

**STATE and LOCAL
FISCAL IMPACT**

Drafting Number: LLS 14-0501
Prime Sponsor(s): Rep. Fields
 Sen. Jahn

Date: January 24, 2014
Bill Status: House Judiciary
Fiscal Analyst: Kerry White (303-866-3469)

SHORT TITLE: VICTIMS' RIGHTS ACT CLEANUP

Fiscal Impact Summary*	FY 2014-2015	FY 2015-2016
State Revenue		
State Expenditures		
General Fund	\$166,500	
FTE Position Change		
Appropriation Required: \$166,500 - Judicial Department (FY 2014-15)		

* This summary shows changes from current law under the bill for each fiscal year.

Summary of Legislation

This bill adds violations of civil protection orders in sex offense cases, coercion of involuntary servitude, and all child prostitution offenses to the list of crimes to which the Victims Rights Act (VRA) applies. It also makes several adjustments to the VRA by:

- clarifying that a modification of sentence, including probation, is a critical stage and adds a hearing on record to the definition of a critical stage;
- creating the right for a victim to receive a free copy of the initial incident report from the investigating law enforcement agency;
- creating the right for a victim to be heard at a hearing on record sealing;
- extending the right to be heard to persons who are in the Division of Youth Corrections; and
- making victim notification automatic for victims of a crime committed prior to 1993.

Background

The VRA was enacted in 1993, and has been amended multiple times in the intervening years. The law gives specific rights to victims of crime, including the right to:

- be treated with fairness, respect, and dignity;
- be informed of and participate in critical stages of the adjudication process, such as bond reduction or modification, sentencing, parole, reconsideration of sentencing, or commutation of sentencing hearings;
- receive and prepare a victim impact statement;
- be informed about steps that can be taken to prevent victim intimidation or harassment;

- obtain certain pieces of information about the offender, such as his or her location and the results of court-ordered HIV testing;
- receive supportive services, such as employer intercession services; and
- receive notification when a person accused or convicted of a crime is released from custody other than the county jail, is paroled, escapes, or absconds from probation or parole.

State Expenditures

This bill will increase state General Fund expenditures by \$166,500 in FY 2014-15 only. These costs are incurred to make modifications to the Judicial Department computer system in order to comply with the requirements of the bill. Programming costs are calculated as 900 hours at a rate of \$185 per hour.

Local Government Impact

To the extent that investigating law enforcement agencies are not providing free copies of the initial incident report, this bill could increase costs. The amount of any such increase has not been estimated.

Effective Date

The bill takes effect August 6, 2014, if the General Assembly adjourns on May 7, 2014, as scheduled, and no referendum petition is filed.

State Appropriations

For FY 2014-15, the Judicial Department requires a General Fund appropriation of \$166,500.

State and Local Government Contacts

District Attorneys

Judicial