

No. 2002-144

AN ACT

SB 807

Amending the act of November 24, 1998 (P.L.882, No.111), entitled "An act providing for victims' rights; imposing penalties; establishing remedies; establishing the Office of Victim Advocate, the Bureau of Victims' Services, the Victims' Services Advisory Committee, the State Offender Supervision Fund and other funds; and making repeals," further providing for awards; and making a transfer to the Crime Victim's Compensation Fund.

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

Section 1. Section 707 of the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, is amended by adding a subsection to read:

Section 707. Awards.

* * *

(a.1) Protection from abuse.—A claimant who satisfies the eligibility requirements of subsection (a)(1), (2) and (4) may satisfy the eligibility requirement under subsection (a)(3) for reporting a crime to the proper authorities by commencing an action brought in accordance with 23 Pa.C.S. Ch. 61 (relating to protection from abuse) and as provided for in the Pennsylvania Rules of Civil Procedure. In no case may an award be made if the record shows that the petition was:

(1) Withdrawn, unless the Office of Victim Services finds the withdrawal to have been justified, consistent with regulations of the Office of Victim Services.

(2) Filed more than 72 hours after the occurrence of the criminal conduct leading to the commencement of the action, unless:

(i) the victim is under 18 years of age at the time of the occurrence of the criminal conduct and the alleged offender is the victim's parent or a person responsible for the victim's welfare, an individual residing in the same home as the victim or a paramour of the victim's parent; or

(ii) the Office of Victim Services finds the delay to have been justified, consistent with regulations of the Office of Victim Services.

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Section 2. The sum of \$1,000,000 is hereby transferred on a one-time basis from the Victim Witness Services Fund to the Crime Victim's Compensation Fund.

Section 3. This act shall take effect immediately.

APPROVED—The 3rd day of December, A.D. 2002.

MARK S. SCHWEIKER