



General Assembly

January Session, 2005

Amendment

LCO No. 8012

HB0697608012HDO

Offered by:
REP. LAWLOR, 99th Dist.

To: Subst. House Bill No. 6976 File No. 799 Cal. No. 423

"AN ACT CONCERNING CRIMINAL JUSTICE PLANNING."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 54-211 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective*
5 *October 1, 2005*):

6 (a) (1) No order for the payment of compensation shall be made
7 under section 54-210 unless the application has been made within two
8 years after the date of the personal injury or death, and the personal
9 injury or death was the result of an incident or offense listed in section
10 54-209 which has been reported to the police within five days of its
11 occurrence or, if the incident or offense could not reasonably have been
12 reported within such period, within five days of the time when a
13 report could reasonably have been made. (2) Notwithstanding the
14 provisions of subdivision (1) of this subsection, any person who,
15 before, on or after the effective date of this section, fails to make

16 application for compensation within two years after the date of the
17 personal injury or death as a result of physical, emotional or
18 psychological injuries caused by such personal injury or death may
19 apply for a waiver of such time limitation. [provided in no event may
20 such application for waiver of the time limitation be filed later than six
21 years after the date of such personal injury or death.] The Office of
22 Victim Services, upon a finding of such physical, emotional or
23 psychological injury, may grant such waiver. (3) Notwithstanding the
24 provisions of subdivision (1) of this subsection, any minor who, before,
25 on or after the effective date of this section, fails to make application
26 for compensation within two years after the date of the personal injury
27 or death through no fault of the minor, may apply for a waiver of such
28 time limitation. [provided in no event may such application be filed
29 later than two years after such minor attains the age of majority, or
30 seven years after the date of the personal injury or death, whichever is
31 sooner.] The Office of Victim Services, upon a finding that such minor
32 is not at fault, may grant such waiver. (4) Notwithstanding the
33 provisions of subdivision (1) of this subsection, a person who is a
34 dependent of a victim may make application for payment of
35 compensation not later than two years from the date that such person
36 discovers or in the exercise of reasonable care should have discovered
37 that the person upon whom the applicant was dependent was a victim
38 or ninety days after May 26, 2000, whichever is later. Such person shall
39 file with such application a statement signed under penalty of false
40 statement setting forth the date when such person discovered that the
41 person upon whom the applicant was dependent was a victim and the
42 circumstances that prevented such person discovering that the person
43 upon whom the applicant was dependent was a victim until more than
44 two years after the date of the incident or offense. There shall be a
45 rebuttable presumption that a person who files such a statement and is
46 otherwise eligible for compensation [under] pursuant to this chapter is
47 entitled to compensation. (5) Any waiver denied by the Office of
48 Victim Services under this subsection may be reviewed by a victim
49 compensation commissioner, provided such request for review is
50 made by the applicant within thirty days from the mailing of the notice

51 of denial by the Office of Victim Services. If a victim compensation
52 commissioner grants such waiver, the commissioner shall refer the
53 application for compensation to the Office of Victim Services for a
54 determination pursuant to section 54-205."