



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **SB 69** SLS 22RS 202
 Bill Text Version: **ENROLLED**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.:

Date: June 3, 2022 10:36 AM	Author: CONNICK
Dept./Agy.: Louisiana Commission on Law Enforcement	Analyst: Rebecca Robinson
Subject: Crime Victim Reparations	

CRIMINAL PROCEDURE EN INCREASE SD EX See Note Page 1 of 2
 Provides relative to protections for crime victims. (8/1/22)

Current law provides that a victim has rights and is eligible for services only if the victim reported the crime to law enforcement within 72 hours of its occurrence or discovery. The victim's application for reparations is only valid if the victim reports the crime to law enforcement within 72 hours of the date of the offense.

Proposed legislation provides that a victim has rights and is eligible for services regardless of when the victim reported the crime to law enforcement. Expands the definition of "crime victim who is a minor" and "victim" under R.S. 46:1842. Provides the victim shall have the right to review and comment on a pre-sentence or post-sentence report and notices, regardless if they are registered with the Clerk of Court, any law enforcement agency, or the Louisiana Commission on Law Enforcement (LCLE).

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	SEE BELOW	SEE BELOW	SEE BELOW	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 and/or awards for crime victim reparations. 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 provides that a victim shall be eligible for services and an application for reparations shall be valid, regardless of when the victim reported the crime to law enforcement authorities. It is unknown the additional amount of claims that may be filed once the requirements on eligibility are lifted. While the increase in expenditures is indeterminable, based on FY 21 data, the Crime Victims Reparations Board would only need to realize a 3% increase in claims paid (88 claims) to pay out an additional \$100,000.

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.

[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 award of \$2,434,537. Any increase in total awards paid will result in an increase in federal grant 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

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 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE 1 - EXPENDITURE EXPLANATION]

According to the Crime Victims Reparations Board Annual Report for FY 21, the following claims were paid:

<u>Dollar Amount</u>	<u>Number of Victims</u>
\$1 - \$1,000	2,258
\$1,001 - \$2,000	237
\$2,001 - \$5,000	94
\$5,001 - \$9,999	296
\$10,000 - \$25,000	0
Total	2,885

<u>Crime Type</u>	<u>Number of Victims</u>
Assault	309
Homicide	630
Sexual Assault	739
Child Sexual Abuse	1,110
Other	97
Total	2,885

<u>Expense Type</u>	<u>Amount Awarded</u>
Medical	\$721,282
Funeral	\$1,360,884
Support/Wage	\$187,755
Mental Health	\$10,888
SAFE Claims	\$853,806
Medical Transport	\$5,818
Catastrophic	
Property	\$4,167
Relocation, etc.	\$101,448
Total	\$3,246,050

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}

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