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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/13/2023	.	
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The Appropriations Committee on Criminal and Civil Justice
(Wright) recommended the following:

Senate Amendment

Delete lines 30 - 82
and insert:

2. Upon a showing that a delay in filing a claim under this paragraph occurred because of a delay in the testing of, or delay in the DNA profile matching from, a sexual assault forensic examination kit or biological material collected as evidence related to a sexual offense, a person who is eligible for compensation under subsection (1) may receive a waiver from



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11 the department of any claim filing deadline.

12 3. For good cause based on a reason other than a delay as
13 described in subparagraph 2., the department may extend the time
14 for filing a claim under subparagraph 1. for a period not
15 exceeding 2 years after such occurrence.

16 (b)1. A claim arising from a crime occurring on or after
17 October 1, 2019, must be filed within 3 years after the later
18 of:

19 a. The occurrence of the crime upon which the claim is
20 based;

21 b. The death of the victim or intervenor; or

22 c. The death of the victim or intervenor is determined to
23 be the result of the crime.

24 2. Upon a showing that a delay in filing a claim under this
25 paragraph occurred because of a delay in the testing of, or
26 delay in the DNA profile matching from, a sexual assault
27 forensic examination kit or biological material collected as
28 evidence related to a sexual offense, a person who is eligible
29 for compensation under subsection (1) may receive a waiver from
30 the department of any claim filing deadline.

31 3. For good cause based on a reason other than a delay as
32 described in subparagraph 2., the department may extend the time
33 for filing a claim under subparagraph 1. for a period not to
34 exceed 5 years after such occurrence.

35 (3) (a) Notwithstanding ~~the provisions of~~ subsection (2), if
36 the victim or intervenor was under the age of 18 at the time the
37 crime upon which the claim is based occurred, a claim may be
38 filed in accordance with this subsection.

39 1. (a) The victim's or intervenor's parent or guardian may



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40 file a claim on behalf of the victim or intervenor while the
41 victim or intervenor is less than 18 years of age;

42 2.~~(b)~~ For a claim arising from a crime that occurred before
43 October 1, 2019, when a victim or intervenor who was under the
44 age of 18 at the time the crime occurred reaches the age of 18,
45 the victim or intervenor has 1 year to file a claim; or

46 3.~~(e)~~ For a claim arising from a crime occurring on or
47 after October 1, 2019, when a victim or intervenor who was under
48 the age of 18 at the time the crime occurred reaches the age of
49 18, the victim or intervenor has 3 years to file a claim.

50 (b) Upon a showing that a delay in filing a claim occurred
51 because of a delay in the testing of, or delay in the DNA
52 profile matching from, a sexual assault forensic examination kit
53 or biological material collected as evidence related to a sexual
54 offense, a person who is eligible for compensation under
55 paragraph (a) may receive a waiver from the department of any
56 claim filing deadline.

57 (c) For good cause, ~~7~~ based on a reason other than a delay as