

2016 -- H 7538 SUBSTITUTE A

=====
LC004091/SUB A
=====

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2016

—————
A N A C T

RELATING TO CRIMINAL PROCEDURE - CRIMINAL INJURIES COMPENSATION

Introduced By: Representatives Coughlin, Solomon, Johnston, and Messier

Date Introduced: February 10, 2016

Referred To: House Judiciary

(General Treasurer)

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 12-25-17 of the General Laws in Chapter 12-25 entitled "Criminal
2 Injuries Compensation" is hereby amended to read as follows:

3 **12-25-17. Definitions.** -- As used in this chapter:

4 (1) "Administrator" means the program administrator of this chapter.

5 (2) "Child" means an unmarried person who is under eighteen (18) years of age and
6 includes a stepchild or an adopted child.

7 (3) "Court" means the superior court.

8 (4) "Dependent" means a person wholly or partially dependent upon the income of the
9 victim at the time of his or her death or would have been so dependent but for the incapacity due
10 to the injury from which the death resulted. The term includes a child of the victim born after the
11 death of the victim.

12 (5) "Office" means the office of the general treasurer.

13 (6) "Pecuniary loss" includes:

14 (i) For personal injury:

15 (A) Medical expenses (including psychiatric care) for which the victim is not
16 compensated by any other source;

17 (B) Hospital expenses for which the victim is not compensated by any other source;

18 (C) Loss of past earnings for which the victim is not compensated by any other source;

19 (D) Loss of future earnings because of a disability resulting from the personal injury for

1 which the victim is not compensated by any other source.

2 (ii) For death:

3 (A) Funeral and burial expenses for which the victim's estate is not compensated by any
4 other source; and

5 (B) Loss of support to the dependents of the victim for which the dependents are not
6 compensated by any other source.

7 (iii) Any other expenses actually and necessarily incurred as a result of the personal
8 injury or death for which the victim or his or her estate is not compensated by any other source,
9 but it does not include property damage.

10 (7) "Personal injury" means actual bodily harm, mental or nervous shock, and a
11 pregnancy resulting from sexual attack.

12 (8) "Relative" means a spouse, parent, grandparent, stepfather, stepmother, child,
13 grandchild, brother, sister, half-brother, half-sister, and a spouse's parents.

14 (9) "Resident" means any person who has his or her residence within the state of Rhode
15 Island.

16 (10) "State" includes the District of Columbia, the fifty (50) states, and the United States'
17 territories and possessions.

18 (11) "Treasurer" means the general treasurer of the state of Rhode Island or his or her
19 designee.

20 (12) "Victim" means a person who is injured or killed by any act of a person or persons
21 which is within the description of any of the offenses specified in § 12-25-20 and which act
22 occurs in the state of Rhode Island. "Victim" also means a resident of the state of Rhode Island
23 who is a victim of an act of terrorism as defined in 18 U.S.C. § 2331 occurring outside the United
24 States [or within the United States as referred to in 42 U.S.C. §10603\(b\)](#).

25 (13) "1972 Act" means the Criminal Injuries Compensation Act of 1972, established
26 pursuant to former §§ 12-25-1 -- 12-25-12.1.

27 (14) "1996 Act" means the Criminal Injuries Compensation Act of 1996, established
28 pursuant to §§ 12-25-16 -- 12-25-30.

29 SECTION 2. This act shall take effect upon passage.

=====
LC004091/SUB A
=====

EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO CRIMINAL PROCEDURE - CRIMINAL INJURIES COMPENSATION

1 This act would make residents of Rhode Island who are victims of terrorist acts outside
2 the state of Rhode Island but within the United States, eligible to receive victim's compensation
3 payments under this chapter.

4 This act would take effect upon passage.

=====
LC004091/SUB A
=====