



**Sub. S.B. 153\***  
123rd General Assembly  
(As Reported by S. Judiciary)

Sens. Spada, Cupp, Latta

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**BILL SUMMARY**

- Transfers from the Court of Claims to the Attorney General the responsibility to make awards of reparations under the Crime Victims Reparations Law.
- Revises the procedure for the payment of an award of reparations.
- Expands the benefits available under the Crime Victims Reparations Law to also include reimbursement for crime scene cleanup and property destroyed by evidence collection.
- Permits the psychiatric care or counseling of a family member of certain victims to be an allowable expense for a reparations award.
- Grants a Court of Claims panel of commissioners and a Court of Claims judge jurisdiction to hear appeals from a decision of the Attorney General on a reparations award.
- Permits the Attorney General to establish and regulate standard medical fees and approved medical procedures that are eligible for reimbursement from a reparations award.
- Eliminates the filing fee for an application requesting an award of reparations under the Crime Victims Reparations Law and permits the application to be filed by mail.

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\* *This analysis was prepared before the report of the Senate Judiciary Committee appeared in the Senate Journal. Note that the list of co-sponsors and the legislative history may be incomplete.*

- Prohibits an award of reparations to claimants who are passengers in a motor vehicle operated by a person under the influence of alcohol, a drug of abuse, or both, if the claimant is claiming injuries proximately caused by the operator of the motor vehicle and the claimant knew of the operator's impaired state. This prohibition does not apply to specified minors.
- Prohibits the award of reparations to claimants who have been convicted of endangering children or domestic violence within ten years of or during the pendency of a claim.
- Specifies the procedure for appealing an award or denial of reparations as follows: (1) motion to reconsider filed with the Attorney General, (2) appeal to a panel of Court of Claims commissioners, and (3) appeal to a judge of the Court of Claims.
- Sets the attorney's fee schedule payable for representation of a claimant.
- Permits the Attorney General to make an emergency award of reparations.
- Specifies the subrogation rights of the Reparations Fund.
- Permits the medical exams and antibiotics of a sex offense victim to be paid from the Reparations Fund.
- Makes other changes in the Crime Victims Reparations Law.

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## HISTORY

| ACTION                 | DATE     | JOURNAL ENTRY |
|------------------------|----------|---------------|
| Introduced             | 06-10-99 | p. 585        |
| Reported, S. Judiciary | ---      | ---           |

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