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**SB-1232 Victims of crime: application for compensation.** (2017-2018)

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**Senate Bill No. 1232**

**CHAPTER 983**

An act to amend Section 13953 of the Government Code, relating to victims of crime, and making an appropriation therefor.

[ Approved by Governor September 30, 2018. Filed with Secretary of State September 30, 2018. ]

**LEGISLATIVE COUNSEL'S DIGEST**

SB 1232, Bradford. Victims of crime: application for compensation.

Existing law provides for the compensation of victims and derivative victims of specified types of crimes by the California Victim Compensation Board from the Restitution Fund, a continuously appropriated fund, for specified losses suffered as a result of those crimes. Existing law requires an application for compensation to be filed within certain time periods, including within 3 years after the victim attains 18 years of age, except as specified.

This bill would require an application for compensation to be filed within 3 years after the victim attains 21, instead of 18, years of age, except as specified. By extending the application of provisions authorizing certain uses of continuously appropriated funds, the bill would make an appropriation.

Vote: 2/3 Appropriation: yes Fiscal Committee: yes Local Program: no

**THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:**

**SECTION 1.** Section 13953 of the Government Code is amended to read:

**13953.** (a) An application for compensation shall be filed within three years of the date of the crime, three years after the victim attains 21 years of age, or three years of the time the victim or derivative victim knew or in the exercise of ordinary diligence could have discovered that an injury or death had been sustained as a direct result of crime, whichever is later. An application based on any crime eligible for prosecution under Section 801.1 of the Penal Code may be filed any time prior to the victim's 28th birthday.

(b) The board may for good cause grant an extension of the time period in subdivision (a). In making this determination, the board shall consider all of the following:

- (1) Whether the victim or derivative victim incurs emotional harm or a pecuniary loss while testifying during the prosecution or in the punishment of the person accused or convicted of the crime.
- (2) Whether the victim or derivative victim incurs emotional harm or a pecuniary loss when the person convicted of the crime is scheduled for a parole hearing or released from incarceration.

(3) Whether the victim or derivative victim incurs emotional harm or pecuniary loss as a result of the identification of the "East Area Rapist," also known as the "Golden State Killer," a person suspected of committing a series of homicide and sexual assault crimes in California between 1974 and 1986. As used in this paragraph, "emotional harm" includes, but is not limited to, harm incurred while preparing to testify. This paragraph shall cease to be operative on December 31, 2019.

(c) The period prescribed in this section for filing an application by or on behalf of a derivative victim shall be tolled when the board accepts the application filed by a victim of the same qualifying crime.