
Ways & Means Committee

HB 2807

Brief Description: Changing crime victims' compensation benefits applications provisions.

Sponsors: Representative Hunter.

Brief Summary of Bill

- Reduces the time period under the Crime Victims' Compensation Program for reporting crimes to law enforcement and submitting applications for crime victims' benefits.

Hearing Date: 3/1/12

Staff: Amy Skei (786-7109).

Background:

The Crime Victims' Compensation Act of 1973 established Washington's Crime Victims' Compensation Program (CVCP) to provide benefits to innocent victims of criminal acts. The Department of Labor and Industries (L&I) was assigned authority for administering the CVCP because benefits available to crime victims under the CVCP were originally based on benefits paid to injured workers under the Industrial Insurance Act.

Eligibility for Benefits.

Generally, persons injured by a criminal act in Washington, or their surviving spouses and dependents, are eligible to receive benefits (burial costs, medical treatment, and lost wages) under the CVCP provided that:

- the criminal act for which compensation is being sought is punishable as a gross misdemeanor or felony;
- the crime was reported to law enforcement within one year of its occurrence or within one year from the time a report could reasonably have been made; and
- the application for crime victims' benefits is made within two years after the crime was reported to law enforcement or the rights of the beneficiaries or dependents accrued.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

A criminal act is defined as: (1) an act committed or attempted in Washington, which is punishable as a felony or gross misdemeanor under the laws of Washington or federal statutes; (2) an act committed outside of Washington against a resident of Washington which would be compensable had it occurred inside the state, and the crime occurred in a state which does not have a program; or (3) a human trafficking offense.

Under the Crime Victims' Compensation Act, benefit claims are denied if the injury for which benefits are being sought was: (1) the result of consent, provocation, or incitement by the victim; (2) sustained while the victim was committing or attempting to commit a felony; or (3) sustained while the victim was confined or living in any facility or institution maintained and operated by the Department of Social and Health Services or the Department of Corrections.

Summary of Bill:

In order to be eligible for crime victims' benefits, the time period in which a person must report the crime to law enforcement is reduced to within 90 days of its occurrence or within 90 days from the time a report could reasonably have been made; and the time period for which a person must submit an application for crime victims' benefits is reduced to one year after the crime was reported to law enforcement, or the rights of the beneficiaries or dependents accrued.

The current time periods for reporting a sexual assault crime (within one year) and submitting an application for benefits under the CVCP (within two years) are retained in cases that involve a sexual assault crime.

Appropriation: None.

Fiscal Note: Requested on February 27, 2012.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.