

No. 287

AN ACT

SB 1475

Amending the act of April 9, 1929 (P.L. 177, No. 175), entitled "An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments, boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined," further defining "crime" for certain purposes; changing an effective date; further providing for the distribution of publications by the Department of General Services; making an editorial correction and making a repeal.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. Section 477, act of April 9, 1929 (P.L. 177, No. 175), known as "The Administrative Code of 1929," added July 9, 1976 (No. 139), is amended to read:

Section 477. Definitions.—So far as it relates to the crime victim's compensation provisions, the following terms shall be defined as:

"Board" means the Crime Victim's Compensation Board.

"Claimant" means the person filing a claim pursuant to this act.

"Crime" means an act committed in Pennsylvania which, if committed by a mentally competent, criminally responsible adult, who had no legal exemption or defense, would constitute a crime as defined in and proscribed by Title 18 of the "Pennsylvania Consolidated Statutes," (relating to crimes and offenses) [**or other penal law of the Commonwealth**]; Provided, however, That no act involving the operation of a motor vehicle which results in injury shall constitute a crime for the purpose of this act unless such injury was intentionally inflicted through the use of a motor vehicle.

"Family," when used in reference to a person, shall mean (i) anyone related to such person within the third degree of consanguinity or affinity, (ii) anyone maintaining a common-law relationship with such person, or (iii) anyone residing in the same household with such person.

"Intervenor" shall mean a person who goes to the aid of another and suffers bodily injury or death as a direct result of acting not recklessly to prevent the commission of a crime, or to lawfully apprehend a person

reasonably suspected of having committed such crime, or to aid the victim of such crime.

“Out-of-pocket loss” means the unreimbursed and unreimbursable expenses or indebtedness incurred for medical care, nonmedical remedial care and treatment rendered in accordance with a religious method of healing as approved by the board, or other services reasonably necessary as a result of the injury upon which the claim is based and for which the claimant either has paid or is liable. In no case shall property damages or compensation for pain and suffering be included.

“Victim” shall mean a person, other than the alleged offender, who suffers bodily injury or death as a direct result of a crime.

Section 2. The act is amended by adding a section to read:

Section 477.16. Effective Date.—The provisions of sections 477 through 477.15, inclusive, of this act shall be deemed to be in effect as of October 29, 1976 notwithstanding prior provisions to the contrary. Claims shall be accepted for crimes committed on or subsequent to such date.

Section 3. The introductory paragraph and clause (j) of section 2406 of the act, clause (j) amended May 12, 1949 (P.L.1260, No.377), are amended to read:

Section 2406. Publications.—The Department of **[Property and Supplies]** **General Services** shall have the power, and its duty shall be:

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(j) To distribute to the public, upon payment to the department of such sum per copy as shall cover the cost of publication, any documents published by the department for the Commonwealth, or any department, board, commission, or officer thereof, which shall cost more than **[ten cents]** **twenty cents** per copy to publish, except documents published for the Governor and the General Assembly which shall be distributed without charge as heretofore; to administer this subsection, the department may publish, for free distribution to applicants therefor, a price-list showing the publications which the department is prepared to furnish to the public and the charges for each such document. All moneys collected by the department hereunder shall be paid, through the Department of Revenue, into the General Fund in the State Treasury, except that, if the cost of publishing any document sold by the department hereunder shall have been paid out of any special fund in the State Treasury, the proceeds of the sale thereof shall be paid into such special fund through the Department of Revenue.

Section 4. The provisions of section 4, act of July 9, 1976 (No.139), entitled “An act amending the act of April 9, 1929 (P.L.177, No.175), entitled ‘An act providing for and reorganizing the conduct of the executive and administrative work of the Commonwealth by the Executive Department thereof and the administrative departments, boards, commissions, and officers thereof, including the boards of trustees of State Normal Schools, or Teachers Colleges; abolishing, creating, reorganizing or authorizing the reorganization of certain administrative departments,

boards, and commissions; defining the powers and duties of the Governor and other executive and administrative officers, and of the several administrative departments, boards, commissions, and officers; fixing the salaries of the Governor, Lieutenant Governor, and certain other executive and administrative officers; providing for the appointment of certain administrative officers, and of all deputies and other assistants and employes in certain departments, boards, and commissions; and prescribing the manner in which the number and compensation of the deputies and all other assistants and employes of certain departments, boards and commissions shall be determined,' creating the Crime Victim's Compensation Board, prescribing its powers and duties, providing for filing, consideration and payments of claims to persons who are victims of crimes, their dependents and survivors, providing for appeals," are hereby repealed insofar as inconsistent with the provisions of this act.

Section 5. This act shall take effect immediately.

APPROVED—The 10th day of December, A. D. 1976.

MILTON J. SHAPP

