

RÉSUMÉ DIGEST

ACT 53 (HB 286)

2017 Regular Session

Smith

Existing 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.

New law retains existing 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 existing law.

Existing 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.

New law retains existing 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 new law may recover the restitution payments from the fund. New law provides that the fund can include monies directed to it pursuant to new 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 new law.

New law provides that the existing 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 new law.

Effective August 1, 2017.

(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))