

NOTICE OF INTENT

Office of the Governor Crime Victims Reparations Board

Compensation to Victims (LAC 22:XIII.Chapters 1-5)



In accordance with the provisions of R.S. 49:950 et seq., the Administrative Procedure Act, and under the authority of the Crime Victims Reparations Act, R.S. 46:1801 et seq., notice is hereby given that the Crime Victims Reparations Board intends to amend its rules concerning compensation to victims of crime. These rules remove policy constraints of automatic denial and automatic reduction of awards for certain victims, remove life insurance as a collateral offset for certain claimants, and increase the maximum amount of lost wages and loss of support awards. Furthermore, the amendments include provisions for crime scene evidence, an area previously not covered by board rule; will allow for quicker delivery of board checks; and will ensure compliance with two federal grant requirements. These amendments were adopted on an emergency basis effective March 13, 1996 and published in full in the emergency rule section of this *Louisiana Register*.

Interested persons may request a public hearing or submit written comments or views on these proposals to Rosanna M. Hollingsworth, Program Manager, Crime Victims Reparations Board, 1885 Wooddale Boulevard, Room 708, Baton Rouge, LA 70806. Comments or requests must be submitted by 4:30 p.m., May 24, 1996. A public hearing will be held on May 28, 1996, at 3 p.m., in the conference room on the seventh floor, 1885 Wooddale Boulevard, Baton Rouge, LA.

Lamarr Davis
Chairman

FISCAL AND ECONOMIC IMPACT STATEMENT FOR ADMINISTRATIVE RULES RULE TITLE: Compensation Policies

- I. ESTIMATED IMPLEMENTATION COSTS (SAVINGS) TO STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
These proposed amendments will not result in additional costs to any state or local government units.
- II. ESTIMATED EFFECT ON REVENUE COLLECTIONS OF STATE OR LOCAL GOVERNMENTAL UNITS (Summary)
There will be no effect on state or local government revenue collections as a result of these proposed amendments.
- III. ESTIMATED COSTS AND/OR ECONOMIC BENEFITS TO DIRECTLY AFFECTED PERSONS OR NONGOVERNMENTAL GROUPS (Summary)
The statute allows for a maximum award in typical cases up to \$10,000. The board sets caps for each category of compensable pecuniary loss available to eligible victims. These proposed amendments will result in award increases within the statutory limit in several loss categories. One example is the increase from \$5,200 to \$10,000 for lost wages. Also, certain automatic preclusions to an award and automatic reductions in awards will be eliminated. One example is the elimination of life insurance proceeds benefitting the spouse or dependent of a homicide victim as a collateral offset to an award for funeral expenses. Funds used for awards are self-generated, dedicated funds derived primarily from costs levied in criminal court and a federal grant. The program has sufficient funds available to meet the anticipated increase in award payments. In addition, increased payout increases the amount of the federal grant received.
- IV. ESTIMATED EFFECT ON COMPETITION AND EMPLOYMENT (Summary)
There is no effect on competition or employment in the public or private sector as a result of these proposed amendments.

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