

Senate Engrossed

victims' rights; opt in process

State of Arizona
Senate
Fifty-seventh Legislature
Second Regular Session
2026

SENATE BILL 1748

AN ACT

AMENDING SECTIONS 13-4405, 13-4407, 13-4409, 13-4410, 13-4411, 13-4411.01, 13-4412, 13-4413, 13-4414, 13-4415, 13-4416, 13-4417, 13-4419, 13-4423 AND 13-4441, ARIZONA REVISED STATUTES; RELATING TO CRIME 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 13-4405, Arizona Revised Statutes, is amended to
3 read:

4 13-4405. Information provided to victim by law enforcement
5 agencies

6 A. As soon after the detection of a criminal offense as the victim
7 may be contacted without interfering with an investigation or arrest, the
8 law enforcement agency that has responsibility for investigating the
9 criminal offense shall provide electronic forms, pamphlets, information
10 cards or other materials to the victim:

11 1. That allow the victim to request or waive applicable rights to
12 which the victim is entitled, on request, under this ~~article~~ CHAPTER.

13 2. That provide the victim a method to designate a lawful
14 representative if the victim chooses pursuant to section 13-4403,
15 subsection A or section 13-4404.

16 3. That provide notice to the victim of all of the following
17 information:

18 (a) The victim's right under the victims' bill of rights, article
19 II, section 2.1, Constitution of Arizona, to be treated with fairness,
20 respect and dignity and to be free of intimidation, harassment or abuse
21 throughout the criminal or juvenile justice process.

22 (b) The availability, if any, of crisis intervention services and
23 emergency and medical services and, where applicable, that medical
24 expenses arising out of the need to secure evidence may be reimbursed
25 pursuant to section 13-1414.

26 (c) In cases of domestic violence, the procedures and resources
27 available to protect the victim pursuant to section 13-3601.

28 (d) The names and telephone numbers of public and private victim
29 assistance programs, including the county victim compensation program and
30 programs that provide counseling, treatment and other support services.

31 (e) The police report number, if available, other identifying case
32 information and the following statement:

33 If within thirty days you are not notified of an arrest in
34 your case, you may call (the law enforcement agency's
35 telephone number) for the status of the case.

36 (f) Whether the suspect is an adult or juvenile, a statement that
37 the victim will be notified by the law enforcement agency at the earliest
38 opportunity after the arrest of a suspect.

39 (g) If the suspect is an adult and has been arrested, the victim's
40 right, on request PURSUANT TO SUBSECTION G OF THIS SECTION, to be informed
41 of the suspect's release, of the next regularly scheduled time, place and
42 date for initial appearances in the jurisdiction and of the victim's right
43 to be heard at the initial appearance and that, to exercise these rights,
44 the victim is advised to contact the custodial agency regarding the

1 suspect's release and to contact the court regarding any changes to the
2 initial appearance schedule.

3 (h) If the victim chooses to exercise the right to be heard through
4 a written statement, how that statement may be submitted to the court.

5 (i) That the victim or the immediate family member of the victim,
6 if the victim is killed or incapacitated, has the right to receive one
7 copy of the police report, including any supplements to the report, audio
8 recordings and video recordings from the investigating law enforcement
9 agency section 39-127.

10 B. If at the time of contact with a law enforcement agency the
11 victim is physically or emotionally unable to request or waive applicable
12 rights, the law enforcement agency shall designate this in the format that
13 is authorized by subsection A of this section and the entities that may be
14 subsequently affected shall presume that the victim invoked the victim's
15 right to request applicable rights to which the victim is entitled, on
16 request, unless the victim later waives those rights.

17 C. The law enforcement agency shall submit a copy of the victim's
18 request or waiver of preconviction rights form to the custodial agency and
19 a copy to the prosecutor if a suspect is arrested, at the time the suspect
20 is taken into custody. If there is no arrest, the form copies shall be
21 submitted to the prosecutor at the time the case is otherwise presented to
22 the prosecutor for review. The prosecutor shall submit a copy of the
23 victim's request or waiver of preconviction rights form to the departments
24 or sections of the prosecutor's office, if applicable, that are mandated
25 by this ~~article~~ CHAPTER to provide victims' rights services on request.

26 D. If the suspected offender is cited and released, the law
27 enforcement agency responsible for investigating the offense shall inform
28 the victim of the court date and how to obtain additional information
29 about the subsequent criminal proceedings.

