

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 395

Session of
1979

INTRODUCED BY LOEPER, O'PAKE, GREENLEAF AND BELL, MARCH 6, 1979

REFERRED TO LAW AND JUSTICE, MARCH 6, 1979

AN ACT

1 Amending the act of April 9, 1929 (P.L.177, No.175), entitled
2 "An act providing for and reorganizing the conduct of the
3 executive and administrative work of the Commonwealth by the
4 Executive Department thereof and the administrative
5 departments, boards, commissions, and officers thereof,
6 including the boards of trustees of State Normal Schools, or
7 Teachers Colleges; abolishing, creating, reorganizing or
8 authorizing the reorganization of certain administrative
9 departments, boards, and commissions; defining the powers and
10 duties of the Governor and other executive and administrative
11 officers, and of the several administrative departments,
12 boards, commissions, and officers; fixing the salaries of the
13 Governor, Lieutenant Governor, and certain other executive
14 and administrative officers; providing for the appointment of
15 certain administrative officers, and of all deputies and
16 other assistants and employes in certain departments, boards,
17 and commissions; and prescribing the manner in which the
18 number and compensation of the deputies and all other
19 assistants and employes of certain departments, boards and
20 commissions shall be determined," providing for certain
21 notification responsibilities of local law enforcement
22 agencies, and providing for an exception to the minimum
23 allowable claim.

24 The General Assembly of the Commonwealth of Pennsylvania
25 hereby enacts as follows:

26 Section 1. Section 477, act of April 9, 1929 (P.L.177,
27 No.175), known as "The Administrative Code of 1929," amended
28 December 10, 1976 (P.L.1305, No.287), is amended by adding a
29 definition to read:

1 Section 477. Definitions.--So far as it relates to the crime
2 victim's compensation provisions, the following terms shall be
3 defined as:

4 * * *

5 "Local law enforcement agency" means a police department of a
6 city, borough, incorporated town or township.

7 * * *

8 Section 2. Section 477.5 of the act, amended July 9, 1976
9 (P.L.574, No.139), is amended to read:

10 Section 477.5. Minimum Allowable Claim.--(a) No award shall
11 be made on a claim unless the claimant has incurred a minimum
12 out-of-pocket loss of one hundred dollars (\$100) or has lost at
13 least two continuous weeks' earnings or support.

14 (b) The requirements of subsection (a) shall not apply where
15 the victim was sixty (60) years of age or older at the time the
16 crime occurred.

17 Section 3. The act is amended by adding a section to read:

18 Section 477.17. Responsibilities of Local Law Enforcement
19 Agencies.--(a) All local law enforcement agencies shall insure
20 that all of its officers and employes are familiar with crime
21 victim's compensation as provided for in sections 477 through
22 477.17 of this act. Instruction concerning crime victim's
23 compensation shall be made a part of the training curriculum for
24 all trainee officers.

25 (b) Local law enforcement agencies shall advise the victims
26 of crimes reported to it of the availability of crime victim's
27 compensation as provided by this act. The notice required under
28 this subsection shall be in writing and shall include the
29 following paragraph:

30 "If you have sustained physical injury as a direct result

1 of a crime of violence, or are legally dependent for support
2 upon a person who has sustained physical injury or death as a
3 direct result of a crime of violence, or, in the event of a
4 death caused by a crime of violence, you have legally assumed
5 or voluntarily paid the medical or burial expenses incurred
6 as a direct result thereof, you may qualify for
7 indemnification by the State of Pennsylvania for the out-of-
8 pocket wages, medical or burial expenses which you have
9 incurred as a result of the crime. Claims must be filed with
10 the Crime Victim's Compensation Board for the State of
11 Pennsylvania. For further information regarding this program,
12 please contact:

13 (Name, business address and telephone
14 number of the local law enforcement
15 agency)

16 or

17 Crime Victim's Compensation Board
18 Department of Justice
19 1910 Paxton Street
20 Harrisburg, Pennsylvania 17104

21 Important: The statute provides that, absent certain
22 extenuating circumstances, a claimant has one year from the
23 date of the crime to file his claim with the Crime Victim's
24 Compensation Board."

25 (c) The written notification provided for in subsection (b)
26 shall be accompanied by three copies of the application form for
27 crime victim's compensation. These forms shall be supplied by
28 the Crime Victim's Compensation Board to all local law
29 enforcement agencies. The record of the date and address of all
30 letters of notification shall be maintained by every local law

1 enforcement agency.

2 (d) Any officer of a local law enforcement agency whose
3 duties include the investigation of crimes may notify victims or
4 their families of the availability of compensation under this
5 act by giving them a card or sheet bearing the paragraph as
6 quoted in subsection (b) above. A record of such personal notice
7 shall be maintained by the local law enforcement agency.

8 (e) In municipalities which do not have a local law
9 enforcement agency, the board shall by rule establish procedures
10 whereby it, together with the State Police, shall give the
11 notice to victims of crimes as provided in this section.

12 Section 4. This act shall take effect immediately except
13 that the notice requirements of section 477.17 (b), (c) and (d)
14 shall take effect in three months.