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## DIGEST

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HB 286 Reengrossed

2017 Regular Session

Smith

**Abstract:** Provides for the payment of restitution to the Crime Victims Reparations Fund when the crime victim cannot be located within one year, and provides the procedure by which a victim may recover restitution directed to the fund.

Present law authorizes the committee on parole to order restitution to a crime victim when the victim has suffered a direct pecuniary loss other than damage to or loss of property, and requires the committee to order restitution when the victim's loss consists of damage to or loss of property.

Proposed law retains present law and provides that when the victim cannot be located by the probation and parole officer within one year after the condition of restitution is imposed, the defendant shall direct the restitution payments to the Crime Victims Reparations Fund set forth in present law.

Present law establishes the Crime Victims Reparations Fund and authorizes the Crime Victims Reparations Board to administer the fund and make determinations about the eligibility for victims to receive reparations from the fund and the amount of such reparations.

Proposed law retains present law and provides for the procedure by which a victim who was owed restitution as a condition of an offender's parole but whose restitution payments were directed to the Crime Victims Reparations Fund pursuant to proposed law may recover the restitution payments from the fund. Proposed law provides that the fund can include monies directed to it pursuant to proposed law and provides that the fund may be used to pay restitution owed to a victim as a condition of an offender's parole and who applies for recovery of the restitution funds pursuant to proposed law.

Proposed law provides that the present law provisions regarding criteria for and determinations of eligibility for reparations and determinations of the amount of reparations do not apply to the payment of restitution to a victim who applies for the recovery of restitution pursuant to proposed law.

(Amends R.S. 15:574.4.2(C) and R.S. 46:1807(B)(1), (3), and (5) and 1816(B)(5) and (C)(1); Adds R.S. 46:1806(F), 1809(D), and 1816(C)(3))

### Summary of Amendments Adopted by House

The House Floor Amendments to the engrossed bill:

1. Add procedure by which a victim who was owed restitution as a condition of an offender's parole but whose restitution payments were directed to the Crime Victims Reparations Fund pursuant to proposed law may recover the restitution payments from the fund.
2. Provide that the Crime Victims Reparations Fund can include monies directed to it pursuant to proposed law.
3. Provide that the fund may be used to pay restitution owed to a victim as a condition of an offender's parole who applies for recovery of the restitution funds pursuant to proposed law.
4. Provide that the present law provisions regarding criteria for determinations of eligibility for reparations and determinations of the amount of reparations do not apply to the payment of restitution to a victim who applies for the recovery of restitution directed to the fund pursuant to proposed law.