30 E. Law enforcement agencies within a county may establish different
31 procedures designed to efficiently and effectively provide notice of the
32 victim's rights pursuant to this section and notice to affected entities
33 of the victim request or waiver information. If different procedures are
34 established, the procedures shall:

35 1. Be reported to the entities within a county affected by the
36 procedures and reported to the attorney general.

37 2. Be designed so that custodial agencies and prosecutors within a
38 county receive notice of the victim's request or waiver of the victim's
39 preconviction rights at the same time that an adult suspect is arrested.

40 3. Be designed so that prosecutors within a county receive notice
41 of the victim's request or waiver of the victim's preconviction rights, if
42 there is no arrest, at the same time that the case is otherwise presented
43 to the prosecutor for review.

1 4. Provide that the notice to affected entities of a victim's
2 request or waiver of the victim's preconviction rights includes
3 information that affords the affected entity the ability to contact the
4 victim.

5 5. Be supported by use of electronic forms, brochures or other
6 written materials that are developed by the law enforcement agencies
7 within a county and reviewed by the attorney general pursuant to section
8 13-4417, subsection B.

9 F. If a suspect has not been arrested at the time of contact with
10 the victim pursuant to subsection A of this section, the law enforcement
11 agency that is responsible for investigating the offense shall notify the
12 victim of the arrest of a suspect at the earliest opportunity after the
13 arrest and of the time, place and date for the initial appearance.

14 G. A VICTIM IS REQUIRED TO OPT IN ONLY ONE TIME IN ORDER TO
15 EXERCISE THE VICTIM'S RIGHTS PRESCRIBED IN THIS SECTION AND TO RECEIVE
16 VICTIM NOTIFICATIONS FROM ALL APPLICABLE STATE AGENCIES, INCLUDING, FOR
17 THE PURPOSES OF THIS CHAPTER, POLITICAL SUBDIVISIONS, UNDER THIS CHAPTER.
18 STATE AGENCIES SHALL DEVELOP AND IMPLEMENT PROCEDURES FOR SHARING VICTIM
19 OPT-IN INFORMATION WITH OTHER APPLICABLE STATE AGENCIES. A VICTIM MAY OPT
20 OUT OF RECEIVING NOTIFICATIONS AT ANY TIME, AND THE STATE AGENCY THAT
21 RECEIVES A VICTIM'S REQUEST TO OPT OUT OF RECEIVING NOTIFICATIONS SHALL
22 COMMUNICATE THAT INFORMATION TO THE OTHER APPLICABLE STATE AGENCIES. A
23 VICTIM WHO OPTS OUT OF EXERCISING THE VICTIM'S RIGHTS PRESCRIBED IN THIS
24 SECTION AND RECEIVING NOTIFICATIONS UNDER THIS CHAPTER MAY LATER OPT IN BY
25 CONTACTING THE INVESTIGATING LAW ENFORCEMENT AGENCY OR PROSECUTOR'S
26 OFFICE, AT WHICH TIME THE INVESTIGATING LAW ENFORCEMENT AGENCY OR
27 PROSECUTOR'S OFFICE SHALL FORWARD THE VICTIM'S INFORMATION TO ALL OTHER
28 APPLICABLE STATE AGENCIES.

29 Sec. 2. Section 13-4407, Arizona Revised Statutes, is amended to
30 read:

31 13-4407. Notice of terms and conditions of release
32 ~~On the request of the victim~~ IF THE VICTIM HAS OPTED IN PURSUANT TO
33 SECTION 13-4405, the custodial agency shall provide a copy of the terms
34 and conditions of release to the victim unless the accused appeared in
35 response to a summons. In that case, ~~on request of the victim~~ IF THE
36 VICTIM HAS OPTED IN PURSUANT TO SECTION 13-4405, the prosecutor's office,
37 on receiving such information, shall provide a copy of the terms and
38 conditions of release to the victim. The copy of the terms and conditions
39 of release may be provided to the victim in an electronic form, pamphlet,
40 information card or other material.

1 Sec. 3. Section 13-4409, Arizona Revised Statutes, is amended to
2 read:

3 13-4409. Notice of criminal proceedings

4 A. Except as provided in subsection B OF THIS SECTION, the court
5 shall provide notice of criminal proceedings, for criminal offenses filed
6 by information, complaint or indictment, except initial appearances and
7 arraignments, to the prosecutor's office at least five days before a
8 scheduled proceeding to allow the prosecutor's office to provide notice to
9 the victim.

