

March 4, 1999

H 290. AMEND CRIME VICTIMS COMP. ACT. TO AMEND THE CRIME VICTIMS' COMPENSATION ACT BY INCREASING THE MEMBERSHIP OF THE CRIME VICTIMS' COMPENSATION COMMISSION, BY INCREASING THE SIZE OF THE INITIAL CLAIMS THAT MAY BE AWARDED BY THE DIRECTOR OF THE COMMISSION, AND BY PROVIDING THE COMMISSION WITH THE DISCRETION TO PAY CERTAIN CLAIMS PREVIOUSLY DENIED. (1)

Increases size of Crime Victims' Compensation Comm'n from five to seven members, adding two members appointed by Sec'y of Crime Control and Public Safety. (2) Provides that Comm'n Director will decide claims that do not exceed \$7,500 (now, \$5,000) and that do not include future economic loss. (3) Amends GS 15B-11 to require that claim for compensation be denied if victim was participating in a felony (now, felony or nontraffic misdemeanor) at or about time of injury, to allow denial or reduction of award if victim was participating in a nontraffic felony at or about time of injury, and to require Comm'n to use its discretion (including consideration of whether proximate cause exists between injury and misdemeanor or contributory misconduct) in determining whether to deny claim under subsection. Effective July 1, 1999; applies to claims for which criminally injurious conduct occurs on or after that date.

Intro. by Baddour.

Ref. to Judiciary IV

GS 15B

April 8, 1999

H 290. AMEND CRIME VICTIMS COMP. ACT. Intro. 3/4/99. House amendment makes the following changes to 1st edition. Specifies that changes to GS 15B-11 allowing Comm'n discretion in denying claims applies to pending claims. Also specifies that claims denied because victim was participating in nontraffic misdemeanor may be reconsidered by Comm'n upon written request filed within two years of victim's injury.