

1 received or that is readily available to ~~him~~ the victim or the claimant
2 from any of the following sources:

- 3 a. ~~The offender;~~offender.
4 b. The government of the United States or any of its agencies, a
5 state or any of its political subdivisions, or an instrumentality of
6 two or more ~~states;~~states.
7 c. ~~Social security, medicare, and medicaid;~~Security, Medicare, or
8 Medicaid.
9 d. State-required, temporary, nonoccupational disability
10 ~~insurance;~~insurance.
11 e. Worker's ~~compensation;~~compensation.
12 f. Wage continuation programs of any ~~employer;~~employer.
13 g. Proceeds of a contract of insurance payable to the victim for
14 loss that ~~he~~ the victim sustained because of the criminally
15 injurious ~~conduct;~~conduct.
16 h. A contract providing prepaid hospital and other health care
17 services, or benefits for disability.
18 i. A contract of insurance that will pay for expenses directly
19 related to a funeral, cremation, and burial, including
20 transportation of a body."

21 **SECTION 3.** G.S. 15B-4(a) reads as rewritten:

22 "(a) Subject to the limitations in G.S. 15B-22, compensation for criminally
23 injurious conduct shall be awarded to a claimant if substantial evidence establishes that
24 the requirements for an award have been met. Compensation shall only be paid for
25 economic loss and not for noneconomic ~~loss;~~detriment. The Commission shall follow
26 the rules of liability applicable to civil tort law in North Carolina."

27 **SECTION 4.** G.S. 15B-11(c) reads as rewritten:

28 "(c) A claim may be denied, an award of compensation may be reduced, and a
29 claim that has already been decided may be reconsidered upon finding that the claimant
30 or victim, without good cause, has not fully cooperated with appropriate law
31 enforcement agencies or in the prosecution of criminal cases with regard to the
32 criminally injurious conduct that is the basis for the award."

33 **SECTION 5.** G.S. 15B-11(d) reads as rewritten:

34 "(d) After reaching a decision to approve an award of compensation, but before
35 notifying the claimant, the Director shall require the claimant to submit current
36 information as to collateral sources on forms prescribed by the Commission.

37 An award that has been approved shall nevertheless be denied or reduced to the
38 extent that the economic loss upon which the claim is based is or will be recouped from
39 a collateral source. If an award is reduced or a claim is denied because of the expected
40 recoupment of all or part of the economic loss of the claimant from a collateral source,
41 the amount of the award or the denial of the claim shall be conditioned upon the
42 claimant's economic loss being recouped by the collateral source. If it is thereafter
43 determined that the claimant will not receive all or part of the expected recoupment, the
44 claim shall be reopened and an award shall be approved in an amount equal to the

1 amount of expected recoupment that it is determined the claimant will not receive from
2 the collateral source, subject to the limitations set forth in subsections (f) and (g). ~~The~~
3 ~~existence of a collateral source that would pay expenses directly related to a funeral,~~
4 ~~cremation, and burial, including transportation of a body, shall not constitute grounds~~
5 ~~for the denial or reduction of an award of compensation."~~

6 **SECTION 6.** This act becomes effective July 1, 2006, and applies to claims
7 filed on or after that date.