

116TH CONGRESS
2D SESSION

S. 4904

To amend the Victims of Crime Act of 1984 to ensure crime victims are not denied compensation because of rape kit backlogs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 17, 2020

Ms. CORTEZ MASTO (for herself and Mr. TOOMEY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To amend the Victims of Crime Act of 1984 to ensure crime victims are not denied compensation because of rape kit backlogs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Rape Kit
5 Backlog Survivors Act of 2020”.

6 **SEC. 2. CRIME VICTIM COMPENSATION.**

7 Section 1403(b) of the Victims of Crime Act of 1984
8 (34 U.S.C. 20102(b)) is amended—

9 (1) in paragraph (8), by striking “and” at the
10 end;

1 (2) by redesignating paragraph (9) as para-
2 graph (10); and

3 (3) by inserting after paragraph (8) the fol-
4 lowing:

5 “(9) beginning not later than 3 years after the
6 date of enactment of this paragraph, such pro-
7 gram—

8 “(A) provides a waiver for any application
9 filing deadline imposed by the program for a
10 crime victim if—

11 “(i) the crime victim is otherwise eligi-
12 ble for compensation; and

13 “(ii) the delay in filing the application
14 was a result of a delay in the testing or a
15 delay in the DNA profile matching from a
16 sexual assault forensic examination kit or
17 biological material collected as evidence re-
18 lated to a sexual offense; and

19 “(B) does not require the crime victim to
20 undergo an appeals process to have the applica-
21 tion of the crime victim considered for a filing
22 deadline waiver under subparagraph (A); and”.

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