

S 4055

Preserving Crime Victims' Restitution Act of 2006

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: Nov 15, 2006

Current Status: Held at the desk.

Latest Action: Held at the desk. (Dec 11, 2006)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/4055>

Sponsor

Name: Sen. Feinstein, Dianne [D-CA]

Party: Democratic • **State:** CA • **Chamber:** Senate

Cosponsors (1 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Sessions, Jeff [R-AL]	R · AL		Nov 15, 2006

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Discharged From	Dec 9, 2006

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 HR 6374	Identical bill	Dec 5, 2006: Referred to the House Committee on the Judiciary.

(This measure has not been amended since it was introduced. The summary has been expanded because action occurred on the measure.)

Preserving Crime Victims' Restitution Act of 2006 - Amends the federal criminal code to establish guidelines for federal criminal cases in which a defendant dies before entry of a final judgment of guilt (deceased defendants).

Provides, as a general rule, that the death of a defendant who has been convicted of a federal criminal offense shall not be the basis for abating or otherwise invalidating a plea of guilty or nolo contendere, a verdict returned, a sentence announced, or a judgment entered prior to the death of such defendant, or for dismissing or invalidating the indictment, information, or complaint on which such a plea, verdict, sentence, or judgment is based, except as provided by this Act.

Requires a trial court, in a case in which a defendant admits guilt or is found guilty by a jury, but dies before final judgment, to: (1) enter a judgment with the notation that the defendant died before judgment was entered; and (2) commence a special restitution proceeding upon the motion of the government or any victim of the defendant's crime.

Permits the use of a guilty plea of a deceased defendant in subsequent civil proceedings.

Allows the personal representative of a defendant's estate to file an appeal of the deceased defendant's conviction and of other matters involving such defendant. Provides rules for appointment of counsel, tolling of filing dates, and restitution for pending litigation involving a deceased defendant.

Allows the government to seek, or continue to pursue, civil forfeiture of property related to the deceased defendant's crime, subject to the applicable statute of limitations.

Makes this Act applicable to any criminal case or appeal pending on or after July 1, 2006.

Actions Timeline

- **Dec 11, 2006:** Message on Senate action sent to the House.
- **Dec 11, 2006:** Received in the House.
- **Dec 11, 2006:** Held at the desk.
- **Dec 9, 2006:** Senate Committee on the Judiciary discharged by Unanimous Consent.(consideration: CR 12/8/2006 S11840-11841)
- **Dec 9, 2006:** Senate Committee on the Judiciary discharged by Unanimous Consent. (consideration: CR 12/8/2006 S11840-11841)
- **Dec 9, 2006:** Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent.(text: CR 12/8/2006 S11840-11841)
- **Dec 9, 2006:** Passed Senate without amendment by Unanimous Consent. (text: CR 12/8/2006 S11840-11841)
- **Nov 15, 2006:** Introduced in Senate
- **Nov 15, 2006:** Sponsor introductory remarks on measure. (CR S10971-10973)
- **Nov 15, 2006:** Read twice and referred to the Committee on the Judiciary.