL ASSIGN THEMSELVES BY LOT TO TERMS OF
31 TWO, THREE AND FOUR YEARS. ALL SUBSEQUENT MEMBERS SERVE FOUR-YEAR TERMS
32 OF OFFICE. THE COCHAIRPERSONS SHALL NOTIFY THE GOVERNOR'S OFFICE OF THESE
33 TERMS. BOARD MEMBERS ARE NOT ELIGIBLE TO RECEIVE COMPENSATION BUT ARE
34 ELIGIBLE FOR REIMBURSEMENT OF EXPENSES PURSUANT TO TITLE 38, CHAPTER 4,
35 ARTICLE 2.

36 C. THE BOARD SHALL DO ALL OF THE FOLLOWING AND SHALL PRESENT ITS
37 RECOMMENDATIONS, AS APPLICABLE, TO THE LEGISLATURE:

38 1. DEVELOP, PRESCRIBE AND REVISE, AS APPROPRIATE, STANDARD
39 PROCEDURES TO EVALUATE ADULT SEX OFFENDERS, INCLUDING ADULT SEX OFFENDERS
40 WITH DEVELOPMENTAL DISABILITIES AND SERIOUS MENTAL ILLNESS. THE
41 RECOMMENDED PROCEDURES SHALL:

42 (a) PROVIDE FOR EVALUATING ADULT SEX OFFENDERS.

43 (b) RECOMMEND MANAGEMENT, MONITORING AND TREATMENT BASED ON
44 EXISTING RESEARCH.

1 (c) INCORPORATE THE CONCEPTS OF THE RISK-NEED-RESPONSIVITY OR
2 ANOTHER EVIDENCE-BASED CORRECTIONAL MODEL.

3 2. DEVELOP A PROCEDURE FOR EVALUATING, ON A CASE-BY-CASE BASIS,
4 RELIABLY LOWER-RISK SEX OFFENDERS WHOSE RISK TO SEXUALLY REOFFEND MAY NOT
5 BE FURTHER REDUCED BY PARTICIPATION IN A TREATMENT PROGRAM THAT IS
6 IMPLEMENTED PURSUANT TO PARAGRAPH 4 OF THIS SUBSECTION.

7 3. DEVELOP AND RECOMMEND METHODS OF INTERVENTION FOR ADULT SEX
8 OFFENDERS. THE METHODS MUST PRIORITIZE THE PHYSICAL AND PSYCHOLOGICAL
9 SAFETY OF VICTIMS AND POTENTIAL VICTIMS. THE METHODS MUST ALSO BE
10 APPROPRIATE TO THE ASSESSED NEEDS OF THE PARTICULAR ADULT SEX OFFENDER.

11 4. DEVELOP, IMPLEMENT AND REVISE, AS APPROPRIATE, GUIDELINES AND
12 STANDARDS TO TREAT ADULT SEX OFFENDERS, INCLUDING ADULT SEX OFFENDERS WITH
13 INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND SERIOUS MENTAL ILLNESS.
14 THE RECOMMENDED GUIDELINES AND STANDARDS MUST INCORPORATE THE CONCEPTS OF
15 THE RISK-NEED-RESPONSIVITY OR ANOTHER EVIDENCE-BASED CORRECTIONAL MODEL.
16 THE GUIDELINES AND STANDARDS MAY BE USED IN THE TREATMENT OF ADULT SEX
17 OFFENDERS WHO ARE PLACED ON PROBATION, IMPRISONED IN THE STATE DEPARTMENT
18 OF CORRECTIONS OR PLACED ON COMMUNITY SUPERVISION. PROGRAMS RECOMMENDED
19 TO BE IMPLEMENTED PURSUANT TO THE GUIDELINES AND STANDARDS MUST:

20 (a) BE AS FLEXIBLE AS POSSIBLE SO THAT THE PROGRAMS MAY BE ACCESSED
21 BY EACH ADULT SEX OFFENDER TO PREVENT THE ADULT SEX OFFENDER FROM HARMING
22 VICTIMS AND POTENTIAL VICTIMS.

