



February 21, 2003

SENATE BILL No. 515

DIGEST OF SB 515 (Updated February 19, 2003 12:47 PM - DI 106)

Citations Affected: IC 5-2.

Synopsis: Violent crime victims compensation fund. Provides that an award from the violent crime victims compensation fund shall be reduced by the amount of restitution actually received from the offender and benefits actually received from a third party on behalf of the offender. (Current law provides that the award must be reduced by the amount of restitution and benefits received or to be received.)

Effective: July 1, 2003.

Zakas

January 23, 2003, read first time and referred to Committee on Judiciary.
February 20, 2003, reported favorably — Do Pass.

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SB 515—LS 7220/DI 105+



February 21, 2003

First Regular Session 113th General Assembly (2003)

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 2002 Regular or Special Session of the General Assembly.

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SENATE BILL No. 515

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 5-2-6.1-32 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 32. (a) The division
3 shall reduce an award made under this chapter by the amount of
4 benefits received or to be received from the following sources if those
5 benefits result from or are in any manner attributable to the bodily
6 injury or death upon which the award is based:
7 ~~(1) Restitution from the offender.~~
8 ~~(2) Benefits from a third party on behalf of the offender.~~
9 ~~(3) (1) Benefits from public or private pension programs,~~
10 including Social Security benefits.
11 ~~(4) (2) Benefits from proceeds of insurance policies.~~
12 ~~(5) (3) Benefits under IC 22-3-2 through IC 22-3-6.~~
13 ~~(6) (4) Unemployment compensation benefits.~~
14 ~~(7) (5) Benefits from other public funds.~~
15 Compensation must be further reduced or denied to the extent that the
16 claimant's loss is recouped from other collateral sources.
17 (b) **The division shall further reduce an award under this**

SB 515—LS 7220/DI 105+



1 **chapter by the following:**
2 **(1) The amount of court ordered restitution actually received**
3 **by the victim from the offender.**
4 **(2) Benefits actually received by the victim from a third party**
5 **on behalf of the offender.**
6 (c) The division shall determine whether the victim vigorously
7 pursued recovery against available collateral sources described in this
8 section.
9 (d) If the division finds that a victim has failed to pursue an
10 applicable collateral source of recovery, the division shall reduce or
11 deny an award under this section by the amount that is available to the
12 victim through the collateral source.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Judiciary, to which was referred Senate Bill No. 515, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill DO PASS.

(Reference is made to Senate Bill 515 as introduced.)

BRAY, Chairperson

Committee Vote: Yeas 10, Nays 0.

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