

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 753

Short Title: Crime Victims Comp. Amendments.

(Public)

Sponsors: Senator Ballance.

Referred to: Judiciary II.

April 2, 2001

A BILL TO BE ENTITLED

AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT BY
INCREASING REIMBURSEMENT FOR FUNERAL EXPENSES AND WORK
LOSS AND BY PROVIDING THAT WORK LOSS INCLUDES LOST WAGES
FOR TIME SPENT IN COURT AND COURT-RELATED TRANSPORTATION
COSTS.

The General Assembly of North Carolina enacts:

SECTION 1. G.S. 15B-2(1) reads as rewritten:

"(1) "Allowable expense" means reasonable charges incurred for reasonably needed products, services, and accommodations, including those for medical care, rehabilitation, medically related property, and other remedial treatment and care.

Allowable expense includes a total charge not in excess of ~~three thousand five hundred dollars (\$3,500)~~ four thousand dollars (\$4,000) for expenses related to funeral, cremation, and burial, including transportation of a body, but excluding expenses for flowers, gravestone, and other items not directly related to the funeral service."

SECTION 2. G.S. 15B-2(14) reads as rewritten:

"(14) "Work loss" means loss of income from work that the injured person would have performed if he had not been injured and expenses reasonably incurred by him to obtain services in lieu of those he would have performed for income, reduced by any income from substitute work actually performed by him, or by income he would have earned in available appropriate substitute work that he was capable of performing but unreasonably failed to undertake. "Work loss" includes lost wages resulting from time spent in court attending criminal proceedings directly related to the injury and transportation expenses incurred to attend those proceedings.

1 Compensation for work loss will be limited to ~~26~~ 36 weeks
2 commencing from the date of the injury, and compensation shall not
3 exceed ~~three hundred dollars (\$300.00)~~ four hundred dollars (\$400.00)
4 per week. ~~A claim~~ Except for claims for lost wages and transportation
5 expenses for attending criminal proceedings, claims for work loss will
6 be paid only upon proof that the injured person was gainfully
7 employed at the time of the criminally injurious conduct and, by
8 physician's certificate, that the injured person was unable to work."

9 **SECTION 3.** This act becomes effective July 1, 2001, and applies to injuries
10 occurring on or after that date.