23 (b) INCLUDE A CONTINUING MONITORING PROCESS AND A CONTINUUM OF
24 TREATMENT OPTIONS THAT ARE AVAILABLE TO AN ADULT SEX OFFENDER AS THE ADULT
25 SEX OFFENDER PROCEEDS THROUGH THE CRIMINAL JUSTICE SYSTEM. TREATMENT
26 OPTIONS MUST BE DETERMINED BY A CURRENT RISK ASSESSMENT AND EVALUATION AND
27 MAY INCLUDE GROUP COUNSELING, INDIVIDUAL COUNSELING, FAMILY COUNSELING,
28 OUTPATIENT TREATMENT, INPATIENT TREATMENT, SHARED LIVING ARRANGEMENTS OR
29 TREATMENT IN A THERAPEUTIC COMMUNITY.

30 (c) TO THE EXTENT POSSIBLE, BE ACCESSIBLE TO ALL ADULT SEX
31 OFFENDERS IN THE CRIMINAL JUSTICE SYSTEM, INCLUDING THOSE ADULT SEX
32 OFFENDERS WITH BEHAVIORAL, MENTAL HEALTH AND CO-OCCURRING DISORDERS.

33 5. ESTABLISH A SUBCOMMITTEE TO MAKE RECOMMENDATIONS TO THE BOARD ON
34 REVISING THE GUIDELINES AND STANDARDS DEVELOPED PURSUANT TO PARAGRAPH 4 OF
35 THIS SUBSECTION. AT LEAST EIGHTY PERCENT OF THE MEMBERS OF THE
36 SUBCOMMITTEE MUST BE APPROVED TREATMENT PROVIDERS, INCLUDING ONE POLYGRAPH
37 EXAMINER.

38 6. DEVELOP ANNUAL RECOMMENDATIONS TO ALLOCATE MONIES DEPOSITED IN
39 THE STATE GENERAL FUND PURSUANT TO SECTION 13-3821, SUBSECTION Q AND
40 SECTION 13-3824, SUBSECTION B. THESE SHALL INCLUDE RECOMMENDATIONS
41 REGARDING THE COORDINATION OF SPENDING MONIES FROM THE STATE GENERAL FUND
42 WITH ANY MONIES SPENT BY THE STATE DEPARTMENT OF CORRECTIONS, THE
43 DEPARTMENT OF PUBLIC SAFETY OR THE JUDICIAL DEPARTMENT TO EVALUATE AND
44 TREAT ADULT SEX OFFENDERS AND JUVENILES WHO HAVE COMMITTED SEXUAL

1 OFFENSES. THESE RECOMMENDATIONS SHALL BE PRESENTED TO THE LEGISLATURE
2 BEFORE THE START OF EACH LEGISLATIVE SESSION.

3 7. CONSULT ON AND PROPOSE REVISIONS TO THE LEGISLATURE, AS
4 NECESSARY, TO THE SEX OFFENDER COMMUNITY NOTIFICATION RISK ASSESSMENT
5 PRESCRIBED IN SECTION 13-3825. THE BOARD SHALL CONSIDER RESEARCH ON ADULT
6 SEX OFFENDER RISK ASSESSMENT AND SHALL CONSIDER AS ONE ELEMENT THE RISK
7 POSED BY AN ADULT SEX OFFENDER WHO SUFFERS FROM A PARAPHILIC DISORDER,
8 PSYCHOPATHY OR A PERSONALITY DISORDER THAT MAKES THE PERSON MORE LIKELY TO
9 ENGAGE IN SEXUALLY VIOLENT PREDATORY OFFENSES.

