



Senate Fiscal Agency
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BILL



ANALYSIS

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Senate Bill 845 (as introduced 2-27-18)
Sponsor: Senator Tom Casperson
Committee: Judiciary

Date Completed: 4-16-18

CONTENT

The bill would amend the crime victim's compensation Act to specify that if a crime occurred while the victim was confined in a Federal, State, or local correctional facility, a claim for an award would have to be supported in an affidavit from the prosecutor of that crime.

Under the Act, except as otherwise provided, the following are eligible for compensation as a result of a crime:

- The victim or an intervenor of the crime.
- A surviving spouse, parent, grandparent, child, sibling, or grandchild of a victim of the crime who died as a direct result of the crime.
- A survivor related to the victim by blood or affinity, a guardian, a personal representative, or a member of the same household as the victim.
- A health care provider seeking payment for a sexual assault medical forensic examination.

The claimant is not permitted to receive an award unless he or she has incurred a minimum out-of-pocket loss of \$200 or has lost at least two continuous weeks' earnings or support. The Crime Victim Services Commission may waive this limitation, however, if the claimant is retired due to age or disability, is a victim of criminal sexual conduct in the first-, second-, or third-degree, or is a health care provider seeking payment for a sexual assault medical forensic examination.

In addition, an award must not be made unless the investigation of the claim verifies the following facts:

- A crime was committed.
- The crime directly resulted in personal physical injury to, or death of, the victim.
- Police records show that the crime was reported promptly (generally, within 48 hours of when it occurred) to the proper authorities.

The investigation also must verify that the crime did not occur while the victim was confined in a Federal, State, or local correctional facility. Under the bill, instead, if the crime occurred while the victim was confined in a Federal, State, or local correctional facility, the claim would have to be supported in an affidavit from the prosecutor of that crime.

The bill would take effect 90 days after its enactment.

MCL 18.360

Legislative Analyst: Jeff Mann

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: John Maxwell

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