

52:4B-18

LEGISLATIVE HISTORY CHECKLIST

NJSA 52:4B-18 (Victims of crime--application for compensation--increase filing time to 2 years)  
LAWS 1981 CHAPTER 307  
Bill No. A1169  
Sponsor(s) Girgenti  
Date Introduced Feb. 25, 1980  
Committee: Assembly Judiciary, Law, Public Safety and Defense  
Senate Law, Public Safety and Defense

Amended during passage  Yes  No

Date of Passage: Assembly July 28, 1980

Senate Oct. 9, 1980

Date of approval Nov. 30, 1981

Following statements are attached if available:

Sponsor statement	Yes	<del>No</del> (Below)
Committee Statement: Assembly	Yes	<del>No</del>
Senate	<del>Yes</del>	No
Fiscal Note	<del>Yes</del>	No
Veto Message	<del>Yes</del>	No
Message on signing	Yes	<del>No</del>

Following were printed:

Reports	<del>Yes</del>	No
Hearings	<del>Yes</del>	No

Sponsor's statement:

The purpose of this amendatory bill is to extend from 1 to 2 years the amount of time in which a victim of a violent crime may file an application for compensation with the Violent Crimes Compensation Board. The bill would allow the board to accept an application filed after 2 years upon its determination that the victim had valid reason for delayed filing.

(over)

6/22/81

LEGISLATIVE HISTORY CHECKLIST

ASSEMBLY, No. 1169

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 25, 1980

By Assemblyman GIRGENTI

Referred to Committee on Judiciary, Law, Public Safety  
and Defense

AN ACT to amend the "Criminal Injuries Compensation Act of  
1971," approved October 4, 1971, (P. L. 1971, c. 317).

1 BE IT ENACTED by the Senate and General Assembly of the State  
2 of New Jersey:

1 1. Section 18 of P. L. 1971, c. 317 (C. 52:4B-18) is amended to  
2 read as follows:

3 18. No order for the payment of compensation shall be made  
4 under section 10 of this act unless the application has been made  
5 within **[1 year]** 2 years after the date of the personal injury or  
6 death or after that date upon determination by the board that good  
7 cause exists for the delayed filing, and the personal injury or death  
8 was the result of an offense listed in section 11 of this act which had  
9 been reported to the police within 3 months after its occurrence.

10 In determining the amount of an award, the board shall deter-  
11 mine whether, because of his conduct, the victim of such crime  
12 contributed to the infliction of his injury, and the board shall reduce  
13 the amount of the award or reject the application altogether, in  
14 accordance with such determination; provided, however, that the  
15 board shall not consider any conduct of the victim contributory  
16 toward his injury, if the record indicates such conduct occurred  
17 during efforts by the victim to prevent a crime or apprehend a  
18 person who had committed a crime in his presence or had in fact  
19 committed a misdemeanor.

20 No compensation shall be awarded if the victim

21 a. is a relative of the offender,

22 b. was at the time of the personal injury or death of the victim  
23 living with the offender as a member of his family relationship  
24 group,

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in the above bill  
is not enacted and is intended to be omitted in the law.**

25 c. was guilty of a violation of subtitle 10 or 12 of Title 2A of the  
26 New Jersey Statutes, which caused or contributed to his injuries,

27 d. was injured as a result of the operation of a motor vehicle,  
28 boat or airplane unless the same was used as a weapon in a de-  
29 liberate attempt to run the victim down.

30 No award shall be made on an application unless the applicant  
31 has incurred a minimum out-of-pocket loss of \$100.00 or has lost at  
32 least 2 continuous weeks earnings or support. Out-of-pocket loss  
33 shall mean unreimbursed and unreimbursable expenses or indebted-  
34 ness reasonably incurred for medical care or other services neces-  
35 sary as a result of the injury upon which such application is based.

36 No compensation shall be awarded under this act in an amount in  
37 excess of \$10,000.00, and all payments shall be made in a lump sum,  
38 except that in the case of death or protracted disability the award  
39 may provide for periodic payments to compensate for loss of earn-  
40 ings or support. No award made pursuant to this act shall be sub-  
41 ject to execution or attachment other than for expenses resulting  
42 from the injury which is the basis of the claim.

1 2. This act shall take effect immediately and shall be applicable  
2 to applications submitted on or after the effective date of this act.

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#### STATEMENT

The purpose of this amendatory bill is to extend from 1 to 2 years the amount of time in which a victim of a violent crime may file an application for compensation with the Violent Crimes Compensation Board. The bill would also allow the board to accept an application filed after 2 years upon its determination that the victim had valid reason for delayed filing.

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ASSEMBLY JUDICIARY, LAW, PUBLIC SAFETY AND  
DEFENSE COMMITTEE

STATEMENT TO  
ASSEMBLY, No. 1169

STATE OF NEW JERSEY

DATED: JUNE 16, 1980

The purpose of this amendatory bill is to extend from 1 to 2 years the amount of time in which a victim of a violent crime may file an application for compensation with the Violent Crimes Compensation Board. The bill would also allow the board to accept an application filed after 2 years upon its determination that the victim had valid reason for delayed filing.

Numerous cases were cited of people being denied aid because of barely missing the existing filing requirements. Since the purpose of the victim's compensation system is to relieve hardship, it does not seem right to maintain hard and fast, narrow filing requirements which might unduly restrict the system's liberal intent.

FOR IMMEDIATE RELEASE

FOR FURTHER INFORMATION

November 30, 1981

DAVID DE MAIO

Governor Brendan Byrne today signed A-1169, sponsored by Assemblyman John A. Girgenti (D-Passaic), extending from one to two years the time in which a victim of a violent crime may file for compensation with the Violent Crimes Compensation Board.

The bill also allows the Compensation Board to accept an application for compensation after the two year deadline if there is "good cause" for the delay in filing.

Governor Byrne last summer signed a bill requiring police departments and hospitals to post violent crimes compensation information and to make applications readily available for victims.

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Bill, mentioned in press release: A1060, approved as L.1981, c.256