

ENROLLMENT(S)

5



COUNCIL OF THE DISTRICT OF COLUMBIA

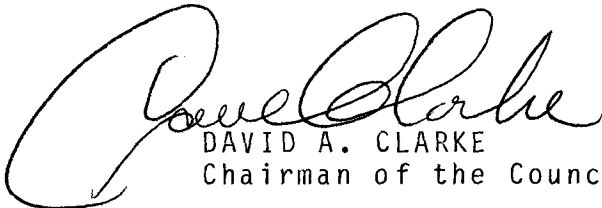
NOTICE

D.C. LAW 8-164

"Victims of Violent Crime Compensation Act
of 1981 Conforming Amendments Act of 1990".

Pursuant to Section 412 of the District of Columbia Self-Government and Governmental Reorganization Act, P. L. 93-198, "the Act", the Council of the District of Columbia adopted Bill No. 8-540 on first and second readings, June 12, 1990, and June 26, 1990, respectively. Following the signature of the Mayor on July 12, 1990, this legislation was assigned Act No. 8-229, published in the July 27, 1990, edition of the D.C. Register, (Vol. 37 page 4824) and transmitted to Congress on July 16, 1990 for a 30-day review, in accordance with Section 602(c)(1) of the Act.

The Council of the District of Columbia hereby gives notice that the 30-day Congressional Review Period has expired, and therefore, cites this enactment as D.C. Law 8-164, effective September 26, 1990.


DAVID A. CLARKE
Chairman of the Council

Dates Counted During the 30-day Congressional Review Period:

July 16,17,18,19,20,23,24,25,26,27,30,31

August 1,2,3

September 5,6,7,10,11,12,13,14,17,18,19,20,21,24,25

SEP 26 1990

Codification
District of Columbia Code
(1991 Supplement)

AN ACT

D.C. ACT 8 - 229

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

JUL 12 1990

To amend the Victims of Violent Crime Compensation Act of 1981 to ensure that a victim of a drunk driver is eligible for compensation; to provide compensation to a District of Columbia resident who is a victim of a violent crime in a jurisdiction that does not have a crime victim compensation program; and to ensure conformity with federal law.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this act may be cited as the "Victims of Violent Crime Compensation Act of 1981 Conforming Amendments Act of 1990".

Sec. 2. Section 2 of the Victims of Violent Crime Compensation Act of 1981, effective April 6, 1982 (D.C. Law 4-100; D.C. Code, sec. 3-401), is amended as follows:

Section
3-401

(a) Paragraph 3 is amended to read as follows:

"(3)(A) "Crime of violence" or "crime" means the offense of or the attempt to commit the offense of arson, assault, forcible sodomy, kidnapping, maliciously disfiguring another, manslaughter, murder, mayhem, rape, riot, robbery, sodomy of a child less than 16 years of age, unlawful use of an explosive, or any violation of section 10(b) of the District of Columbia Traffic Act, 1925 ("Traffic Act"), approved March 3, 1925 (43 Stat. 1121; D.C. Code, sec. 40-716(b)), notwithstanding that the offender lacked capacity to commit the offense by reason of infancy, insanity, intoxication, or otherwise.

"(B) The term "crime of violence" or "crime" includes an offense where the perpetrator and victim are members of the same family or household unless an award of compensation to the victim would unjustly enrich the offender.

"(C) The term "crime of violence" or "crime" shall not include the operation of an automobile, boat, aircraft, or other vehicle that results in injury or death unless:

"(i) The injury or death was intentionally inflicted through use of an automobile, boat, aircraft, or vehicle; or

"(ii) The injury or death resulted from a violation of section 10(b) of the Traffic Act (D.C. Code, sec. 40-716(b)).".

(b) Paragraph (7) is amended to read as follows:

"(7)(A) "Victim" means any person, except a law enforcement or fire officer engaged in performance of his or her duty, who is killed or injured in the District of Columbia ("District") or who is a resident of the District of Columbia and is killed or injured outside the District of Columbia in a state that does not have a crime victims compensation program that is eligible for funding under the Victims of Crime of 1984, P.L. 98-473, as amended (42 USC 10601 et seq):

"(i) As a result of a crime of violence;

"(ii) While assisting lawfully to apprehend a person reasonably suspected of committing or attempting to commit a crime of violence;

"(iii) While assisting a person against whom a crime of violence has been committed or attempted, if the assistance was rendered in a reasonable manner;

"(iv) While attempting to prevent the commission of a crime of violence; or

"(v) As a result of a violation of section 10(b) of the Traffic Act (D.C. Code, sec. 40-716(b)), or a comparable state law regarding driving while intoxicated.

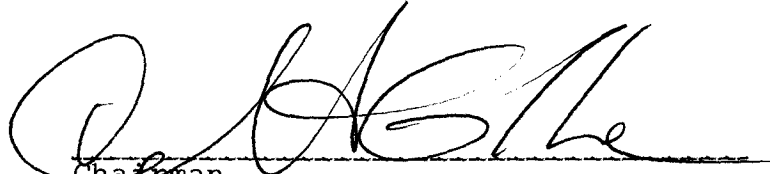
"(B) The term "victim" shall not include any person who:

"(i) Commits or aids in the commission of the crime upon which a claim is based; or

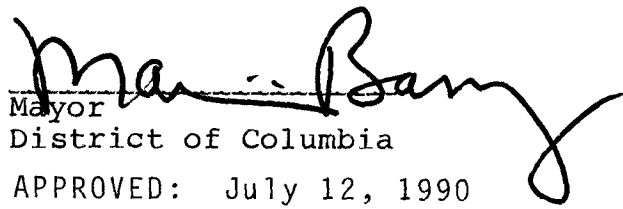
"(ii) Is injured or killed as an indirect result of his or her participation in an unlawful or criminal activity.".

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)), and publication in either the District of Columbia Register, the District of Columbia

Statutes-at-Large, or the District of Columbia Municipal
Regulations.



Chairman
Council of the District of Columbia



Mayor
District of Columbia
APPROVED: July 12, 1990



COUNCIL OF THE DISTRICT OF COLUMBIA
Council Period Eight

RECORD OF OFFICIAL COUNCIL VOTE

DOCKET NO: Bill 8-540

Item on Consent Calendar

ACTION & DATE: Adopted First Reading, 6-12-90

VOICE VOTE: Approved

Recorded vote on request

Absent: all present

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

7-3-90
 Date

Item on Consent Calendar

ACTION & DATE: Adopted Final Reading, 6-26-90

VOICE VOTE: Approved

Recorded vote on request

Absent: Wilson

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

[Signature]
 Secretary to the Council

7-3-90
 Date

Item on Consent Calendar

ACTION & DATE: _____

VOICE VOTE: _____

Recorded vote on request

Absent: _____

ROLL CALL VOTE: — RESULT _____ (_ / _ / _)

COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.	COUNCIL MEMBER	AYE	NAY	N.V.	A.B.
CHMN. CLARKE					MASON					THOMAS, SR.				
CRAWFORD					NATHANSON					WILSON				
JARVIS					RAY					WINTER				
KANE					ROLARK									
LIGHTFOOT					SMITH, JR.									

X — Indicates Vote A.B. — Absent N.V. — Present, not voting

CERTIFICATION RECORD

 Secretary to the Council

 Date