

REFERENCE TITLE: victims' rights; neighborhood associations

State of Arizona
House of Representatives
Forty-eighth Legislature
First Regular Session
2007

HB 2527

Introduced by
Representative Konopnicki

AN ACT

AMENDING SECTIONS 8-385.01 AND 13-4401.01, 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 8-385.01, Arizona Revised Statutes, is amended to
3 read:
4 8-385.01. Victims' rights for neighborhood associations
5 A. A neighborhood association may register with the city, town or
6 county in which the neighborhood association is located to invoke the rights
7 that are afforded pursuant to this ~~article~~ SECTION. AFTER REGISTERING WITH
8 THE CITY, TOWN OR COUNTY IN WHICH THE NEIGHBORHOOD ASSOCIATION IS LOCATED,
9 THE NEIGHBORHOOD ASSOCIATION MAY RECEIVE NOTICE AND INVOKE RIGHTS PURSUANT TO
10 THIS SECTION FOR ANY OFFENSE LISTED IN SUBSECTION C OF THIS SECTION THAT IS
11 COMMITTED IN ANY CITY, TOWN OR COUNTY.
12 B. ~~The~~ A city, town or county shall establish procedures for the
13 registration of neighborhood associations pursuant to this section. The
14 procedures shall require the neighborhood association to provide to the city,
15 town or county the name and telephone number of one person who shall act on
16 behalf of the neighborhood association and who may receive notice or invoke
17 rights pursuant to this section. The neighborhood association shall notify
18 the city, town or county of any changes to this information. If the
19 neighborhood association fails to keep this information current, the
20 neighborhood association is deemed to have waived its rights under this
21 section.
22 ~~B-~~ C. Notwithstanding any law to the contrary, if a juvenile commits
23 an act that if committed by an adult would be a crime under section 13-1602,
24 subsection A, paragraph 5, section 13-3102, subsection A, paragraph 9,
25 section 13-3201 or 13-3204, section 13-3208, subsection B or section 13-3209,
26 13-3405, 13-3407, 13-3408, 13-3421 or 13-4702, a neighborhood association
27 that is registered with a city, town or county pursuant to subsection A of
28 this section may receive notice or may invoke rights pursuant to ~~the~~
29 ~~following~~ sections:-
30 ~~1. Section~~ 8-390.-,
31 ~~2. Section~~ 8-400.-
32 ~~3. Section~~ AND 8-405.
33 ~~C-~~ D. Sections 8-407, 8-413 and 8-415 apply to all matters in which a
34 neighborhood association invokes rights under this section.
35 ~~D-~~ E. If the neighborhood association wishes to invoke victims'
36 rights for a crime as prescribed in subsection ~~B-~~ C of this section that
37 resulted in an arrest, the person who is registered with the city, town or
38 county pursuant to subsection A of this section shall contact the law
39 enforcement agency responsible for the arrest. The law enforcement agency
40 shall fill out the form prescribed by section 8-386. Thereafter the
41 neighborhood association, through the contact person, shall be afforded all
42 of the rights listed under subsection ~~B-~~ C of this section.

1 Sec. 2. Section 13-4401.01, Arizona Revised Statutes, is amended to
2 read:

3 13-4401.01. Victims' rights for neighborhood associations

4 A. A neighborhood association may register with the city, town or
5 county in which the neighborhood association is located to invoke the rights
6 that are afforded pursuant to this ~~article~~ SECTION. ~~AFTER REGISTERING WITH~~
7 ~~THE CITY, TOWN OR COUNTY IN WHICH THE NEIGHBORHOOD ASSOCIATION IS LOCATED,~~
8 ~~THE NEIGHBORHOOD ASSOCIATION MAY RECEIVE NOTICE AND INVOKE RIGHTS PURSUANT TO~~
9 ~~THIS SECTION FOR ANY OFFENSE LISTED IN SUBSECTION C OF THIS SECTION THAT IS~~
10 ~~COMMITTED IN ANY CITY, TOWN OR COUNTY.~~

11 ~~B.~~ A city, town or county shall establish procedures for the
12 registration of neighborhood associations pursuant to this section. The
13 procedures shall require the neighborhood association to provide to the city,
14 town or county the name and telephone number of one person who shall act on
15 behalf of the neighborhood association and who may receive notice or invoke
16 rights pursuant to this section. The neighborhood association shall notify
17 the city, town or county of any changes to this information. If the
18 neighborhood association fails to keep this information current, the
19 neighborhood association is deemed to have waived its rights under this
20 section.

21 ~~B.~~ C. Notwithstanding any law to the contrary, if a person commits an
22 act in violation of section 13-1602, subsection A, paragraph 5, section
23 13-3102, subsection A, paragraph 9, section 13-3201 or 13-3204, section
24 13-3208, subsection B or section 13-3209, 13-3405, 13-3407, 13-3408, 13-3409,
25 13-3421 or 13-4702, a neighborhood association that is registered with a
26 city, town or county pursuant to subsection A of this section may receive
27 notice or may invoke rights pursuant to ~~the following~~ sections:~~-~~

28 ~~1. Section~~ 13-4409~~.-~~,

29 ~~2. Section~~ 13-4420~~.-~~

30 ~~3. Section~~ AND 13-4426.

31 ~~C.~~ D. Sections 13-4428, 13-4434 and 13-4436 apply to all matters in
32 which a neighborhood association invokes rights under this section.

33 ~~D.~~ E. If the neighborhood association wishes to invoke victims'
34 rights for a crime as prescribed in subsection ~~B~~ C of this section that
35 resulted in an arrest, the person who is registered with the city, town or
36 county pursuant to subsection A of this section shall contact the law
37 enforcement agency responsible for the arrest. The law enforcement agency
38 shall fill out the form prescribed by section 13-4405. Thereafter the
39 neighborhood association, through the contact person, shall be afforded all
40 of the rights listed under subsection ~~B~~ C of this section.