

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2436 Session of  
2022

INTRODUCED BY PARKER, KINSEY, CEPHAS, HILL-EVANS, SANCHEZ,  
DALEY, GUENST, MCNEILL, FITZGERALD, KENYATTA AND BURGOS,  
MARCH 22, 2022

REFERRED TO COMMITTEE ON JUDICIARY, MARCH 22, 2022

AN ACT

1 Amending the act of November 24, 1998 (P.L.882, No.111),  
2 entitled "An act providing for victims' rights; imposing  
3 penalties; establishing remedies; establishing the Office of  
4 Victim Advocate, the Bureau of Victims' Services, the  
5 Victims' Services Advisory Committee, the State Offender  
6 Supervision Fund and other funds; and making repeals," in  
7 preliminary provisions, further providing for definitions;  
8 and, in compensation, further providing for persons eligible  
9 for compensation.

10 The General Assembly of the Commonwealth of Pennsylvania  
11 hereby enacts as follows:

12 Section 1. The definition of "out-of-pocket loss" in section  
13 103 of the act of November 24, 1998 (P.L.882, No.111), known as  
14 the Crime Victims Act, is amended to read:

15 Section 103. Definitions.

16 The following words and phrases when used in this act shall  
17 have the meanings given to them in this section unless the  
18 context clearly indicates otherwise:

19 \* \* \*

20 "Out-of-pocket loss." The term includes the following losses  
21 which shall be reimbursed at a rate set by the Office of

1 Victims' Services:

2 (1) expenses for unreimbursed and unreimbursable  
3 expenses or indebtedness incurred for medical care,  
4 nonmedical remedial care and treatment as approved by the  
5 Office of Victims' Services or other services;

6 (2) expenses for counseling, prosthetic devices,  
7 wheelchairs, canes, walkers, hearing aids, eyeglasses or  
8 other corrective lenses or dental devices reasonably  
9 necessary as a result of the crime upon which the claim is  
10 based and for which the claimant either has paid or is  
11 liable;

12 (3) expenses related to the reasonable and necessary  
13 costs of cleaning the crime scene of a private residence.  
14 "Cleaning" means to remove or attempt to remove stains or  
15 blood caused by the crime or other dirt or debris caused by  
16 the processing of the crime scene;

17 (4) expenses resulting from the temporary or permanent  
18 relocation of a direct victim and individuals residing in the  
19 household of the direct victim due to the incident forming  
20 the basis of the victim's claim when there is an immediate  
21 need to protect the safety and health of the victim and  
22 individuals residing in the household, as verified by a  
23 medical provider, human services provider or law enforcement;

24 (5) expenses for physical examinations and materials  
25 used to obtain evidence; or

26 (6) other reasonable expenses which are deemed necessary  
27 as a direct result of the criminal incident.

28 Except as otherwise provided, the term does not include  
29 [property damage or] pain and suffering.

30 \* \* \*

1       Section 2.   Section 701(a) of the act is amended by adding a  
2 paragraph to read:

3   Section 701.   Persons eligible for compensation.

4       (a)   General rule.--Except as otherwise provided in this act,  
5 the following persons shall be eligible for compensation:

6           \* \* \*

7           (7)   A victim of property damage up to the total cost of  
8 damage to:

9               (i)   Real property.

10              (ii)   Rental property.

11              (iii)   Vehicular property.

12           \* \* \*

13   Section 3.   This act shall take effect in 60 days.