



1 received or that is readily available to ~~him~~ the victim or the claimant  
2 from any of the following sources:

- 3 a. ~~The offender;~~offender.  
4 b. The government of the United States or any of its agencies, a  
5 state or any of its political subdivisions, or an instrumentality of  
6 two or more ~~states;~~states.  
7 c. ~~Social security, medicare, and medicaid;~~Security, Medicare, or  
8 Medicaid.  
9 d. State-required, temporary, nonoccupational disability  
10 ~~insurance;~~insurance.  
11 e. Worker's ~~compensation;~~compensation.  
12 f. Wage continuation programs of any ~~employer;~~employer.  
13 g. Proceeds of a contract of insurance payable to the victim for  
14 loss that ~~he~~ the victim sustained because of the criminally  
15 injurious ~~conduct;~~conduct.  
16 h. A contract providing prepaid hospital and other health care  
17 services, or benefits for disability.  
18 i. A contract of insurance that will pay for expenses directly  
19 related to a funeral, cremation, and burial, including  
20 transportation of a body."

21 **SECTION 3.** G.S. 15B-4(a) reads as rewritten:

22 "(a) Subject to the limitations in G.S. 15B-22, compensation for criminally  
23 injurious conduct shall be awarded to a claimant if substantial evidence establishes that  
24 the requirements for an award have been met. Compensation shall only be paid for  
25 economic loss and not for noneconomic ~~loss;~~detriment. The Commission shall follow  
26 the rules of liability applicable to civil tort law in North Carolina."

27 **SECTION 4.** G.S. 15B-11(c) reads as rewritten:

28 "(c) A claim may be denied, an award of compensation may be reduced, and a  
29 claim that has already been decided may be reconsidered upon finding that the claimant  
30 or victim, without good cause, has not fully cooperated with appropriate law  
31 enforcement agencies or in the prosecution of criminal cases with regard to the  
32 criminally injurious conduct that is the basis for the award."

33 **SECTION 5.** G.S. 15B-11(d) reads as rewritten:

34 "(d) After reaching a decision to approve an award of compensation, but before  
35 notifying the claimant, the Director shall require the claimant to submit current  
36 information as to collateral sources on forms prescribed by the Commission.

37 An award that has been approved shall nevertheless be denied or reduced to the  
38 extent that the economic loss upon which the claim is based is or will be recouped from  
39 a collateral source. If an award is reduced or a claim is denied because of the expected  
40 recoupment of all or part of the economic loss of the claimant from a collateral source,  
41 the amount of the award or the denial of the claim shall be conditioned upon the  
42 claimant's economic loss being recouped by the collateral source. If it is thereafter  
43 determined that the claimant will not receive all or part of the expected recoupment, the  
44 claim shall be reopened and an award shall be approved in an amount equal to the

1 amount of expected recoupment that it is determined the claimant will not receive from  
2 the collateral source, subject to the limitations set forth in subsections (f) and (g). ~~The~~  
3 ~~existence of a collateral source that would pay expenses directly related to a funeral,~~  
4 ~~cremation, and burial, including transportation of a body, shall not constitute grounds~~  
5 ~~for the denial or reduction of an award of compensation."~~

6           **SECTION 6.** This act becomes effective July 1, 2006, and applies to claims  
7 filed on or after that date.