

# FISCAL NOTE

May 8, 2018

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|-----------------|---------|----------------------|------|-----------------|---------------|
| <b>Bill No:</b> | SB 1072 | <b>Printer's No:</b> | 1650 | <b>Sponsor:</b> | Greenleaf (R) |
|-----------------|---------|----------------------|------|-----------------|---------------|

### COST / (SAVINGS)

| <b>Fund (s)</b>   | <b>2017-18</b>      | <b>2018-19</b>      |
|---|---------------------|---------------------|
| General Fund  | See "FISCAL IMPACT" | See "FISCAL IMPACT" |
| Crime Victim Services and Compensation Fund<br>Victim Witness Service Fund/<br>(Victims' Rights and Services Account)<br>Crime Victim's Compensation Fund | See "FISCAL IMPACT" | See "FISCAL IMPACT" |

**SUMMARY:** This bill would amend the Crimes Victim Act imposing additional duties on law enforcement officers and providing for additional compensation to crime victims.

**ANALYSIS:** Senate Bill 1072 would expand eligibility for crime victims for the Address Confidentiality Program, while also adding a duty to inform on behalf of law enforcement officers concerning the program. Additionally, law enforcement officers responding to or investigating incidents for victims of crime would be required to provide information on the rights and services available to the victims and the availability of crime victims' compensation to the victim or a member of the victim's family. Additionally, in a personal injury crime, the prosecutor's office would be required to provide the Office of Victim Advocate with victim information on all personal injury cases when a state sentence is imposed to provide for the following:

- Notice of any release of an adult from a state correctional institution.
- Notice of the commitment to a mental health institution from a state correctional institution.
- Notice of opportunity to submit input into state correctional release decisions.

Each record concerning the victim in the possession of or maintained by the Office of the Victim Advocate would be private, confidential and privileged, as well as property of the Office of Victim Advocate and would not be subject to the commonwealth's Right to Know Law. Additionally, unless the victim waives the privilege in a signed writing prior to testimony or disclosure, an employee of the Office of the Victim Advocate would not be permitted to testify on concerning privileged information regarding the victim. Privilege would terminate upon the death of the victim. The Office of Victim's Services would be required to promulgate regulations, as defined under this act.

Hospitals and other licensed health care providers and persons eligible for counseling would be added to the persons eligible for compensation. The act would extend the time to file a claim

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from two years to three years and provide for a “good cause exception” to allowing expired claims. The act would also decrease the aggregate minimum out-of-pocket loss for victims from \$100 to \$50. Claims paid-out under this act would be contingent on the amount of funds available.

Transportation costs associated with traveling to counseling would be awarded as part of the counseling award and a sexual crime victim who is a minor would be permitted to request primary insurance not be billed if the primary insurance is administered by the alleged perpetrator. Eligibility for funeral expenses would also be permitted.

Beginning July 1, 2018, the special nonlapsing funds established under this act would be merged into a single special nonlapsing fund, known as the Crime Victim Services and Compensation Fund. The fund would be used by the Office of Victims’ services for payment to claimants. Victim-witness services and technical assistance. Costs imposed under this act would be paid into the fund.

This act would be effective 60 days upon passage.

**FISCAL IMPACT:** Anticipate that decreasing the minimum loss from \$100 to \$50 and extending the time of claims will amount to approximately \$250,000 annually in additional costs to the Crime Victim Services and Compensation Fund. However, by merging the funds together, the Pennsylvania Commission on Crime and Delinquency (PCCD) anticipates being able to draw down more federal Victims of Crime Act (VOCA) funding to reimburse the state for those costs. PCCD anticipates that the allowing of funeral benefits will amount to an additional \$500,000 to \$700,000 in costs; but again, VOCA funding will reimburse PCCD for those costs.