10 B. If the court finds that it is not reasonable to provide the five
11 days' notice to the prosecutor's office under subsection A OF THIS
12 SECTION, the court shall state in the record why it was not reasonable to
13 provide five days' notice.

14 C. On receiving the notice from the court, the prosecutor's office
15 shall, ~~on request~~ IF THE VICTIM HAS OPTED IN PURSUANT TO SECTION 13-4405,
16 give notice to the victim in a timely manner of scheduled proceedings and
17 any changes in that schedule, including any continuances.

18 Sec. 4. Section 13-4410, Arizona Revised Statutes, is amended to
19 read:

20 13-4410. Notice of conviction, acquittal or dismissal; impact
21 statement

22 A. The prosecutor's office, ~~on request~~ IF THE VICTIM HAS OPTED IN
23 PURSUANT TO SECTION 13-4405, shall give to the victim within fifteen days
24 after the conviction or acquittal or dismissal of the charges against the
25 defendant notice of the criminal offense for which the defendant was
26 convicted or acquitted or the dismissal of the charges against the
27 defendant.

28 B. If the defendant is convicted and the victim has ~~requested~~
29 ~~notice~~ OPTED IN PURSUANT TO SECTION 13-4405, the victim shall be notified,
30 if applicable, of:

31 1. The function of the presentence report.

32 2. The name and telephone number of the probation department that
33 is preparing the presentence report.

34 3. The right to make a victim impact statement under section
35 13-4424.

36 4. The defendant's right to view the presentence report.

37 5. The victim's right to view the presentence report except those
38 parts excised by the court or made confidential by law and, on request, to
39 receive a copy from the prosecutor.

40 6. The right to be present and be heard at any presentence or
41 sentencing proceeding pursuant to section 13-4426.

42 7. The time, place and date of the sentencing proceeding.

43 8. If the court orders restitution, the right to:

44 (a) File a restitution lien pursuant to section 13-806.

1 (b) Request a copy of the defendant's restitution payment history
2 from the clerk of the court pursuant to section 13-810 or 31-412.

3 C. The victim shall be informed that the victim's impact statement
4 may include the following:

5 1. An explanation of the nature and extent of any physical,
6 psychological or emotional harm or trauma suffered by the victim.

7 2. An explanation of the extent of any economic loss or property
8 damage suffered by the victim.

9 3. An opinion of the need for and extent of restitution.

10 4. Whether the victim has applied for or received any compensation
11 for the loss or damage.

12 D. Notice provided pursuant to this section does not remove the
13 probation department's responsibility pursuant to section 12-253 to
14 initiate the contact between the victim and the probation department
15 concerning the victim's economic, physical, psychological or emotional
16 harm. At the time of contact, the probation department shall advise the
17 victim of the date, time and place of sentencing and of the victim's right
18 to be present and be heard at that proceeding.

19 Sec. 5. Section 13-4411, Arizona Revised Statutes, is amended to
20 read:

21 13-4411. Notice of postconviction review and appellate
22 proceedings

23 A. Within fifteen days after sentencing the prosecutor's office
24 ~~shall, on request~~ IF THE VICTIM HAS OPTED IN PURSUANT TO SECTION 13-4405,
25 SHALL notify the victim of the sentence imposed on the defendant.

26 B. PURSUANT TO SECTION 13-4405, IF A VICTIM HAS OPTED IN TO
27 RECEIVING VICTIM NOTIFICATION, the prosecutor's office shall provide the
28 ~~victim with a form that allows the victim to request post-conviction~~
29 VICTIM'S CONTACT INFORMATION TO ALL OTHER APPLICABLE STATE AGENCIES
30 AUTOMATICALLY, WITHOUT FURTHER ACTION BY THE VICTIM, FOR THE PURPOSES OF
31 POSTCONVICTION notice of all ~~post-conviction~~ POSTCONVICTION review and
32 appellate proceedings, all ~~post-conviction~~ POSTCONVICTION release
33 proceedings, all probation modification proceedings that impact the
34 victim, all probation revocation or termination proceedings, any decisions
35 that arise out of these proceedings, all releases and all escapes.

36 ~~C. The prosecutor's office shall advise the victim on how the~~
37 ~~completed request form may be filed with the appropriate agencies and~~
38 ~~departments.~~

39 ~~D. On request of~~ IF the victim HAS OPTED IN PURSUANT TO SECTION
40 13-4405, the prosecutor's office that is responsible for handling any
41 ~~post-conviction~~ POSTCONVICTION or appellate proceedings immediately shall
42 notify the victim of the proceedings and any decisions that arise out of
43 the proceedings.

