

Fiscal Note & Local Impact Statement

122nd General Assembly of Ohio

BILL:	H.B. 471	DATE:	July 29, 1997
STATUS:	As Introduced	SPONSOR:	Rep. Metzger
LOCAL IMPACT STATEMENT REQUIRED:	No — No local cost		
CONTENTS:	Expands the definitions of "dependent's economic loss" and "dependent's replacement services loss" to allow children and spouses to benefit from the Victims of Crime Compensation Program after either adoption or remarriage		

State Fiscal Highlights

- No direct fiscal effect on the state.

Local Fiscal Highlights

- No direct fiscal effect on local governments.

Detailed Fiscal Analysis

The bill expands the definition of both “dependent’s economic loss” and “dependent’s replacement services loss” in the Ohio Victims of Crime Compensation Program to maintain that both continue even if either a minor child is adopted or a surviving spouse remarries. On the face of it, the bill would seem to allow for an increase in the program’s expenditures. However, the issues of adoption and remarriage have only recently arisen. Adoptions and remarriages had not been a factor in issuing or reviewing prior claims. A recent position of the Attorney General’s Office highlighted the absence of clear language in the O.R.C. concerning such changes in a claimant’s status. This bill ensures that the program will continue to provide for claimants, even if their status changes by either adoption or remarriage.

The Court of Claims administers claims under the state’s Victims of Crime Act, contained in O.R.C. sections 2743.51 to 2743.72. Individuals suffering personal injury as the result of criminal conduct are eligible to apply for compensation. This compensation includes, but is not only limited to, medical expenses, work loss, unemployment benefits loss and replacement services. Dependents may receive awards for economic loss, replacement services loss, and certain funeral expenses incurred after a victim’s death. The maximum award is \$50,000 per victim, per incident.



To be eligible for compensation, a victim must report the crime to a law enforcement officer within 72 hours of its occurrence and must file a claim of compensation within two years after the date of the crime. The Attorney General investigates the crime and loss claim, and returns a finding of fact and recommendation to the court. A single court commissioner then renders a written opinion. The claimant or Attorney General may appeal the decision of the commissioner, whereupon the case then proceeds to a three-member panel of commissioners for a full hearing. The appeal of the decision may go one step further to a judge of the Court of Claims. No other appeal may occur after the judge's determination. The operations for the crime victims section of the court is funded by State Special Revenue Fund line item 015-601, Reparations Fund.

□ *LBO staff: Corey C. Schaal, Budget/Policy Analyst*

H:\FN122\HB0471IN.DOC