

HB355 INTRODUCED



1 HB355
2 6YK4C31-1
3 By Representatives Bedsole, Pettus, Treadaway
4 RFD: Fiscal Responsibility
5 First Read: 27-Feb-25



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SYNOPSIS:

Under existing law, an individual seeking compensation from the Alabama Crime Victims Compensation Commission must file a claim within one year of the injury or death upon which the claim is based.

This bill would provide that an individual seeking compensation from the Alabama Crime Victims Compensation Commission may file a claim within two years of the injury or death upon which the claim is based.

A BILL
TO BE ENTITLED
AN ACT

Relating to the Alabama Crime Victims Compensation Commission; to amend Section 15-23-12, Code of Alabama 1975, to further provide for the filing of claims.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 15-23-12, Code of Alabama 1975, is amended to read as follows:

"§15-23-12

(a) Compensation shall not be awarded in any of the



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29 following circumstances:

30 (1) A claim has been filed with the commission later
31 than ~~one year~~ two years after the injury or death upon which
32 the claim is based, unless the commission finds there was good
33 cause for the failure to file within that time.

34 (2) To a claimant who was the offender, or an
35 accomplice of the offender, or who encouraged or in any way
36 participated in the criminally injurious conduct.

37 (3) If the award would unjustly benefit the offender or
38 accomplice of the offender.

39 (4) The criminally injurious conduct resulting in
40 injury or death was reported to a law enforcement officer
41 later than 72 hours after its occurrence, unless the
42 commission finds there was good cause for the failure to
43 report within that time.

44 (b) Compensation otherwise payable to a claimant may be
45 diminished or denied to the extent that the economic loss is
46 recouped from collateral sources~~+~~, or to the extent that the
47 degree of responsibility for the cause of the injury or death
48 is attributable to the victim as determined by the commission.

49 (c) The commission, upon finding that the claimant or
50 victim has not fully cooperated with appropriate law
51 enforcement agencies, may deny, withdraw, or reduce an award
52 of compensation.

53 (d) The commission, on its own motion or on request of
54 the claimant, may reconsider a decision granting or denying an
55 award or determining ~~its~~ an award amount. An order on
56 reconsideration of an award shall not require a refund of



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57 amounts previously paid, unless the award was obtained by
58 fraud. The right of reconsideration does not affect the
59 finality of a commission decision for the purpose of judicial
60 review."

61 Section 2. This act shall become effective on October
62 1, 2025.