

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 2403

Short Title: Extend Time/Victims Comp. Fund.

(Public)

Sponsors: Representatives R. Thompson; Abernethy, Arnold, Barnes, Bowie, Brubaker, Burke, Cooper, Dockham, Esposito, B. Ethridge, Fletcher, Green, Hackney, Jack Hunt, Judy Hunt, H. Hunter, Justus, Kerr, Lutz, Rhodes, Rogers, Sizemore, Stam, Stamey, G. Wilson, P. Wilson, Wisner, and Wood.

Referred to: Judiciary.

July 5, 1990

A BILL TO BE ENTITLED

AN ACT TO EXTEND TO TWO YEARS THE TIME PERIOD FOR WHICH
VICTIMS TEN YEARS OLD OR YOUNGER MAY RECEIVE COMPENSATION
FOR ECONOMIC LOSS FROM THE VICTIMS COMPENSATION FUND.

The General Assembly of North Carolina enacts:

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

"(a) An award of compensation will 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~~; 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, his accomplice, a spouse of or a
5 person living in the same household with the offender or his
6 accomplice, or a parent, child, brother, or sister of the offender or his
7 accomplice, unless a determination is made that the interests of justice
8 require that an award be approved in a particular case; or
- 9 (5) The criminally injurious conduct occurred while the victim was
10 confined in any State, county, or city prison, correctional, youth
11 services, or juvenile facility, or local confinement facility, or half-way
12 house, group home, or similar facility."
- 13 Sec. 2. This act is effective upon ratification and applies to criminally
14 injurious conduct occurring on or after two years before the date of ratification.