

Legislative Analysis



CRIME VICTIMS - EXPAND VICTIM COMPENSATION

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House Bill 5667 as passed by the House without amendment

Sponsor: Rep. Tonya Schuitmaker

Committee: Judiciary

Complete to 3-5-10

BRIEF SUMMARY OF THE BILL AS PASSED BY THE HOUSE

House Bill 5667 as passed by the House amends Public Act 223 of 1976, which establishes the authority of the Crime Victim Services Commission. The bill amends the act to revise limits on compensation provided to victims of crime including the following:

- Aggregate award maximum is increased from \$15,000 to \$25,000 per claimant.
- Award maximum for each week of lost earnings or support is increased from \$200 to \$350.
- Award maximum for funeral and burial expenses is increased from \$2,000 to \$5,000 and grief counseling is no longer included in this award.
- Award for grief counseling is established separately from funeral expenses, at a maximum of \$500.
- Compensation for grief counseling can now be provided for grandparents and grandchildren.
- Compensation for crime scene cleanup at claimant's residence can be received, with a maximum award of \$500.
- Award maximum for psychological counseling is increased from 26 to 35 hourly sessions.
- Hourly reimbursement rate maximum for psychological counseling by a licensed psychologist or physician is increased from \$95 to \$125.

FISCAL IMPACT:

The bill will increase the expenditures for crime victim compensation in the Department of Community Health budget. An estimate of the fiscal cost of the bill is not yet available. The current FY 2009-10 budget includes victim compensation awards estimated at \$3.6 million, which includes \$1.9 million of state restricted Crime Victim's Rights Fund monies and \$1.7 million of federal grant funds for victim compensation.

CRIME VICTIM'S RIGHTS FUND. Since FY 2002-03, expenditures of the Crime Victim's Rights Fund have exceeded revenues deposited to the Fund and a long-standing Fund balance is declining. The projected available revenue in FY 2009-10 is \$16.6 million, and current appropriations total \$15.1 million. There may be a shortfall in the Fund in FY 2010-11 for programs as they are currently supported, unless additional Fund revenues become available or funding is identified from another source. Revenue to the Fund is from fees assessed against convicted criminal defendants.

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