

SPONSOR SUBSTITUTE FOR HOUSE BILL NO. 321
IN THE LEGISLATURE OF THE STATE OF ALASKA
TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES GUESS, Meyer, Dyson

Introduced: 1/30/02

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to the purpose for crime victims' compensation; and limiting the**
2 **factors that may be considered in making a crime victims' compensation award in cases**
3 **of sexual assault or sexual abuse of a minor."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 *** Section 1.** AS 18.67.010 is amended to read:

6 **Sec. 18.67.010. Purpose.** It is the purpose of this chapter to facilitate and
7 permit the payment of compensation to [INNOCENT] persons injured, to dependents
8 of persons killed, and to certain other persons who, by virtue of their relationship to
9 the victim of a crime, incur actual and reasonable expense as a result of certain serious
10 crimes or in attempts to prevent the commission of crime or to apprehend suspected
11 criminals.

12 *** Sec. 2.** AS 18.67.080(c) is amended to read:

13 (c) In determining whether to make an order under this section, the
14 board shall consider all circumstances determined to be relevant, including

1 provocation, consent, or any other behavior of the victim that directly or indirectly
2 contributed to the victim's injury or death, the prior case or social history, if any, of the
3 victim, the victim's need for financial aid, and any other relevant matters. **However, if**
4 **the claim is based on a crime of sexual assault or sexual abuse of a minor, the**
5 **board may not deny an order based on considerations of provocation, the use of**
6 **alcohol or drugs by the victim, or the prior social history of the victim.**