44 ~~E. D. Beginning December 1, 2007,~~ The supreme court or court of
45 appeals shall send a victim who ~~requests notice~~ HAS OPTED IN pursuant to

1 ~~this~~ section 13-4405 a copy of the memorandum decision or opinion from the
2 issuing court concurrently with the parties. If the victim is represented
3 by counsel, the notice shall be provided to the victim's counsel.

4 Sec. 6. Section 13-4411.01, Arizona Revised Statutes, is amended to
5 read:

6 13-4411.01. Notice of right to request not to receive inmate
7 communication; definition

8 A. Within fifteen days after a defendant is sentenced to the state
9 department of corrections, the prosecutor's office shall notify the victim
10 of the right of the victim, any member of the victim's family or any
11 member of the victim's household, ~~to~~ to request not to receive any
12 communication from the inmate who was convicted of committing a criminal
13 offense against the victim. The notice shall:

14 1. Be made ~~on the postconviction notice request form provided by~~
15 ~~the prosecutor to the victim pursuant to section 13-4411~~ IN ONE OF THE
16 FOLLOWING WAYS:

17 (a) IN WRITING.

18 (b) IN DIGITAL FORM IF REQUESTED BY THE VICTIM.

19 (c) THROUGH THE UNITED STATES POSTAL SERVICE.

20 2. Inform the victim of the right of the victim, or any member of
21 the victim's family or household who is denoted by the victim ~~on the form~~,
22 to request not to receive any communication from the inmate.

23 ~~3. Instruct the victim how to file the completed request form with~~
24 ~~the state department of corrections.~~

25 3. PURSUANT TO SECTION 13-4405, IF A VICTIM HAS OPTED IN, THE
26 PROSECUTOR'S OFFICE SHALL PROVIDE THE VICTIM'S CONTACT INFORMATION TO THE
27 STATE DEPARTMENT OF CORRECTIONS TO ENSURE COMPLIANCE WITH THIS SECTION.

28 4. Include the following statement:

29 If the defendant is incarcerated in the state department
30 of corrections, you have the right to request that the
31 defendant not send you, members of your family or members of
32 your household any communication. If the defendant sends you
33 or your family or household members any communication after
34 you have made this request, you or the members of your family
35 or household have the right to report the incident to the
36 state department of corrections for sanctions against the
37 defendant.

38 B. On receipt of a postconviction notice request form in which a
39 request not to receive any inmate communication is indicated, the state
40 department of corrections shall notify the inmate of the request and that
41 making any communication to the victim, or the family or household members
42 who are denoted by the victim, will result in appropriate sanctions,
43 including reduction or denial of earned release credits and review of all
44 outgoing communications.

1 C. The STATE department OF CORRECTIONS shall not knowingly allow
2 any communication to any person who requests not to receive any inmate
3 communication pursuant to this section.

4 D. For the purposes of this section, "communication" means any
5 written, verbal or nonverbal communication, including mail, electronic
6 communications and telephone calls.

7 Sec. 7. Section 13-4412, Arizona Revised Statutes, is amended to
8 read:

9 13-4412. Notice of release or escape

10 A. The sheriff or municipal jailer, ~~on request~~ IF THE VICTIM HAS
11 OPTED IN PURSUANT TO SECTION 13-4405, shall notify the victim and the
12 prosecutor's office of the release of the accused.

13 B. The custodial agency shall immediately give notice to a victim
14 and the prosecutor's office of an escape by, and again on the subsequent
15 rearrest of, an incarcerated person who is accused or convicted of
16 committing a criminal offense against the victim. The custodial agency
17 shall give notice by any reasonable means.

18 Sec. 8. Section 13-4413, Arizona Revised Statutes, is amended to
19 read:

20 13-4413. Notice of prisoner's status

21 A. If the victim has ~~made a request for post-conviction notice~~
22 OPTED IN PURSUANT TO SECTION 13-4405, the director of the state department
23 of corrections shall mail to the victim the following information about a
24 prisoner in the custody of the STATE department of corrections:

25 1. Within thirty days after the request, notice of the earliest
26 release date of the prisoner if ~~his~~ THE PRISONER'S sentence exceeds six
27 months.

28 2. At least fifteen days before the prisoner's release, notice of
29 the release.

30 3. Within fifteen days after the prisoner's death, notice of the
31 death.

