



General Assembly

Substitute Bill No. 5128

February Session, 2000

An Act Concerning Applications For Payment Of Crime Victims' Compensation.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Subsection (a) of section 54-211 of the general statutes is repealed
2 and the following is substituted in lieu thereof:

3 (a) (1) No order for the payment of compensation shall be made
4 under section 54-210, as amended, unless the application has been
5 made within two years after the date of the personal injury or death,
6 and the personal injury or death was the result of an incident or
7 offense listed in section 54-209 which has been reported to the police
8 within five days of its occurrence or, if the incident or offense could
9 not reasonably have been reported within such period, within five
10 days of the time when a report could reasonably have been made. (2)
11 Notwithstanding the provisions of subdivision (1) of this subsection,
12 any person who fails to make application for compensation within two
13 years after the date of the personal injury or death as a result of
14 physical, emotional or psychological injuries caused by such personal
15 injury or death may apply for a waiver of such time limitation,
16 provided in no event may such application for waiver of the time
17 limitation be filed later than six years after the date of such personal
18 injury or death. The Office of Victim Services, upon a finding of such
19 physical, emotional or psychological injury, may grant such waiver. (3)
20 Notwithstanding the provisions of subdivision (1) of this subsection,

21 any minor who fails to make application for compensation within two
22 years after the date of the personal injury or death through no fault of
23 the minor, may apply for a waiver of such time limitation, provided in
24 no event may such application be filed later than two years after such
25 minor attains the age of majority, or seven years after the date of the
26 personal injury or death, whichever is sooner. The Office of Victim
27 Services, upon a finding that such minor is not at fault, may grant such
28 waiver. (4) Notwithstanding the provisions of subdivision (1) of this
29 subsection, a person may make application for payment of
30 compensation not later than two years from the date that such person
31 discovers or in the exercise of reasonable care should have discovered
32 that such person was a victim of crime or ninety days after the effective
33 date of this act, whichever is later. Such person shall file with such
34 application a statement signed under penalty of false statement setting
35 forth the date when such person discovered that he or she was a victim
36 of crime and the circumstances that prevented such person discovering
37 that he or she was a victim of crime until more than two years after the
38 date of the incident or offense. There shall be a rebuttable presumption
39 that a person who files such a statement and is otherwise eligible for
40 compensation under this chapter is entitled to compensation. (5) Any
41 waiver denied by the Office of Victim Services under this subsection
42 may be reviewed by a victim compensation commissioner, provided
43 such request for review is made by the applicant within thirty days
44 from the mailing of the notice of denial by the Office of Victim
45 Services. If a victim compensation commissioner grants such waiver
46 the commissioner shall refer the application for compensation to the
47 Office of Victim Services for a determination pursuant to section 54-
48 205.

JUD Committee Vote: Yea 40 Nay 0 JFS