

LEGISLATIVE FISCAL ESTIMATE
ASSEMBLY, No. 3883
STATE OF NEW JERSEY
219th LEGISLATURE

DATED: MARCH 26, 2021

SUMMARY

Synopsis: Prohibits VCCO from denying award of compensation to victims with certain outstanding warrants and charges.

Type of Impact: Annual State Expenditure Increase; General Fund.

Agencies Affected: Department of Law and Public Safety

Office of Legislative Services Estimate

Fiscal Impact	<u>Year 1</u>	<u>Year 2</u>	<u>Year 3</u>
State Expenditure Increases		Indeterminate	

- The Office of Legislative Services (OLS) finds the annual State expenditure increases associated with this bill to be indeterminate. There is no data with which to evaluate the cost impact on the Victims of Crime Compensation Office (VCCO) resulting from additional administrative activity and the payment of additional claims.
- The VCCO may experience a workload increase from reviewing and processing additional claims due to permitting a victim an award of compensation when that victim would otherwise have been ineligible due to certain outstanding warrants and certain criminal charges as provided in the bill.

BILL DESCRIPTION

This bill prohibits the VCCO from denying a victim an award of compensation based solely on the grounds that there are certain outstanding warrants for the victim’s arrest or charges against the victim.

The VCCO currently has regulatory authority to deny a claim for compensation by a victim or claimant and close the case if: 1) there is an active court-ordered bench warrant for the victim; or 2) criminal charges are pending against the victim based on a criminal complaint or an indictment. The regulation specifies that a victim or claimant may petition the VCCO to reopen the claim for compensation if verification is provided to the VCCO that the warrant, complaint, or indictment that was the basis for the denial has been dismissed. This bill removes this regulatory bar to an award of compensation if the warrant is for a traffic-related violation, petty disorderly persons

offense, disorderly persons offense, or crime of the fourth degree or if the indictment or criminal charges are for a petty disorderly persons offense, disorderly persons offense, or crime of the fourth degree.

FISCAL ANALYSIS

EXECUTIVE BRANCH

None received.

OFFICE OF LEGISLATIVE SERVICES

The OLS finds the annual State expenditure increases associated with this bill to be indeterminate. There is no data with which to evaluate the cost impact on the VCCO resulting from additional administrative activity and the payment of additional claims.

Expenditure Increase - According to the VCCO's latest available annual report in 2019, 3,868 claims were received and of those claims, 496 awards were denied by the VCCO. Of the claims denied, 290 of them, or 58.5 percent, were denied due to the victim possessing outstanding warrants, criminal charges pending against the victim, or the victim was currently incarcerated. The OLS is uncertain how many of these denials specifically are due to outstanding warrants and criminal charges that resulted in denials of initial applications that are unrelated to the incident of victimization.

The OLS estimates that the VCCO may experience a workload increase from reviewing and processing additional claims due to permitting a victim an award of compensation when that victim would otherwise have been ineligible due to certain outstanding warrants and certain criminal charges as provided in the bill.

Section: *Law and Public Safety*
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 Senior Fiscal Analyst
Approved: *Thomas Koenig*
 Legislative Budget and Finance Officer

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).