

HCS SCS SB 338 -- CRIME VICTIMS

This bill changes the laws regarding crime victims. In its main provisions, the bill:

- (1) Requires a photograph to be taken of an incarcerated individual prior to release and made available to the crime victim upon his or her request;
- (2) Codifies into statute Executive Order 07-07 which transferred the administration of the Crime Victims' Compensation Fund from the Division of Workers' Compensation within the Department of Labor and Industrial Relations to the Department of Public Safety;
- (3) Requires the Department of Public Safety to ensure that the compensation paid to a victim is reasonable and consistent with the limitations in state law and that any medical expense claims are medically necessary;
- (4) Prohibits compensation from the fund to any victim who is injured while under electronic monitoring;
- (5) Allows the Department of Public Safety to receive gifts and contributions for the benefit of crime victims which will be deposited into the fund to be used solely for compensating victims;
- (6) Allows a victim to be represented by counsel or a representative designated by the victim instead of appearing in person during an offender's probation revocation or parole hearing; and
- (7) Specifies that, subject to appropriations, the State Highway Patrol or its designees and eligible crime laboratories must develop and make available to appropriate medical providers upon request evidentiary collection kits at no charge. The kits will be used by the provider to perform forensic examinations for the purpose of gathering evidence of a sexual offense. The Department of Public Safety rather than the Department of Health and Senior Services must make payments to the providers to cover the reasonable charges of the forensic examination if a claim is submitted within 90 days and it meets specified criteria. The victim or the victim's guardian must consent in writing to the examination, and the report of the examination must be made on a form approved by the Attorney General with the advice of the Department of Public Safety. A minor may consent to an examination without the consent of a parent or guardian, but the appropriate medical provider must give written notice to the parent or guardian that the examination has taken place.