



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

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

Date: March 22, 2022 9:10 AM	Author: CONNICK
Dept./Agy.: Louisiana Commission on Law Enforcement	
Subject: Crime Victim Reparations	Analyst: Rebecca Robinson

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

Current law provides that a victim has the 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. Provides that an application for crime victim reparations shall be valid regardless of when the victim reported the crime to law enforcement authorities. 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	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
State Gen. Fd.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW					
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	2022-23	2023-24	2024-25	2025-26	2026-27	5 -YEAR TOTAL
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 SGF expenditures for the Louisiana Commission on Law Enforcement (LCLE) to the extent the proposed measure increases the number of claims and/or awards for crime victim reparations. 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 additional crimes that allow a victim to qualify for reparations, including any offense against the person as defined in R.S. 14:29 - 14:63.3 and any offense which is a felony committed against any natural person. It is unknown the additional amount of claims that may be filed with the broad expansion of offenses in the proposed legislation. In addition, 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, LCLE would only need to realize a 3% increase in claims paid (88 claims) to pay out an additional \$100,000.

LCLE reports claims are paid from the statutorily dedicated Crime Victims Reparations Fund. 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. LCLE reports that their 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 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]

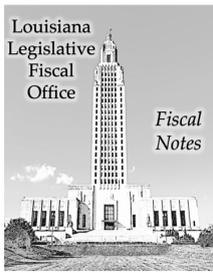
REVENUE EXPLANATION

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

Evan Brasseaux
 Interim Deputy Fiscal Officer



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE 1 - EXPENDITURE EXPLANATION]

LCLE reports the need for one additional position (Policy Planner) due to an increased workload with the anticipated increase in the number of crime victims' applications. The Policy Planner would investigate and verify the additional applications for reparations. The expenditures associated with the additional position are: \$70,000 for salary and related benefits; \$3,000 for office expenses including rent, phone, travel, and software license fees.

The workload created by the proposed legislation is speculative and dependent upon the number of additional applications for reparations received by LCLE. The LFO cannot corroborate the workload and workforce that LCLE estimates will be necessary. To the degree that demand for services may not materialize, or may be less than estimated, the position and costs may decrease accordingly.

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

Table with 2 columns: Dollar Amount, Number of Victims. Rows include ranges from \$1-\$1,000 to \$10,000-\$25,000, with a total of 2,885 victims.

Table with 2 columns: Crime Type, Number of Victims. Rows include Assault, Homicide, Sexual Assault, Child Sexual Abuse, Other, with a total of 2,885 victims.

Table with 2 columns: Expense Type, Amount Awarded. Rows include Medical, Funeral, Support/Wage, Mental Health, SAFE Claims, Medical Transport, Catastrophic Property, Relocation, etc., with a total of \$3,246,050.

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

House
[X] 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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