Regular Session, 2012

HOUSE BILL NO. 457

BY REPRESENTATIVES KATRINA JACKSON, CHAMPAGNE, NANCY LANDRY, MORENO, NORTON, AND SMITH AND SENATORS BROOME AND PETERSON

1	AN ACT
2	To amend and reenact R.S. 46:1804 and 1806(A), relative to crime victims reparations; to
3	provide for notification requirements by the Crime Victims Reparations Board; to
4	provide relative to applications for reparations; to extend the time in which an
5	application for reparations is to be filed by certain applicants; and to provide for
6	related matters.
7	Be it enacted by the Legislature of Louisiana:
8	Section 1. R.S. 46:1804 and 1806(A) are hereby amended and reenacted to read as
9	follows:
10	\$1804. Eligibility to apply for reparations
11	<u>A.</u> A person who believes he is a victim of a crime enumerated in R.S.
12	46:1805, or his legal representative, or in the case of death, a dependent or the legal
13	representative of a dependent, or the rightful claimant as defined in R.S. 46:1802(4),
14	shall be eligible to make application to the board for reparations and shall be eligible
15	for an award of reparations in accordance with the provisions of this Chapter.
16	B. During the sentencing for a crime, the judge shall inform the victim of the
17	crime, or his legal representative, or in the case of death, a dependent or the legal
18	representative of a dependent or the rightful claimant, of the potential eligibility for
19	an award of reparations. The judge shall also provide the contact information for the
20	Crime Victims Reparations Board to such persons for submitting an application to
21	the board for an award of reparations.
22	* * *
23	§1806. Application; requirements; confidentiality
24	A.(1) An application for reparations shall be filed in writing with the board
25	within one year after the date of the personal injury, death, or catastrophic property

CODING: Words in struck through type are deletions from existing law; words <u>underscored</u> are additions.

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1	loss or within such longer period as the board determines is justified by the
2	circumstances. The application shall be valid only if the act resulting in the personal
3	injury, death, or catastrophic property loss was reported to the appropriate law
4	enforcement officers within seventy-two hours after the date of the personal injury,
5	death, or catastrophic property loss, or within such longer period as the board
6	determines is justified by the circumstances.
7	(2)(a) Notwithstanding the provisions of Paragraph (1) of this Subsection
8	and except as provided in Subparagraph (b) of this Paragraph, an application filed
9	by a dependent or legal representative of a deceased victim of a homicide offense,
10	or filed by a claimant as defined in R.S. 46:1802(4), shall be filed within five years
11	after the date on which the judgment of conviction becomes final or within five years
12	after the date on which the supreme court denies the defendant's first application for
13	appeal.
14	(b) Notwithstanding the provisions of Paragraph (1) of this Subsection, when
15	the death of the offender occurs prior to a conviction for a homicide offense, an
16	application filed by a dependent or legal representative of a deceased victim of a
17	homicide offense, or filed by a claimant as defined in R.S. 46:1802(4), shall be filed
18	within five years after the date of the death of the offender.

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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____

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