

State of Arizona
House of Representatives
Fifty-second Legislature
First Regular Session
2015

CHAPTER 237

House Engrossed
FILED
MICHELE REAGAN
SECRETARY OF STATE

HOUSE BILL 2203

AN ACT

AMENDING SECTIONS 8-395 AND 13-4414, ARIZONA REVISED STATUTES; RELATING TO VICTIMS' RIGHTS.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:
2 Section 1. Section 8-395, Arizona Revised Statutes, is amended to
3 read:

4 8-395. Notice of postadjudication release; right to be heard;
5 hearing; final decision; free electronic recording

6 A. The victim has the right to be present and be heard at any
7 proceeding in which postadjudication release from confinement is being
8 considered and the right to submit a statement to the department of juvenile
9 corrections when a request for discharge on successful completion of the
10 individualized INDIVIDUAL treatment plan is considered pursuant to section
11 41-2820.

12 B. If the victim has made a request for postadjudication notice, at
13 least fifteen days before the hearing or before the juvenile's discharge is
14 considered pursuant to section 41-2820, the department of juvenile
15 corrections shall give to the victim written notice of the hearing and of the
16 victim's right to be present and be heard at the hearing or to submit a
17 statement to the department regarding the request for discharge.

18 C. If the victim has made a request for postadjudication notice, the
19 department of juvenile corrections shall give notice to the victim of the
20 decision reached by the department. The department shall mail the notice
21 within fifteen days after the department reaches its decision.

22 D. ANY ELECTRONIC RECORDINGS THAT ARE MADE DURING A POSTADJUDICATION
23 RELEASE HEARING SHALL BE PROVIDED, ON REQUEST, TO THE VICTIM FREE OF CHARGE.

24 Sec. 2. Section 13-4414, Arizona Revised Statutes, is amended to read:
25 13-4414. Notice of postconviction release; right to be heard;
26 hearing; final decision; free electronic recording

27 A. The victim has the right to be present and be heard at any
28 proceeding in which ~~post-conviction~~ POSTCONVICTION release from confinement
29 is being considered pursuant to section 31-233, ~~31-236~~ or 31-411 OR
30 41-1604.13.

31 B. If the victim has made a request for ~~post-conviction~~ POSTCONVICTION
32 notice, the board of executive clemency shall, at least fifteen days before
33 the hearing, give to the victim written notice of the hearing and of the
34 victim's right to be present and be heard at the hearing.

35 C. If the victim has made a request for ~~post-conviction~~ POSTCONVICTION
36 notice, the board of executive clemency shall give to the victim notice of
37 the decision reached by the board. The notice shall be mailed within fifteen
38 days after the board reaches its decision.

39 D. ANY ELECTRONIC RECORDINGS THAT ARE MADE DURING A POSTCONVICTION
40 RELEASE HEARING SHALL BE PROVIDED, ON REQUEST, TO THE VICTIM FREE OF CHARGE.

APPROVED BY THE GOVERNOR APRIL 9, 2015.

FILED IN THE OFFICE OF THE SECRETARY OF STATE APRIL 10, 2015.

Passed the House February 19, 2015

by the following vote: 57 Ayes,

0 Nays, 3 Not Voting

[Signature]
Speaker of the House
L Pro Tempore
Jim Drake
Chief Clerk of the House

Passed the Senate April 2, 2015

by the following vote: 29 Ayes,

0 Nays, 1 Not Voting

[Signature]
President of the Senate
Charmian Bellmyer
Secretary of the Senate

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF GOVERNOR

This Bill received by the Governor this
6th day of April, 2015

at 9:13 o'clock A. M.

[Signature]
Secretary to the Governor

Approved this 9th day of

April

at 11:47 o'clock A. M.

[Signature]
Governor of Arizona

EXECUTIVE DEPARTMENT OF ARIZONA
OFFICE OF SECRETARY OF STATE

This Bill received by the Secretary of State
this 10th day of April, 2015

at 8:15 o'clock A. M.

[Signature]
Secretary of State

H.B. 2203