10 8. RESEARCH, EITHER THROUGH DIRECT EVALUATION OR THROUGH A REVIEW
11 OF RELEVANT RESEARCH ARTICLES AND SEX OFFENDER TREATMENT EMPIRICAL DATA,
12 AND ANALYZE, THROUGH A COMPREHENSIVE REVIEW OF EVIDENCE-BASED PRACTICES,
13 THE EFFECTIVENESS OF THE EVALUATION AND TREATMENT POLICIES AND PROCEDURES
14 FOR ADULT SEX OFFENDERS THAT ARE DEVELOPED PURSUANT TO PARAGRAPH 4 OF THIS
15 SUBSECTION. THIS RESEARCH SHALL SPECIFICALLY INCLUDE REVIEWING AND
16 RESEARCHING RECIDIVISM AND FACTORS THAT CONTRIBUTE TO RECIDIVISM FOR ADULT
17 SEX OFFENDERS, THE EFFECTIVE USE OF COGNITIVE BEHAVIORAL THERAPY TO
18 PREVENT RECIDIVISM, THE USE OF POLYGRAPHS IN TREATMENT AND THE CONTAINMENT
19 MODEL FOR ADULT SEX OFFENDER MANAGEMENT AND TREATMENT AND ITS EFFECTIVE
20 APPLICATION. THE BOARD SHALL ADVISE THE LEGISLATURE REGARDING REVISION OF
21 THE GUIDELINES AND STANDARDS FOR EVALUATION, IDENTIFICATION AND TREATMENT,
22 AS APPROPRIATE, BASED ON THE RESULTS OF THE BOARD'S RESEARCH AND
23 ANALYSIS. THE BOARD SHALL ALSO DEVELOP AND RECOMMEND A SYSTEM TO
24 IMPLEMENT THE GUIDELINES AND STANDARDS THAT ARE DEVELOPED PURSUANT TO
25 PARAGRAPH 4 OF THIS SUBSECTION.

26 9. IN COLLABORATION WITH THE STATE DEPARTMENT OF CORRECTIONS, THE
27 JUDICIAL DEPARTMENT AND THE BOARD OF EXECUTIVE CLEMENCY, DEVELOP PROPOSED
28 CRITERIA AND MAKE RECOMMENDATIONS, AS APPROPRIATE, FOR MEASURING AN ADULT
29 SEX OFFENDER'S PROGRESS IN TREATMENT. THE CRITERIA RECOMMENDED SHALL
30 ASSIST THE COURT AND THE BOARD OF EXECUTIVE CLEMENCY IN DETERMINING
31 WHETHER AN ADULT SEX OFFENDER MAY APPROPRIATELY BE RELEASED FROM
32 INCARCERATION, WHETHER THE ADULT SEX OFFENDER'S LEVEL OF SUPERVISION MAY
33 BE REDUCED OR WHETHER THE ADULT SEX OFFENDER MAY APPROPRIATELY BE
34 DISCHARGED FROM PROBATION OR PAROLE. AT A MINIMUM, THE RECOMMENDED
35 CRITERIA MUST BE DESIGNED TO ASSIST THE COURT AND THE BOARD OF EXECUTIVE
36 CLEMENCY IN DETERMINING WHETHER THE ADULT SEX OFFENDER COULD BE
37 APPROPRIATELY SUPERVISED IN THE COMMUNITY IF THE OFFENDER WERE RELEASED
38 FROM INCARCERATION, RELEASED TO A REDUCED LEVEL OF SUPERVISION OR
39 DISCHARGED FROM PROBATION OR PAROLE.

40 10. IN COLLABORATION WITH THE STATE DEPARTMENT OF CORRECTIONS, THE
41 JUDICIAL DEPARTMENT AND THE BOARD OF EXECUTIVE CLEMENCY, MAKE
42 RECOMMENDATIONS FOR THE ESTABLISHMENT OF STANDARDS FOR COMMUNITY ENTITIES
43 THAT PROVIDE SUPERVISION AND TREATMENT SPECIFICALLY DESIGNED FOR ADULT SEX
44 OFFENDERS WHO HAVE DEVELOPMENTAL DISABILITIES OR WHO ARE DEEMED SEXUALLY
45 VIOLENT PERSONS. AT A MINIMUM, THE RECOMMENDED STANDARDS MUST DETERMINE

1 WHETHER AN ENTITY WOULD PROVIDE ADEQUATE SUPPORT AND SUPERVISION TO
2 MINIMIZE ANY THREAT THAT THE ADULT SEX OFFENDER MAY POSE TO THE COMMUNITY.

