

SENATE APPROPRIATIONS COMMITTEE FISCAL NOTE

BILL NO. Senate Bill 502

PRINTER NO. 693

AMOUNT

See Fiscal Impact

FUND

Crime Victims Compensation Fund
Victim Witness Services Fund

DATE INTRODUCED

March 25, 2019

PRIME SPONSOR

Senator Bartolotta

DESCRIPTION

Senate Bill 502 amends the act of November 24, 1998 (P.L.882, No.111), known as the Crime Victims Act, to better provide information and compensation to victims.

This legislation updates the definitions in the Act, adding notice of the Address Confidentiality Program and providing a right to notice of placement in the state drug offender treatment program, as provided for by another bill in the package. The bill would shift the burden of notifying the victim of his or her rights from a law enforcement agency to the individual officer and adds to the prosecutor's duties to provide notification on behalf of the victim to the Office of Victim Advocate.

For victim compensation, the bill changes the statute of limitations for making a claim from 2 to 3 years and allows for a good faith extension, and decreases the minimum loss from \$100 to \$50. It grants flexibility in the amount of emergency awards, adds eligibility for recipients of sexual violence and intimidation orders, adds crime scene clean-up for vehicles, and excuses victims under 18 from the requirement to use insurance. It clarifies the reporting requirement to be eligible for compensation and merges the Crime Victims Compensation Fund and Victim Witness Services Fund into a single, non-lapsing fund, known as the Crime Victim Services and Compensation Fund.

This act shall take effect in 60 days.

FISCAL IMPACT:

Provisions of the bill may increase the number of claims filed with the Office of Victims Services within the Pennsylvania Commission on Crime and Delinquency, although all funds dispersed from the Commonwealth are from the Crime Victims Compensation Fund and the Victim Witness Services Fund. Under this legislation, these funds will be merged to form a new, non-lapsing fund known as the Crime Victim Services and Compensation Fund. The charts on the next page show the average annual revenues, expenditures and year-end fund balances for both funds during the period of FY 2011-12 through FY 2016-17.

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Fund	Revenue	Expenditures	Fund Balance
Crime Victims Compensation Fund:	\$10.1 Million	\$10.4 Million	\$16.2 Million
Victim Witness Services Fund:	\$6.4 Million	\$6.7 Million	\$3.9 Million
Total:	\$16.5 Million	\$17.1 Million	\$20.1 Million

These funds are derived from the collection of certain court costs. Historically, there are more funds being expended from the funds than revenue being produced annually. With the additional claims that may be filed with the enactment of this legislation, the Victims and Victim Witness assistance programs may become unsustainable in future years.

There were a total of 10,828 claims filed in 2016, which were paid at an average of about \$1,000 per claim. The average payout per claim is adjusted by federal funds that are also used to support the program. Therefore, the average payout is higher if federal funds are included. To the extent that additional claims arise as a result of this legislation, each additional claim is estimated to increase Commonwealth costs by \$1,000, or \$100,000 for each 100 additional claims.