

Offered: 5/13/83
Referred: Finance

Original sponsors: Kerttula, V.Fischer,
Ray and Ziegler

1 IN THE SENATE BY THE JUDICIARY COMMITTEE
2 HOUSE CS FOR CS FOR SENATE BILL NO. 86 (Judiciary) am H
3 IN THE LEGISLATURE OF THE STATE OF ALASKA
4 THIRTEENTH LEGISLATURE - FIRST SESSION
5 A BILL

6 For an Act entitled: "An Act relating to compensation for victims of
7 violent crimes."

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 18.67.101(2) is amended to read:

13 (2) the commission or attempt on the part of one other than
14 the applicant to commit any of the following offenses: murder in any
15 degree, manslaughter, criminally negligent homicide, assault in the
16 first or second degree, kidnapping, sexual assault in any degree,
17 sexual abuse of a minor, robbery in any degree, contributing to the
18 delinquency of a minor under AS 11.51.130(a)(4), [OR] threats to do
19 bodily harm, or driving while intoxicated or another crime resulting
20 from the operation of a motor vehicle, boat, or airplane when the
21 offender is intoxicated.

22 * Sec. 3. AS 18.67.110 is amended by adding a new subsection to read:

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

26 * Sec. 4. AS 18.67.130(a) is amended to read:

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

29 (1) the application has been made within two years after

1 the date of the personal injury or death; [, AND]

2 (2) the personal injury or death was the result of an inci-
3 dent or offense listed in AS 18.67.101 that [WHICH] had been reported
4 to the police within five days of its occurrence or, if the incident
5 or offense could not reasonably have been reported within that period,
6 within five days of the time when a report could reasonably have been
7 made; and

8 (3) in the discretion of the board, the applicant has coop-
9 erated with law enforcement and prosecution officials to further
10 prosecution of the offender if appropriate and to avoid further injury
11 by the offender to the applicant and injury to persons in the care of-
12 the applicant who are exposed to possible injury by the offender. .

13 * Sec. 5. AS 18.67.130(b)(4) is amended to read:

14 (4) is injured as a result of the operation of a motor
15 vehicle, boat or airplane unless the vehicle was used by the offender
16 while intoxicated or as a weapon in a deliberate attempt to injure or
17 kill the victim.

18 * Sec. 6. AS 18.67.130(c) is amended to read:

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

26 * Sec. 7. AS 18.67 is amended by adding a new section to read:

27 Sec. 18.67.162. CRIME VICTIM COMPENSATION FUND. There is cre-
28 ated a crime victim compensation fund which shall be administered by
29 the Violent Crimes Compensation Board. The fund consists of money

1 appropriated to it by the legislature. The fund shall be administered
2 in accordance with the provisions of this chapter. Money distributed
3 from the fund shall be in addition to other sources of compensation
4 provided in this chapter.

5 * Sec. 8. AS 18.67.130(b)(1) and (2) are repealed.