

SESSION OF 2019

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2290

As Amended by House Committee on Judiciary

Brief*

HB 2290, as amended, would create in the Office of the Attorney General a Crime Victims Compensation Division (Division) to administer and support the operations of the Crime Victims Compensation Board (CVCB). The Division would receive compensation applications and supporting papers and would, if requested by the CVCB, investigate the claim, appear in related proceedings, and present evidence opposing or in support of an award.

The bill would direct the Attorney General to establish and maintain a principal office for the Division and other necessary offices, appoint employees and agents, and prescribe the duties and compensation for such employees and agents, subject to appropriations. The Division would be headed by a director appointed by the Attorney General in consultation with the CVCB.

Additionally, the bill would direct the Division to prescribe application forms for compensation, request investigations and data from various sources to enable the CVCB to determine qualification for compensation, make available specified documents of the CVCB pursuant to the Kansas Open Records Act (KORA), publicize the availability of compensation and information regarding the filing of claims, and perform any other duties assigned by the Attorney General to carry out the above provisions.

The bill would amend the statute setting forth powers and duties of the CVCB to remove duties related to offices,

*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>

employees, forms, KORA, and publicity, and the power to request investigations and data. [Note: These duties and power are essentially transferred to the Division, as outlined above.] A confidentiality provision regarding a claimant's or victim's juvenile court records would be moved to the new section. "Duties" of the CVCB regarding rules and regulations would be changed to "powers."

The statute governing applications for compensation would be amended to change references to the CVCB in provisions regarding form and filing of applications to refer to the Division instead.

A provision regarding confidentiality of records and information given to the CVCB would be amended to include records and information given to the Division.

The statute establishing the Crime Victims Compensation Fund (Fund) would be amended to add operations of the Division to the acceptable uses of moneys from the Fund.

The bill also would make technical amendments.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Judiciary at the request of the Office of the Attorney General (Office). In the House Committee hearing, the Attorney General testified in support of the bill, stating the bill would place in statute a structure based upon a 2012 memorandum of understanding under which the Office has been providing support to the CVCB. Overall, the program has been managed as part of the Office since 1989. The chairperson of the CVCB submitted written-only testimony supporting the bill. No other testimony was provided.

The House Committee made a technical amendment to the bill title.

According to the fiscal note prepared by the Division of the Budget on the bill, as introduced, the Office of the Attorney General, Office of Judicial Administration, Kansas Association of Counties, and the League of Kansas Municipalities indicate enactment of the bill would have no fiscal effect.