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Synopsis of Senate Committee Amendments

(This synopsis does not address amendments that may have been adopted on the Senate Floor.)

H.B. 390 of the 134th General Assembly

Senate Judiciary

Ashley F. Dean, Attorney

Engaging in prostitution with a person with a developmental disability

- Creates the offense of engaging in prostitution with a person with a developmental disability, which prohibits a person from recklessly inducing, enticing, or procuring sexual activity for hire in exchange for a thing of value from a person with a developmental disability.
- Specifies that engaging in prostitution with a person with a developmental disability is a third degree felony.

Funeral expenses for crime victims

- Permits the attorney general to grant an emergency award of reparations for funeral expenses of a decedent victim of a crime, provided there is reasonable belief that the requirements of the written findings of fact and decision of the investigation before granting an award of reparations will be met, that the decedent and claimant are indigent, and that the claimant will suffer undue hardship if not granted immediate relief.
- Requires the repayment of an emergency award be limited to the payment of cremation or burial services of the decedent in cases where there is a final determination that no compensation on the application for an award of reparations will be made.

Electronic monitoring of respondent under juvenile court or civil stalking protection order or of violator of such an order

- In provisions pertaining to specified situations in which a court requires electronic monitoring of a respondent or convicted offender, eliminates the authorization, when the court determines that the person to be monitored is indigent, for the use of funds from the Reparations Fund to pay the costs of installing and monitoring the electronic monitoring device.

- The situations covered by the provisions are when electronic monitoring is required by: (1) a juvenile court under a protection order it issues against a respondent, (2) a court under a stalking protection order it issues against a respondent, and (3) a court under the sentence it imposes on an offender convicted of violating either of those types of protection orders.
- Currently, the provisions specify that: (1) unless the court determines that the respondent or offender is indigent, it must order that the person pay the installation and monitoring costs (retained by the amendment) and (2) if the court determines that the respondent or offender is indigent, the installation and monitoring costs may be paid out of the Reparations Fund, with the amounts paid subject to a maximum amount of \$300,000 per year for all such payments and to rules of the Attorney General (repealed by the amendment).