

SESSION OF 2022

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2574

As Recommended by House Committee on
Judiciary

Brief*

HB 2574 would amend law related to awards by the Crime Victims Compensation Board.

The bill would raise the award limit for funeral and related expenses from \$5,000 to \$7,500 and raise the award limit for crime scene cleanup from \$1,000 to \$2,500.

The bill would amend the definition of “crime scene cleanup” to state it may include replacement of materials that were removed because such materials were biohazardous or were damages as part of evidence collection.

The bill would add to the list of victims who may be awarded compensation for mental health counseling certain victims who are required to testify in a sexually violent predator commitment, are notified that DNA testing of a sexual assault kit or other evidence has revealed a DNA profile of a suspected offender who victimized the victim, or are notified of the identification of a suspected offender who victimized the victim, if such claims are made within two years of the testimony or notification, respectively. [Note: Similar provisions were removed by 2021 HB 2077, which made other victims eligible for compensation for mental health counseling.]

The bill would remove a prohibition on compensation if economic loss is less than \$100.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Background

The bill was introduced by the House Committee on Judiciary at the request of a representative of the Office of the Attorney General on behalf of the Crime Victims Compensation Board (Board).

House Committee on Judiciary

In the House Committee hearing on February 9, 2022, representatives of the Board and the Kansas Coalition Against Sexual and Domestic Violence (KCSDV) testified as **proponents** of the bill. The Board representative stated the bill would update award limits, allow awards to victims for whom an expense under \$100 presents a financial hardship, and would restore provisions regarding compensation for mental health counseling for certain victims that were inadvertently removed when the section was amended by 2021 HB 2077. The KCSDV representative expressed support for restoring the provisions regarding compensation for mental health counseling for certain victims.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, the Office of the Attorney General states enactment of the bill could result in an increase in claims and payments made to victims from the Crime Victims Compensation Fund and the Crime Victims Compensation Federal Fund, but estimates any additional payouts could be financed with existing revenues and any additional workload could be absorbed within the agency's existing budget. The Office of Judicial Administration indicates enactment of the bill would have a negligible effect on its expenditures and revenues. Any fiscal effect associated with enactment of the bill is not reflected in *The FY 2023 Governor's Budget Report*.

Crime Victims Compensation Board; award amounts; compensation for mental health counseling