

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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SENATE BILL 753
Judiciary II Committee Substitute Adopted 4/23/01

Short Title: Crime Victims Comp. Amendments.

(Public)

Sponsors:

Referred to:

April 2, 2001

1 A BILL TO BE ENTITLED
2 AN ACT TO AMEND THE CRIME VICTIMS COMPENSATION ACT BY
3 INCREASING REIMBURSEMENT FOR FUNERAL EXPENSES AND WORK
4 LOSS AND BY PROVIDING THAT WORK LOSS INCLUDES LOST WAGES
5 FOR TIME SPENT IN COURT AND COURT-RELATED TRANSPORTATION
6 COSTS.

7 The General Assembly of North Carolina enacts:

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

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

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

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

19 "(14) "Work loss" means loss of income from work that the injured person
20 would have performed if he had not been injured and expenses
21 reasonably incurred by him to obtain services in lieu of those he would
22 have performed for income, reduced by any income from substitute
23 work actually performed by him, or by income he would have earned
24 in available appropriate substitute work that he was capable of
25 performing but unreasonably failed to undertake. "Work loss" includes
26 lost wages resulting from time spent in court attending criminal
27 proceedings directly related to the injury and transportation expenses
28 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 for work loss will be paid only upon proof that the
5 injured person was gainfully employed at the time of the criminally
6 injurious conduct and, by physician's certificate, that the injured
7 person was unable to work. However, a claim for work loss resulting
8 from time spent in court attending criminal proceedings will be paid
9 upon proof of the loss of an opportunity to work as a result of
10 attending those proceedings."

11 **SECTION 3.** G.S. 15B-11(f) reads as rewritten:

12 "(f) Compensation for replacement services loss, dependent's economic loss, and
13 dependent's replacement services loss may not exceed two hundred dollars (\$200.00)
14 per week. Compensation for work loss may not exceed four hundred dollars (\$400.00)
15 per week. Compensation for ~~and~~ household support loss may not exceed three hundred
16 dollars (\$300.00) per week."

17 **SECTION 4.** This act becomes effective July 1, 2001, and applies to injuries
18 occurring on or after that date.