

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 15-0238
Prime Sponsor(s): Rep. Fields
 Sen. Cooke

Date: January 27, 2015
Bill Status: House Judiciary
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BILL TOPIC: UPDATE CRIME VICTIM COMPENSATION LAWS

Fiscal Impact Summary*	FY 2015-2016	FY 2016-2017
State Revenue		
State Expenditures	See State Expenditures Section.	
FTE Position Change		
Appropriation Required: None.		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

The bill amends the current crime victim compensation statutes to include the following changes:

- a modified definition of "compensable crime" that includes an incident of hit and run or careless driving, when bodily injury results;
- allows compensation to a person who is the dependent of the accused offender, if the offender provided household support to that person;
- expands compensable losses under the definition of property damage to include the cost of re-keying vehicles or other locks for the purposes of victim safety;
- provides clarification concerning the records held by a crime victim compensation board and prohibits the release of specific records in a criminal or civil case, except for under certain circumstances;
- increases the maximum crime victim compensation amount from \$20,000 to \$30,000;
- removes the requirement that losses be at least \$25.00;
- increases the emergency crime victim compensation amount from \$1,000 to \$2,000;
- requires a medical service provider or billing agency to suspend collection proceedings for 90 days while a claim for victim compensation is considered if filed within 180 days of the date of services rendered as part of the criminal incident; and
- specifies that the court must include the amount of compensation requested by a crime victim in a restitution order, and how the amount of compensation is determined.

Background

In FY 2014-15, local crime victim compensation programs statewide distributed \$13,312,983 to 7,585 victims; in FY 2013-14, the amount distributed was \$13,506,283 to 7,678 victims; and in FY 2012-13, \$13,569,633 was distributed to 7,828 victims. Funding for crime victim compensation is from fines and fees from offenders, and from supplemental federal victim compensation monies collected from federal offenders. The average amount of supplemental federal funding to the state is about \$4.5 million per year.

State Expenditures

This bill may impact the workload of the Judicial Department to the extent that cases involving hit and run or careless driving incidents resulting in bodily injury are included in claims for crime victim compensation; however, the workload increase is expected to be minimal.

In addition, the Judicial Department may experience a minimal reduction in civil collections cases due to the provision in the bill that requires a temporary banning of collections proceedings. For context, the weighted caseload model of the Judicial Department shows that one judge can process approximately 5,000 county civil cases annually. Any reduction in caseload is expected to be minimal.

Local Government Impact

Expanding the coverage of crime victim compensation to include incidents of careless driving with bodily injury may cause additional restitution requests within municipal courts; however, any increase in workload is expected to be minimal.

County hospitals and hospitals associated with institutions of higher education may experience a delay in receiving payments under the bill, due to the temporary banning of collections proceedings under the bill.

Effective Date

The bill takes effect upon signature of the Governor, or upon becoming law without his signature.

State and Local Government Contacts

Alternate Defense Council	Public Safety	Judicial
Health Care Policy & Financing	Counties	Municipalities
Special Districts	District Attorneys	Corrections
Human Services	Law	Public Defenders
Local Affairs	Clerk and recorders	