32 B. If the victim has ~~made a request for post-conviction notice~~
33 OPTED IN PURSUANT TO SECTION 13-4405, the sheriff having custody of the
34 prisoner shall mail to the victim notice of release at least fifteen days
35 before the prisoner's release or notice of death within fifteen days after
36 the prisoner's death.

37 Sec. 9. Section 13-4414, Arizona Revised Statutes, is amended to
38 read:

39 13-4414. Notice of postconviction release; right to be heard;
40 hearing; final decision; free electronic recording

41 A. The victim has the right to be present and be heard at any
42 proceeding in which postconviction release from confinement is being
43 considered pursuant to section 31-233, 31-411 or 41-1604.13.

44 B. If the victim has ~~made a request for postconviction notice~~ OPTED
45 IN PURSUANT TO SECTION 13-4405, the board of executive clemency ~~shall~~, at

1 least fifteen days before the hearing, SHALL give to the victim written
2 notice of the hearing and of the victim's right to be present and be heard
3 at the hearing.

4 C. If the victim has ~~made a request for postconviction notice~~ OPTED
5 IN PURSUANT TO SECTION 13-4405, the board of executive clemency shall give
6 to the victim notice of the decision reached by the board. The notice
7 shall be mailed within fifteen days after the board reaches its decision.

8 D. Any electronic recordings that are made during a postconviction
9 release hearing shall be provided, ~~on request,~~ to the victim free of
10 charge.

11 Sec. 10. Section 13-4415, Arizona Revised Statutes, is amended to
12 read:

13 13-4415. Notice of probation modification, termination or
14 revocation disposition matters; notice of arrest

15 A. ~~On request of~~ IF a victim ~~who has provided an address or other~~
16 ~~contact information~~ OPTED IN PURSUANT TO SECTION 13-4405, the court or, if
17 the case is in the superior court, the probation department shall notify
18 the victim of any of the following:

19 1. A probation revocation disposition proceeding or any proceeding
20 in which the court is asked to terminate the probation or intensive
21 probation of a person who is convicted of committing a criminal offense
22 against the victim.

23 2. Any hearing on a proposed modification of the terms of probation
24 or intensive probation.

25 3. The arrest of a person who is on supervised probation and who is
26 arrested pursuant to a warrant issued for a probation violation.

27 B. ~~On request of a victim who has provided a current address or~~
28 ~~other current contact information~~ OPTED IN PURSUANT TO SECTION 13-4405,
29 the court, or if the case is in the superior court, the probation
30 department shall notify the victim of the following:

31 1. Any proposed modification to any term of probation if the
32 modification affects restitution or incarceration status or the
33 defendant's contact with or the safety of the victim.

34 2. The victim's right to be heard at a hearing that is set to
35 consider any modification to be made to any term of probation.

36 3. Any violation of any term of probation that results in the
37 filing with the court of a petition to revoke probation.

38 4. That a petition to revoke probation alleging that the defendant
39 absconded from probation has been filed with the court.

40 5. Any conduct by the defendant that raises a substantial concern
41 for the victim's safety.

42 C. If a victim has ~~requested postconviction notice~~ OPTED IN
43 PURSUANT TO SECTION 13-4405, the court or, if the case is in the superior
44 court, the probation department shall provide notice of that request to
45 the state department of corrections and the board of executive clemency if

1 a defendant's probation is revoked and the defendant is committed to the
2 custody of the state department of corrections.

3 D. ~~On the request of~~ IF a victim HAS OPTED IN PURSUANT TO SECTION
4 13-4405, the state department of corrections shall provide the victim with
5 the notices that are required by sections 13-4412 and 13-4413.

6 E. ~~On the request of~~ IF the victim HAS OPTED IN PURSUANT TO SECTION
7 13-4405, the board of executive clemency shall provide the victim with the
8 notice that is required by section 13-4414.

9 Sec. 11. Section 13-4416, Arizona Revised Statutes, is amended to
10 read:

11 13-4416. Notice of release, discharge or escape from a mental
12 health treatment agency

13 A. If the victim has ~~made a request for notice~~ OPTED IN PURSUANT TO
14 SECTION 13-4405, a mental health treatment agency shall mail to the victim
15 at least ten days before the release or discharge of the person accused or
16 convicted of committing a criminal offense against the victim, ~~notice of~~
17 the release or discharge of the person who is placed by court order in a
18 mental health treatment agency pursuant to section 13-3992, 31-226,
19 31-226.01, 36-540.01, 36-541.01 or 36-3707.

