

Original sponsors: Malford and Clocksin

Offered: 4/5/82  
Referred: Finance

1 IN THE HOUSE

BY THE JUDICIARY COMMITTEE

2 CS FOR HOUSE BILL NO. 869 (Judiciary)

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 TWELFTH LEGISLATURE - SECOND SESSION

5 A BILL

6 For an Act entitled: "An Act relating to crime victim compensation; and  
7 providing for an effective date."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 \* Section 1. AS 18.67.080(a) is amended by adding a new paragraph to  
10 read:

11 (4) to the provider of a service under AS 18.67.110(b).

12 \* Sec. 2. AS 18.67.110 is amended by adding a new subsection to read:

13 (b) The board may order that compensation under (a) of this sec-  
14 tion for a service provided as a result of the personal injury or death  
15 of the victim be paid directly to the provider of the service.

16 \* Sec. 3. AS 18.67.130(a) is amended to read:

17 (a) No order for the payment of compensation may be made under  
18 AS 18.67.080 unless

19 (1) the application has been made within two years after the  
20 date of the personal injury or death; [, AND]

21 (2) the personal injury or death was the result of an inci-  
22 dent or offense listed in AS 18.67.101 which had been reported to the  
23 police within five days of its occurrence or, if the incident or offense  
24 could not reasonably have been reported within that period, within five  
25 days of the time when a report could reasonably have been made; and

26 (3) in the discretion of the board, the applicant has coop-  
27 erated with law enforcement and prosecution officials to further prosecu-  
28 tion of the offender and avoid further injury by the offender to the  
29 applicant and injury to persons in the care of the applicant who are

1 exposed to possible injury by the offender; in determining whether the  
2 applicant has cooperated with law enforcement and prosecution officials,  
3 the board may consider whether

4 (A) the applicant has refused to provide law enforcement  
5 authorities with a signed statement outlining the conduct of the  
6 offender that is the basis for the applicant's claim for compensa-  
7 tion;

8 (B) the applicant has refused to testify in court con-  
9 cerning the conduct of the offender that is the basis of the appli-  
10 cant's claim for compensation; and

11 (C) the applicant has initiated the dismissal of criminal  
12 charges against the offender for conduct that is the basis for the  
13 applicant's claim for compensation.

14 \* Sec. 4. AS 18.67.130(c) is amended to read:

15 (c) No compensation may be awarded under this chapter in an amount  
16 in excess of \$25,000 per victim per incident. However, in the case of  
17 the death of a victim who has more than one dependent eligible for  
18 compensation, the total compensation which may be awarded as a result of  
19 that death may not exceed \$40,000. The board may prorate the total  
20 awarded among those dependents according to relative need. [ALL PAY-  
21 MENTS SHALL BE MADE IN A LUMP SUM.]

22 \* Sec. 5. AS 18.67 is amended by adding a new section to read:

23 Sec. 18.67.135. INELIGIBILITY FOR SUBSEQUENT COMPENSATION. A  
24 person awarded compensation under this chapter is ineligible for subse-  
25 quent compensation for additional personal injuries inflicted by the  
26 same offender if the offender is a relative or a member of the same  
27 household as the victim.

28 \* Sec. 6. AS 18.67.130(b)(1) and (2) are repealed.

29 \* Sec. 7. This Act takes effect immediately in accordance with AS 01.10.-

1 070(c).

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