

CRIME VICTIMS COMPENSATION BOARD (EXCERPT)
Act 223 of 1976

18.355 Claim; filing; application; investigation of claim.

Sec. 5. (1) A claim may be filed by the person eligible to receive an award, a personal representative of the person eligible to receive an award, or, if a person is a minor, by his or her parent or guardian.

(2) Except as provided in subsection (3), a claim must be filed by the claimant not later than 5 years after the occurrence of the crime upon which the claim is based, except as follows:

(a) If either of the following applies, a claim based on the crime of criminal sexual conduct in the first, second, or third degree may be filed by a claimant not later than 5 years after the crime was reported:

(i) Police records show the victim of the crime was less than 18 years of age at the time of the occurrence and the victim reported the crime before attaining 28 years of age.

(ii) Police records show the victim of the crime was less than 18 years of age at the time of the occurrence, the victim reported the crime after attaining 28 years of age, and the claimant shows that there was good cause for the delay in reporting the crime.

(b) A claim may be filed within 5 years after the discovery by a law enforcement agency that injuries previously determined to be accidental, of unknown origin, or resulting from natural causes, were incurred as the result of a crime.

(3) Upon petition by the claimant and for good cause shown, the commission may extend the period in which a claim may be filed under subsection (2).

(4) An application for an award under this act must be made on a form approved by the commission. A claim must be filed in the commission's office in person or by mail, or be filed by electronic means authorized by the commission, if available. The commission shall accept for filing a claim that is submitted by a person who is eligible, alleges the jurisdictional requirements set forth in this act, and meets the requirements as to form as approved by the commission. If the commission receives sufficient documentation to make a determination on whether to grant an award for at least 1 expense or loss submitted as part of a claim, the commission shall promptly make a determination on whether to grant an award for each expense or loss for which the commission has received sufficient documentation to make that determination. The commission may not require as a condition of making a determination or award that a claimant must submit sufficient documentation for all losses and expenses that will be submitted as part of a claim. On the receipt of sufficient documentation for any additional eligible expense or loss that is part of a claim, the commission shall make a determination regarding that expense or loss.

(5) The commission may inquire with the proper law enforcement authorities, including the prosecuting attorney of the county in which the crime is alleged to have occurred, as part of an investigation of a claim filed with the commission.

History: 1976, Act 223, Eff. Mar. 31, 1977;—Am. 1985, Act 157, Imd. Eff. Nov. 15, 1985;—Am. 1988, Act 367, Eff. Mar. 30, 1989;—Am. 1990, Act 316, Imd. Eff. Dec. 20, 1990;—Am. 1993, Act 348, Imd. Eff. Jan. 10, 1994;—Am. 1996, Act 519, Imd. Eff. Jan. 13, 1997;—Am. 2008, Act 390, Imd. Eff. Dec. 29, 2008;—Am. 2022, Act 78, Eff. Aug. 12, 2023.