



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **HB 648** HLS 22RS 644
 Bill Text Version: **REENGROSSED**
 Opp. Chamb. Action: **W/ SEN FLOOR AMD**
 Proposed Amd.:
 Sub. Bill For.:

| | | |
|--|---------|----------------------------------|
| Date: June 5, 2022 | 1:41 PM | Author: HILFERTY |
| Dept./Agy.: LCLE | | |
| Subject: Crime Victims Reparation Act | | Analyst: Rebecca Robinson |

CRIMINAL/VICTIMS REF INCREASE SD EX See Note Page 1 of 2
 Provides relative to the Crime Victims Reparations Act

Proposed legislation provides for changes to the Crime Victims Reparations Act. Provides for relocation expenses as a pecuniary loss for personal injury or as a consequence of death. Requires reasonable documentation of the crime to be submitted with an application for reparations. Provides for partial awards. Provides no award of reparations may be made if the totality of the circumstances indicate that the claimant was the offender or an accessory or if the behavior of the victim at the time of the crime bears some measure of responsibility for the crime. Increases the maximum award payable from \$10,000 to \$15,000 for claims and retains the current law provision that awards for totally disabled victims shall not exceed \$25,000. Increases the maximum amount of an emergency award from \$500 to \$1,000. Provides for reimbursement of forensic medical exams.

| EXPENDITURES | <u>2022-23</u> | <u>2023-24</u> | <u>2024-25</u> | <u>2025-26</u> | <u>2026-27</u> | <u>5 -YEAR TOTAL</u> |
|---------------------|----------------|----------------|----------------|----------------|----------------|----------------------|
| State Gen. Fd. | SEE BELOW | |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Federal Funds | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| Annual Total | | | | | | |
| REVENUES | <u>2022-23</u> | <u>2023-24</u> | <u>2024-25</u> | <u>2025-26</u> | <u>2026-27</u> | <u>5 -YEAR TOTAL</u> |
| State Gen. Fd. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Agy. Self-Gen. | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Ded./Other | \$0 | \$0 | \$0 | \$0 | \$0 | \$0 |
| Federal Funds | INCREASE | INCREASE | INCREASE | INCREASE | INCREASE | |
| Local Funds | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> | <u>\$0</u> |
| Annual Total | | | | | | |

EXPENDITURE EXPLANATION

There will be an indeterminable increase in statutorily dedicated expenditures from the Crime Victims Reparations Fund to the extent the proposed measure increases the number of claims, awards for crime victim reparations, and/or increases the amount of reimbursement for forensic medical exams. Revenues for the fund are fines and fees collected at the local court level, income from the Sexual Assault Fund, restitution, unclaimed restitution, Justice Reinvestment Funds (JRI), and interest. The Crime Victims Reparations Board (Board) reports for FY 21 a total of 2,885 victims were paid \$3,246,050, with an average claim amount of \$1,137.

The proposed legislation adds awards for losses due to relocation, and limits the criteria related to the denial of awards. It is unknown the additional amount of claims that may be filed due to the proposed changes in law or the amount of awards that may be granted that had previously been denied for cause. Therefore, these changes to present law may result in an indeterminable increase in awards paid by the Crime Victims Reparations Board.

Under current law, the total maximum award shall not exceed \$10,000, except for those persons permanently and totally disabled as a result of the crime, which shall not exceed \$25,000. The proposed law changes the maximum total awards for all claims arising out of the same crime to \$15,000 (claims due to total disability remain at \$25,000). LCLE reports a total of 13 awards paid totaling \$10,000 or more in FY 21. If the same number of awards were paid with the proposed maximum total award of \$15,000, the award total would be \$195,000 or an increase of \$65,000. The proposed legislation also raises the maximum amount of an emergency award from \$500 to \$1,000. LCLE reports 420 emergency awards were paid in FY 21 for a total of \$204,275. If the same number of emergency awards were paid with the proposed maximum emergency award, the award total would be \$420,000, or an increase of \$215,725. The total increase in awards paid could be up to **\$280,725** as a result of the increase in these awards.

[CONTINUED ON PAGE 2]

REVENUE EXPLANATION

There will be an increase in Federal funds to the statutorily dedicated Crime Victims Reparation Fund to the extent that total claims dollars increase as a result of the proposed legislation. Each fiscal year, LCLE receives a supplemental grant award for the Crime Victims Reparations Program. The total amount of each grant is based on an award of 75% of the total awards in the prior year. For illustrative purposes, in FY 21, total awards paid were \$3,246,050, which will result in a federal grant awards of \$2,434,537. Any increase in total awards paid will result in an increase in federal grants awards in future fiscal years.

| | | |
|--|----------------------------|--|
| <u>Senate</u> | <u>Dual Referral Rules</u> | <u>House</u> |
| <input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H} | | <input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S} |
| <input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H} | | <input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S} |

Evan Brasseaux

Evan Brasseaux
 Interim Deputy Fiscal Officer



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 648** HLS 22RS 644
Bill Text Version: **REENGROSSED**
Opp. Chamb. Action: **W/ SEN FLOOR AMD**
Proposed Amd.:
Sub. Bill For.:

| | | |
|--|---------|----------------------------------|
| Date: June 5, 2022 | 1:41 PM | Author: HILFERTY |
| Dept./Agy.: LCLE | | |
| Subject: Crime Victims Reparation Act | | Analyst: Rebecca Robinson |

CONTINUED EXPLANATION from page one:

Page 2 of 2

[EXPENDITURE EXPLANATION CONTINUED FROM PAGE 1]

The proposed legislation also requires healthcare providers to be reimbursed \$600 for a forensic medical exam and \$1,000 to the healthcare facility where the exam was conducted. The Crime Victims Reparations Board currently reimburses health care providers/facilities for forensic medical exams, but the LFO has not been able to ascertain the amount reimbursed. To extent the amount reimbursed under proposed law is greater than the amount reimbursed under current law, there will be an indeterminable increase in statutorily dedicated expenditures from the Crime Victims Reparations Fund.

Note: LCLE reports that the collection of fines and fees has dropped by more than a third in the last two years. As a result of these declining revenue sources, the LCLE reports there may be a need for an increase in SGF appropriation to be deposited into the Crime Victims Reparations Fund to pay any increase in claims that arise from the proposed legislation.

Senate Dual Referral Rules
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Evan Brasseaux
Evan Brasseaux
Interim Deputy Fiscal Officer