3 11. REVIEW THE CURRENT DELIVERY OF SERVICES AND THE ESTABLISHMENT
4 OF RELEASE CONDITIONS AT THE ARIZONA COMMUNITY PROTECTION AND TREATMENT
5 CENTER. THE ARIZONA COMMUNITY PROTECTION AND TREATMENT CENTER SHALL
6 IMPLEMENT ANY GUIDELINES AND STANDARDS FOR SEX OFFENDER TREATMENT AND
7 SUPERVISION THAT ARE ESTABLISHED BY THE BOARD.

8 12. RESEARCH, ANALYZE AND MAKE RECOMMENDATIONS THAT REFLECT BEST
9 PRACTICES FOR LIVING ARRANGEMENTS FOR AND THE LOCATION OF ADULT SEX
10 OFFENDERS WITHIN THE COMMUNITY, INCLUDING SHARED LIVING ARRANGEMENTS. AT
11 A MINIMUM, THE BOARD SHALL CONSIDER THE SAFETY ISSUES RAISED BY THE
12 LOCATION OF ADULT SEX OFFENDER RESIDENCES, ESPECIALLY IN PROXIMITY TO
13 PUBLIC OR PRIVATE SCHOOLS AND CHILDCARE FACILITIES, AND PUBLIC
14 NOTIFICATION OF THE LOCATION OF ADULT SEX OFFENDER RESIDENCES. THE BOARD
15 SHALL MAKE RECOMMENDATIONS FOR THE ADOPTION AND REVISION, AS APPROPRIATE,
16 OF THE GUIDELINES AS IT DEEMS APPROPRIATE REGARDING THE LIVING
17 ARRANGEMENTS FOR AND LOCATION OF ADULT SEX OFFENDERS AND ADULT SEX
18 OFFENDER HOUSING.

19 13. DEVELOP AND MAKE RECOMMENDATIONS FOR REVISION, AS APPROPRIATE,
20 OF RECOMMENDED STANDARD PROCEDURES TO EVALUATE JUVENILES WHO HAVE
21 COMMITTED SEXUAL OFFENSES, INCLUDING JUVENILES WITH DEVELOPMENTAL
22 DISABILITIES. THE RECOMMENDED PROCEDURES SHALL:

23 (a) PROVIDE FOR EVALUATING JUVENILE OFFENDERS.

24 (b) RECOMMEND BEHAVIOR MANAGEMENT, MONITORING, TREATMENT AND
25 COMPLIANCE.

26 (c) INCORPORATE THE CONCEPTS OF THE RISK-NEED-RESPONSIVITY OR
27 ANOTHER EVIDENCE-BASED CORRECTIONAL MODEL BASED ON THE KNOWLEDGE THAT ALL
28 UNLAWFUL SEXUAL BEHAVIOR POSES A RISK TO THE COMMUNITY AND THAT CERTAIN
29 JUVENILES MAY HAVE THE CAPACITY TO CHANGE THEIR BEHAVIOR WITH APPROPRIATE
30 INTERVENTION AND TREATMENT. THE BOARD SHALL DEVELOP AND MAKE
31 RECOMMENDATIONS FOR THE IMPLEMENTATION OF METHODS OF INTERVENTION FOR
32 JUVENILES WHO HAVE COMMITTED SEXUAL OFFENSES. THE METHODS MUST HAVE AS A
33 PRIORITY THE PHYSICAL AND PSYCHOLOGICAL SAFETY OF VICTIMS AND POTENTIAL
34 VICTIMS AND, IF THE METHODS DO NOT REDUCE THE SAFETY OF VICTIMS AND
35 POTENTIAL VICTIMS, THE METHODS MUST ALSO BE APPROPRIATE TO THE NEEDS OF
36 THE PARTICULAR JUVENILE OFFENDER.

