

**Assembly Bill No. 2683**

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Passed the Assembly August 21, 2000

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*Chief Clerk of the Assembly*

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Passed the Senate August 18, 2000

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*Secretary of the Senate*

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This bill was received by the Governor this \_\_\_\_\_ day  
of \_\_\_\_\_, 2000, at \_\_\_\_\_ o'clock \_\_\_\_M.

\_\_\_\_\_  
*Private Secretary of the Governor*



## CHAPTER \_\_\_\_\_

An act to add Sections 13961.05 and 13965.5 to the Government Code, relating to victims of crime, and making an appropriation therefor.

## LEGISLATIVE COUNSEL'S DIGEST

AB 2683, Bock. Victims of crimes: witnesses.

Existing law provides for the indemnification of victims and derivative victims of specified types of crimes for specified types of losses incurred as a direct result of the crime. Claims are required to be filed within one year of the date of the crime or after the victim attains 18 years of age, whichever is later, except that that time period may be extended for good cause for up to 3 years, as specified, and may be additionally extended beyond 3 years under certain circumstances. Indemnification is made under these provisions from the Restitution Fund, which is continuously appropriated to the State Board of Control for these purposes.

Existing law requires that when an individual who is in custody under the jurisdiction of the Department of Corrections, who is either serving a determinate prison sentence or whose parole has been revoked, has been identified as a possible sexually violent predator, that individual is entitled to a trial to determine whether, by reason of a diagnosed mental disorder, he or she is a danger to the health and safety of others in that he or she is likely to engage in acts of sexual violence upon his or her release from the jurisdiction of the Department of Corrections or other secure facility.

This bill would authorize the board to grant an additional extension for good cause for an individual who is called to testify in a proceeding against a defendant as a victim or derivative victim of prior acts of the defendant, and for a victim of a sexually violent offense who is called to testify in the trial of a person identified as a possible sexually violent predator under these provisions subject to specified conditions.



By extending the period of time for which moneys from a continuously appropriated fund may be made available, this bill would make an appropriation.

This bill would additionally prohibit reimbursement of any expense that is submitted more than 3 years after it is incurred by the victim or derivative victim.

Appropriation: yes.

*The people of the State of California do enact as follows:*

SECTION 1. Section 13961.05 is added to the Government Code, to read:

13961.05. (a) In addition to the extension for good cause for the filing of an application authorized under Section 13961, the board may also for good cause grant an additional extension when the claim is filed under either of the following circumstances:

(1) The application is filed by a person who is called to testify in a proceeding against a defendant as a victim or derivative victim of prior acts of the defendant pursuant to Section 1108 or 1109 of the Evidence Code and the application is filed within one year of the completion of the person's testimony, is accompanied by a recommendation from the prosecuting attorney that the application be accepted, and includes a copy of the crime report or other official documentation describing the offense of which the person was the victim or derivative victim.

(2) The application is filed by a victim of a sexually violent offense who is called to testify in a proceeding involving that offender pursuant to Section 6603 of the Welfare and Institutions Code, and the application is filed within one year of the completion of the victim's testimony and is accompanied by a copy of the crime report or other official documentation describing the offense.

(b) No application shall be denied under paragraph (1) or (2) of subdivision (a) solely because the crime was not reported to law enforcement within a specified time period.



SEC. 2. Section 13965.5 is added to the Government Code, to read:

13965.5. No reimbursement shall be made for any expense that is submitted more than three years after it is incurred by the victim or derivative victim.



Approved \_\_\_\_\_, 2000

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*Governor*

