

GENERAL ASSEMBLY OF NORTH CAROLINA

EXTRA SESSION 1994

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HOUSE BILL 54

Short Title: Amend Victims Comp. Law.

(Public)

Sponsors: Representatives Morgan; Alphin, Arnold, Berry, Bowie, Bowman, Brawley, Church, Cole, Colton, Creech, Culp, Dickson, Gardner, Gottovi, Hall, Hill, Ives, Jarrell, Jenkins, Lemmond, McCombs, McCrary, McLaughlin, McLawhorn, Mitchell, Nichols, Ramsey, Russell, Sexton, Spears, Stewart, Sutton, Wilkins, and Wood.

Referred to: Judiciary II.

February 8, 1994

A BILL TO BE ENTITLED

AN ACT TO AMEND THE NORTH CAROLINA CRIME VICTIMS COMPENSATION ACT TO PROVIDE THAT COMPENSATION SHALL NOT BE PAID FOR INJURY TO ANY PERSON INJURED WHILE THE PERSON WAS COMMITTING A CRIMINAL OFFENSE.

The General Assembly of North Carolina enacts:

Section 1. G.S. 15B-11(a) reads as rewritten:

"(a) An award of compensation ~~will~~shall be denied if:

- (1) The claimant fails to file his application for an award within one year after the date of the criminally injurious conduct that caused the injury or death for which he seeks the award;
- (2) The economic loss is incurred after one year from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the award, except in the case where the victim for whom compensation is sought was 10 years old or younger at the time the injury occurred. In that case an award of compensation will be denied if the economic loss is incurred after two years from the date of the criminally injurious conduct that caused the injury or death for which the victim seeks the award;

- 1           (3) The criminally injurious conduct was not reported to a law  
2 enforcement officer or agency within 72 hours of its occurrence, and  
3 there was no good cause for the delay;
- 4           (4) The award would benefit the offender or ~~his accomplice, unless a~~  
5 ~~determination is made that the interests of justice require that an award~~  
6 ~~be approved in a particular case; or the offender's accomplice;~~
- 7           (5) The criminally injurious conduct occurred while the victim was  
8 confined in any State, county, or city prison, correctional, youth  
9 services, or juvenile facility, or local confinement facility, or half-way  
10 house, group home, or similar ~~facility.~~ facility; or
- 11          (6) The award would be paid to a person:
- 12           a. Who was injured while engaged in activity constituting a  
13 criminal offense; or
- 14           b. Whose claim is based upon injury to a person who was injured  
15 while engaged in activity constituting a criminal offense."
- 16          Sec. 2. This act becomes effective July 1, 1994.