

1 injury or injury to property occurred while the claimant was
2 engaged in conduct which constitutes a felony, or a
3 misdemeanor involving violence under the laws of this state,
4 or immediate flight therefrom and thereafter a conviction for
5 an offense arising out of such conduct was obtained against
6 the claimant, such criminal conduct shall bar recovery from
7 the person or other entity that was the victim or object of
8 the claimant's criminal conduct.

9 (2) Any civil action in which the defense recognized
10 by this section is raised shall be stayed by the court on the
11 motion of the civil defendant during the pendency of any
12 criminal action which forms the basis for the defense, unless
13 the court finds that a conviction in the criminal action would
14 not form a valid defense under this section.

15 (3) If recovery is barred by this section, the court
16 shall award reasonable attorney's fees, costs, and other
17 expenses to the civil defendant that was the victim or object
18 of the claimant's criminal conduct, including, but not limited
19 to, necessary travel expenses and other expenses incurred by
20 the civil defendant and the civil defendant's witnesses.

21 (4) As used in this section, the term "conviction"
22 means a determination of guilt that is the result of a plea or
23 a trial, regardless of whether adjudication is withheld.

24 Section 3. This act shall take effect upon becoming a
25 law, and shall apply to injuries occurring on or after that
26 date.

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HOUSE SUMMARY

Creates the "Crime Victim's Protection Act." Bars recovery of damages for personal injury or injury to property from the person or other entity that was the victim or object of the claimant's criminal conduct, in cases when the claimant incurred the damages while engaged in certain criminal conduct. Provides for the court to stay the civil action during the pendency of the criminal action which forms the basis for the defense. Provides an exception. Provides for award of attorney's fees, costs, and other expenses to the victim or object of the claimant's criminal conduct when the recovery is barred.