

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control _____ Department or Agency Crime Victims' Compensation Commission

Rule No. 262-x-4-.01

Rule Title: Filing of Claims.

 New X Amend Repeal Adopt by Reference

Would the absence of the proposed rule significantly
Harm or endanger the public health, welfare, or safety? Yes

Is there a reasonable relationship between the
state's police power and the protection of the
public health, safety, or welfare? Yes

Is there another, less restrictive method of
regulation available that could adequately protect
the public? No

Does the propounded rule have the effect of directly
or indirectly increasing the costs of any goods or
services involved and, if so, to what degree? No

Is the increase in cost, if any, more harmful to the
public than the harm that might result from the
absence of the proposed rule? N/A

Are all facets of the rulemaking process designed
solely for the purpose of, and so they have, as
their primary effect, the protection of the public? Yes

.....

Does the proposed rule have an economic impact? No

If the proposed rule has an economic impact, the proposed rule is
required to be accompanied by a fiscal note prepared in accordance with
subsection (f) of Section 41-22-23, Code of Alabama 1975.

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Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full
compliance with the requirements of Chapter 22, Title 41, Code of Alabama
1975, and that it conforms to all applicable filing requirements of the
Administrative Procedures Division of the Legislative Reference Service.

Signature of certifying officer Cassie T. Jones Cassie T. Jones, Ed.D.

Date 5/12/17

ALABAMA CRIME VICTIMS' COMPENSATION COMMISSION

NOTICE OF INTENDED ACTION

RULE NO. & TITLE: 262-x-4-.01 Filing of Claims.

INTENDED ACTION: Amend

SUBSTANCE OF PROPOSED ACTION: The Commission proposes to amend the rule to clarify the filing of claims on behalf of dependent children.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Interested persons may present their views in writing to the Alabama Crime Victims' Compensation Commission, 5845 Carmichael RD; Post Office Box 231267, Montgomery, Alabama 36123-1267, or oral comments at 334.290.4420.

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Written comments shall be received until the close of record at 5:00 p.m. on July 6, 2017. All comments should be addressed to the contact person listed below or oral comments at 334.290.4420.

CONTACT PERSON AT AGENCY: Kim Martin, General Counsel, Alabama Crime Victims' Compensation Commission, 5845 Carmichael RD; Post Office Box 231267, Montgomery, Alabama 36123-1267.



Cassie T. Jones, Ed.D.
Executive Director

262-X-4-.01 Filing Of Claims.

(1) A claim may be filed by the victim, a dependent of a deceased victim, or a person legally authorized to act on behalf of a deceased victim. When the victim is a minor, a parent or legal guardian may file on his/her behalf. A guardian, conservator, or other person legally authorized to act on behalf of an incapacitated victim may file a claim on his/her behalf.

~~(1)~~ (2) A claim must be filed with the Commission within one (1) year after the death or injury upon which the claim is based or the Commission finds that there was good cause for the failure to file within that time.

(3) The date on which each claim is received by the Commission shall be documented. A completed, and signed, and notarized ACVCC application must be submitted in order for a compensation request to be processed.

~~(4) In the event that information is needed by the Commission that is not contained in the claim, said information shall be furnished to the Commission within 45 days of request of same. The Commission will make written request to the claimant for needed information/documentation. The claimant shall have forty-five (45) days to submit the requested information/documentation to the Commission. Failure to provide information/documentation within the time prescribed by these rules forty-five (45) days may, at the Commission's discretion, result in the dismissal non-approval of that the claim.~~

~~(2)~~ (5) Separate claims may be filed for individual family members who are victims.

Author: Dr. Cassie T. Jones

Statutory Rulemaking Authority: ALA. CODE § 15-23-5(14)

Statutory Authority Implemented: ALA. CODE §§ 15-23-1 – 15-23-23

History: Filed May 12, 2017