37 14. DEVELOP, IMPLEMENT AND REVISE, AS APPROPRIATE, GUIDELINES AND
38 STANDARDS TO TREAT JUVENILES WHO HAVE COMMITTED SEXUAL OFFENSES, INCLUDING
39 JUVENILES WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES. THE
40 GUIDELINES AND STANDARDS MUST INCORPORATE THE CONCEPTS OF THE
41 RISK-NEED-RESPONSIVITY OR ANOTHER EVIDENCE-BASED CORRECTIONAL MODEL. THE
42 GUIDELINES AND STANDARDS MAY BE USED FOR JUVENILE OFFENDERS WHO ARE PLACED
43 ON PROBATION OR PLACED UNDER THE JURISDICTION OF THE DEPARTMENT OF
44 JUVENILE CORRECTIONS OR THE STATE DEPARTMENT OF CORRECTIONS. PROGRAMS

1 RECOMMENDED TO BE IMPLEMENTED PURSUANT TO THE GUIDELINES AND STANDARDS
2 MUST:

3 (a) BE AS FLEXIBLE AS POSSIBLE SO THAT THE PROGRAMS MAY BE ACCESSED
4 BY EACH JUVENILE OFFENDER TO PREVENT THE JUVENILE FROM HARMING VICTIMS AND
5 POTENTIAL VICTIMS.

6 (b) INCLUDE A CONTINUING MONITORING PROCESS AND A CONTINUUM OF
7 TREATMENT OPTIONS THAT ARE AVAILABLE TO A JUVENILE OFFENDER AS THE
8 JUVENILE PROCEEDS THROUGH THE JUSTICE SYSTEM. TREATMENT OPTIONS MAY
9 INCLUDE GROUP COUNSELING, INDIVIDUAL COUNSELING, FAMILY COUNSELING,
10 OUTPATIENT TREATMENT, INPATIENT TREATMENT, SHARED LIVING ARRANGEMENTS AND
11 TREATMENT IN A THERAPEUTIC COMMUNITY.

12 (c) TO THE EXTENT POSSIBLE, BE ACCESSIBLE TO ALL JUVENILES WHO HAVE
13 COMMITTED SEXUAL OFFENSES AND WHO ARE IN THE JUSTICE SYSTEM, INCLUDING
14 JUVENILES WITH BEHAVIORAL, MENTAL HEALTH OR CO-OCCURRING DISORDERS.

15 15. ESTABLISH A SUBCOMMITTEE TO MAKE RECOMMENDATIONS TO THE BOARD
16 ON REVISING THE GUIDELINES AND STANDARDS DEVELOPED PURSUANT TO PARAGRAPH
17 13 OF THIS SUBSECTION. AT LEAST EIGHTY PERCENT OF THE MEMBERS OF THE
18 SUBCOMMITTEE MUST BE APPROVED TREATMENT PROVIDERS, INCLUDING ONE POLYGRAPH
19 EXAMINER.

20 16. RESEARCH AND ANALYZE THE EFFECTIVENESS OF THE EVALUATION,
21 IDENTIFICATION AND TREATMENT PROCEDURES DEVELOPED PURSUANT TO PARAGRAPH 13
22 OF THIS SUBSECTION FOR JUVENILES WHO HAVE COMMITTED SEXUAL OFFENSES. THE
23 BOARD SHALL MAKE RECOMMENDATIONS FOR THE REVISION OF THE GUIDELINES AND
24 STANDARDS FOR EVALUATION, IDENTIFICATION AND TREATMENT, AS APPROPRIATE,
25 BASED ON THE RESULTS OF THE BOARD'S RESEARCH AND ANALYSIS. THE BOARD
26 SHALL ALSO DEVELOP AND PRESCRIBE A SYSTEM TO IMPLEMENT THE GUIDELINES AND
27 STANDARDS THAT ARE DEVELOPED PURSUANT TO PARAGRAPH 13 OF THIS SUBSECTION.

