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HOUSE FLOOR AMENDMENTS

2017 Regular Session

Amendments proposed by Representative Smith to Engrossed House Bill No. 286 by Representative Smith

1 AMENDMENT NO. 1

2 On page 1, line 2, after "R.S. 15:574.4.2(C)" delete the remainder of the line and insert the
3 following:

4 "and R.S. 46:1807(B)(1), (3), and (5) and 1816(B)(5) and (C)(1) and to enact
5 R.S. 46:1806(F) and 1816(C)(3), relative to restitution as a condition of
6 parole; to"

7 AMENDMENT NO. 2

8 On page 1, line 4, after "cases;" and before "and" insert the following:

9 "to provide for recovery by the victim of restitution payments directed to the
10 Crime Victims Reparations Fund; to provide relative to the duties of the
11 Crime Victims Reparations Board; to provide relative to the source and use
12 of funds in the Crime Victims Reparations Fund;"

13 AMENDMENT NO. 3

14 On page 2, after line 12, add the following:

15 "Section 2. R.S. 46:1807(B)(1), (3), and (5) and 1816(B)(5) and
16 (C)(1) are hereby amended and reenacted and R.S. 46:1806(F) and
17 1816(C)(3) are hereby enacted to read as follows:
18 §1806. Application; requirements; confidentiality

19 * * *

20 F. A victim who was owed restitution as a condition of an offender's
21 parole pursuant to R.S. 15:574.4.2(C)(1)(a) but whose restitution payments
22 were directed to the Crime Victims Reparations Fund pursuant to R.S.
23 15:574.4.2(C)(1)(b) may file an application for recovery of the restitution in
24 a written format developed by the board.

25 §1807. Powers and duties of board; staff

26 * * *

27 B. In the performance of its powers and duties the board shall:

28 (1) Prescribe, distribute, and otherwise make available forms for use
29 in making application for reparations and, where appropriate, recovery of
30 restitution funds directed to the Crime Victims Reparations Fund pursuant to
31 R.S. 15:574.4.2(C)(1)(b).

32 * * *

33 (3) Receive, verify, and process applications for reparations and,
34 where appropriate, recovery of restitution funds directed to the Crime
35 Victims Reparations Fund pursuant to R.S. 15:574.4.2(C)(1)(b).

36 * * *

37 (5) Make a written decision with respect to each application received
38 by it and order payment of reparations or, where appropriate, recovery of
39 restitution funds to victims in accordance with this Chapter.

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* * *
§1816. Crime Victims Reparations Fund; creation; sources and use of funds

* * *
B. The fund shall be composed of:

* * *
(5) Any restitution paid by an offender to a victim for damages for a crime which was the basis of a reparations award under this Chapter, and any restitution payments owed to a victim as a condition of an offender's release on parole but directed to the fund pursuant to R.S. 15:574.4.2(C)(1)(b).

* * *
C.(1) Except as provided in ~~Paragraph~~ Paragraphs (2) and (3) of this Subsection, all monies deposited in the fund shall be used solely to pay reparation awards to victims pursuant to this Chapter and disbursements therefrom shall be made by the state treasurer upon written order of the board, signed by the chairman, or a court.

* * *
(3) Monies directed to the fund pursuant to R.S. 15:574.4.2(C)(1)(b) may be used to pay restitution owed to a victim pursuant to R.S. 15:574.4.2(C)(1)(a) who applies for recovery of the restitution funds pursuant to the provisions of this Chapter.

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CODING: Words in ~~struck through~~ type are deletions from existing law; words underscored are additions.