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MEMORANDUM

To: House Committee on Judiciary
From: Office of Revisor of Statutes
Date: February 9, 2022
Subject: Bill Brief on HB 2574

HB 2574 establishes time limitations for awarding compensation for mental health counseling and increases certain compensation award amounts by the crime victims compensation board.

Section 1 amends K.S.A. 74-7301, which is the definition sections for the crime victims compensation board statutes. Under current law an “allowable expense” for funeral expenses can’t exceed \$5,000. This bill would change that cap to \$7,500. Crime scene cleanup expenses can’t exceed \$1,000, and this bill would change that to \$2,500. The definition of “crime scene cleanup” is also amended in this section to provide that it may include replacement of materials that were removed because such materials were biohazardous or were damaged as part of evidence collection.

Section 2 amends K.S.A. 74-7305, which is the statute that sets out the requirements for an application for compensation. Current law provides that compensation for mental health counseling may be awarded for an application that was not timely filed to a victim who witnessed a violent crime when they were 16 years of age or younger if the board finds good cause for the failure to timely file and the victim files before they turn 19. Compensation for mental health counseling may be awarded for an application that was not timely filed to a victim of a sexually violent crime if the board finds good cause for the failure to timely file and (1) the claim is filed within 10 years of the date of the crime, or (2) if the victim was less than 18 years of age at the time of the crime, the claim is filed within 10 years of the date the victim turns 18. This bill would also allow the board to award compensation for mental health counseling for an application that was not timely filed to (1) a victim who is or will be required to testify in a sexually violent predator commitment of an offender who victimized the victim if the claim is

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made within two years of such testimony, and to (2) a victim who is notified that DNA testing of a sexual assault kit or other evidence has revealed a DNA profile of a suspected offender who victimized the victim or is notified of the identification of a suspected offender who victimized the victim if the claim is filed within two years of such notification.