28 17. IN COLLABORATION WITH LAW ENFORCEMENT AGENCIES IN THIS STATE,
29 VICTIM ADVOCACY ORGANIZATIONS, THE DEPARTMENT OF EDUCATION AND THE
30 DEPARTMENT OF PUBLIC SAFETY, DEVELOP AND REVISE, AS APPROPRIATE, FOR USE
31 BY SCHOOLS EDUCATIONAL MATERIALS REGARDING GENERAL INFORMATION ABOUT ADULT
32 SEX OFFENDERS AND JUVENILES WHO HAVE COMMITTED SEXUAL OFFENSES, SAFETY
33 CONCERNS RELATED TO THE OFFENDERS AND OTHER RELEVANT MATERIALS. THE BOARD
34 SHALL PROVIDE THE MATERIALS TO THE DEPARTMENT OF EDUCATION, AND THE
35 DEPARTMENT OF EDUCATION SHALL MAKE THE MATERIALS AVAILABLE TO SCHOOLS IN
36 THIS STATE.

37 D. IF SUFFICIENT MONIES ARE APPROPRIATED TO THE DEPARTMENT OF
38 PUBLIC SAFETY, THE BOARD MAY REQUEST THAT INDIVIDUALS OR ENTITIES THAT
39 PROVIDE EVALUATION, TREATMENT OR POLYGRAPH SERVICES SPECIFICALLY TO SEX
40 OFFENDERS THAT CONFORM WITH THE STANDARDS DEVELOPED BY THE BOARD PURSUANT
41 TO SUBSECTION D, PARAGRAPH 4 OF THIS SECTION SUBMIT TO THE BOARD DATA AND
42 INFORMATION AS DETERMINED BY THE BOARD. THE BOARD MAY USE THIS DATA AND
43 INFORMATION TO EVALUATE THE EFFECTIVENESS OF THE GUIDELINES AND STANDARDS
44 DEVELOPED PURSUANT TO THIS SECTION FOR ALL OF THE FOLLOWING:

1 1. TO EVALUATE THE EFFECTIVENESS OF INDIVIDUALS OR ENTITIES THAT
2 PROVIDE EVALUATION, TREATMENT OR POLYGRAPH SERVICES SPECIFICALLY TO SEX
3 OFFENDERS.

4 2. FOR ANY OTHER PURPOSE CONSISTENT WITH THIS SECTION.

5 E. THIS SECTION DOES NOT GRANT THE BOARD ANY RULEMAKING OR SPENDING
6 AUTHORITY.

7 F. THE ATTORNEY GENERAL, EACH COUNTY ATTORNEY AND EVERY AGENCY AND
8 POLITICAL SUBDIVISION OF THIS STATE SHALL SUPPLY A COCHAIRPERSON, ON
9 REQUEST, WITH SUCH ASSISTANCE AND INFORMATION AS IS REASONABLY NECESSARY
10 TO EFFECTUATE THE PURPOSES OF THIS SECTION.

11 G. THE BOARD SHALL ADOPT RECOMMENDATIONS BY MAJORITY VOTE, BUT THE
12 RECOMMENDATIONS TO BE VOTED ON ARE SUBJECT TO THE DISCRETION OF THE
13 COCHAIRPERSONS, WHO MUST BOTH APPROVE A RECOMMENDATION THAT IS TO BE
14 VOTED ON.

15 Sec. 2. Title 41, chapter 27, article 2, Arizona Revised Statutes,
16 is amended by adding section 41-3032.01, to read:

17 41-3032.01. Sex offender management board; termination July
18 1, 2032

19 A. THE SEX OFFENDER MANAGEMENT BOARD TERMINATES ON JULY 1, 2032.

20 B. SECTION 13-3828 IS REPEALED ON JANUARY 1, 2033.

21 Sec. 3. Purpose

22 Pursuant to section 41-2955, subsection E, Arizona Revised Statutes,
23 the legislature establishes the sex offender management board to develop,
24 prescribe and implement guidelines, standards and procedures relating to
25 adult sex offenders, including adult sex offenders with intellectual and
26 developmental disabilities, and juveniles who have committed sex offenses.

APPROVED BY THE GOVERNOR JUNE 21, 2024.

FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 21, 2024.