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**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
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**MEMORANDUM**

To: Senate Committee on Judiciary  
From: Office of Revisor of Statutes  
Date: March 20, 2024  
Subject: Bill Brief for HB 2781

House Bill 2781, As Amended by House Committee of the Whole, allows compensation from the crime victims compensation board to be awarded for criminally injurious conduct and increases the amount that can be transferred from the crime victims compensation fund to the crime victims assistance fund in each fiscal year.

Section 1 amends K.S.A. 74-7305, the statute related to making application for compensation to the crime victims compensation board. Current law in subsection (b)(2) provides that compensation for mental health counseling may be awarded to certain victims and provides the timeframes for when the claim has to be filed. The bill keeps the categories of victims and the timeframes the same but removes the limitation that the compensation be awarded for mental health counseling. A provision is also added to allow the board to award compensation when the board determines that denying compensation would be a severe injustice to the victim.

The House Committee on Judiciary amended the general limitation on claims in subsection (b)(2) from requiring filing within two years after the injury or death upon which the claim is based to within five years after the injury or death upon which the claim is based. The House Committee on Judiciary also added the provision in subsection (b)(3) that if more than one of the time limitations described in subsection (b) apply to a victim, the longest time limitation to file a claim shall apply to the victim.

Current law in subsection (e) provides that compensation may be awarded only if the board finds that unless the claimant is awarded compensation the claimant will suffer financial stress. The statute lists items for the board to consider when determining whether the claimant will suffer financial stress, and the bill adds that the board shall consider the totality of the circumstances and other factors deemed appropriate by the board.

Current law in subsection (f) provides that compensation may not be awarded unless the criminally injurious conduct was reported to law enforcement within 72 hours after its occurrence or the board finds there was good cause for the failure to report within that time. The bill adds that compensation may be awarded if the victim obtained a forensic medical examination within seven days after the occurrence of the criminally injurious conduct.

Finally, current law in subsection (h) provides that compensation for work loss, replacement services loss, dependent's economic loss and dependent's replacement service loss may not exceed \$400 per week or actual loss, whichever is less. The bill changes that amount to \$800 per week or actual loss, whichever is less. Additionally, the bill adds that compensation for work loss for a victim of human trafficking or aggravated human trafficking shall be awarded in an amount not less than \$350 per week and not more than \$800 per week.

Section 2 amends K.S.A. 75-752, the statute that authorizes transfers from the crime victims compensation fund to the crime victims assistance fund. Current law provides that such transfer shall not exceed \$300,000 during each fiscal year. The bill provides that starting in fiscal year 2025, that transfer shall not exceed \$500,000.

The bill would take effect from and after publication in the statute book, July 1, 2024.