

HOUSE BILL No. 1289

DIGEST OF INTRODUCED BILL

Citations Affected: IC 5-2-6.1.

Synopsis: Violent crimes compensation fund. Provides that an alleged victim of a child sex crime may submit an application for compensation for victims of violent crime until the alleged victim turns 31 years of age. Provides that an alleged victim of a child sex crime may be awarded compensation even if the alleged victim did not report the crime to law enforcement within 72 hours after the crime occurred.

Effective: July 1, 2012.

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January 11, 2012, read first time and referred to Committee on Courts and Criminal Code.

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Second Regular Session 117th General Assembly (2012)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2011 Regular Session of the General Assembly.

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HOUSE BILL No. 1289



A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 5-2-6.1-7.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2012]: **Sec. 7.5. As used in this chapter, "victim of a child sex
4 crime" means an individual who was the victim of:**

- 5 (1) **child molesting (IC 35-42-4-3(a));**
- 6 (2) **vicarious sexual gratification (IC 35-42-4-5);**
- 7 (3) **child solicitation (IC 35-42-4-6);**
- 8 (4) **child seduction (IC 35-42-4-7); or**
- 9 (5) **incest (IC 35-46-1-3);**
- 10 **and was less than eighteen (18) years of age at the time the crime**
- 11 **occurred.**

12 SECTION 2. IC 5-2-6.1-16, AS AMENDED BY P.L.121-2006,
13 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
14 JULY 1, 2012]: Sec. 16. (a) A person eligible for assistance under
15 section 12 of this chapter may file an application for assistance with the
16 division if the violent crime was committed in Indiana.

17 (b) **Except as provided in subsection (e),** the application must be



1 received by the division not more than one hundred eighty (180) days
 2 after the date the crime was committed. The division may grant an
 3 extension of time for good cause shown by the claimant. However, **and**
 4 **except as provided in subsection (e)**, the division may not accept an
 5 application that is received more than two (2) years after the date the
 6 crime was committed.

7 (c) The application must be filed in the office of the division in
 8 person, through the division's web site, or by first class or certified
 9 mail. If requested, the division shall assist a victim in preparing the
 10 application.

11 (d) The division shall accept all applications filed in compliance
 12 with this chapter. Upon receipt of a complete application, the division
 13 shall promptly begin the investigation and processing of an application.

14 (e) **An alleged victim of a child sex crime may submit an**
 15 **application to the division until the victim becomes thirty-one (31)**
 16 **years of age.**

17 SECTION 3. IC 5-2-6.1-17, AS AMENDED BY P.L.129-2009,
 18 SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2012]: Sec. 17. (a) **Except for an alleged victim of a child**
 20 **sex crime**, the division may not award compensation under this chapter
 21 unless the violent crime was reported to a law enforcement officer not
 22 more than seventy-two (72) hours after the occurrence of the crime.

23 (b) The division may not award compensation under this chapter
 24 until:

25 (1) law enforcement and other records concerning the
 26 circumstances of the crime are available; and

27 (2) any criminal investigation directly related to the crime has
 28 been substantially completed.

29 (c) If the crime involved a motor vehicle, the division may not
 30 award compensation under this chapter until an information or
 31 indictment alleging the commission of a crime has been filed by a
 32 prosecuting attorney.

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