20 B. A mental health treatment agency shall mail to the victim
21 immediately after the escape or subsequent readmission of the person
22 accused or convicted of committing a criminal offense against the
23 victim, ~~notice of~~ the escape or subsequent readmission of the person who
24 is placed by court order in a mental health treatment agency pursuant to
25 section 13-3992, 31-226, 31-226.01, 36-540.01, 36-541.01 or 36-3707.

26 Sec. 12. Section 13-4417, Arizona Revised Statutes, is amended to
27 read:

28 13-4417. Request for notice; forms; notice system

29 A. ~~The~~ A victim WHO HAS OPTED IN PURSUANT TO SECTION 13-4405 shall
30 provide to and maintain with the STATE agency that ~~is responsible for~~
31 ~~providing notice to the victim a request for notice on a form that is~~
32 ~~provided by that agency or the investigating law enforcement agency. The~~
33 ~~form shall include a~~ THE VICTIM FILED THE OPT IN REQUEST WITH A CURRENT
34 telephone number, ADDRESS and EMAIL address, IF AVAILABLE. If the victim
35 fails to keep the victim's ~~telephone number and address~~ CONTACT
36 INFORMATION current, the victim's request for notice is DEEMED
37 withdrawn. At any time the victim may request notice of subsequent
38 proceedings by ~~filing on a request form provided by the agency~~ CONTACTING
39 THE INVESTIGATING LAW ENFORCEMENT AGENCY OR PROSECUTOR'S OFFICE AND
40 PROVIDING the victim's current telephone number and address.

41 B. ~~All notices provided to a victim pursuant to this chapter~~ THE
42 FORM THAT IS ISSUED BY LAW ENFORCEMENT PURSUANT TO SECTION 13-4405,
43 SUBSECTION G shall be ~~on forms~~ developed or reviewed by the attorney
44 general.

1 C. The court and all agencies that are responsible for providing
2 notice to the victim shall establish and maintain a system for the receipt
3 of victim requests for notice.

4 Sec. 13. Section 13-4419, Arizona Revised Statutes, is amended to
5 read:

6 13-4419. Victim conference with prosecuting attorney

7 A. ~~On request of~~ IF the victim HAS OPTED IN PURSUANT TO SECTION
8 13-4405, the prosecuting attorney shall confer with the victim about the
9 disposition of a criminal offense, including the victim's views about a
10 decision not to proceed with a criminal prosecution, dismissal, plea or
11 sentence negotiations and pretrial diversion programs.

12 B. ~~On request of~~ IF the victim HAS OPTED IN PURSUANT TO SECTION
13 13-4405, the prosecuting attorney shall confer with the victim before the
14 commencement of the trial.

15 C. The right of the victim to confer with the prosecuting attorney
16 does not include the authority to direct the prosecution of the case.

17 Sec. 14. Section 13-4423, Arizona Revised Statutes, is amended to
18 read:

19 13-4423. Plea negotiation proceedings

20 A. ~~On request of~~ IF the victim HAS OPTED IN PURSUANT TO SECTION
21 13-4405, the victim has the right to be present and be heard at any
22 proceeding in which a negotiated plea for the person accused of committing
23 the criminal offense against the victim will be presented to the court.

24 B. The court shall not accept a plea agreement unless:

25 1. The prosecuting attorney advises the court that before
26 requesting the negotiated plea reasonable efforts were made to confer with
27 the victim pursuant to section 13-4419.

28 2. Reasonable efforts are made to give the victim notice of the
29 plea proceeding pursuant to section 13-4409 and to inform the victim that
30 the victim has the right to be present and, if present, to be heard.

31 3. The prosecuting attorney advises the court that to the best of
32 the prosecutor's knowledge notice requirements of this chapter have been
33 complied with and the prosecutor informs the court of the victim's
34 position, if known, regarding the negotiated plea.

35 Sec. 15. Section 13-4441, Arizona Revised Statutes, is amended to
36 read:

37 13-4441. Right to be heard on a petition to restore the right
38 to possess a firearm; notice

39 A. A victim has the right to be present and be heard at any
40 proceeding in which the defendant has filed a petition pursuant to section
41 13-925 to restore the defendant's right to possess a firearm.

42 B. If the victim has ~~made a request for postconviction notice~~ OPTED
43 IN PURSUANT TO SECTION 13-4405, the attorney for the state shall provide
44 notice to the victim at least five days before the hearing.