

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

---

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

---

**MEMORANDUM**

To: Senate Committee on Judiciary  
From: Office of Revisor of Statutes  
Date: March 8, 2022  
Subject: Bill Brief for HB 2574

House Bill 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 section for the crime victims compensation board statutes. Under current law, an “allowance expense” includes a total charge for funeral, cremation or burial expenses not to exceed \$5,000. The bill would change that cap to \$7,500. Under current law, an “allowance expense” also includes a total charge for crime scene cleanup expenses not to exceed \$1,000. The bill would change that cap to \$2,500. The definition of “crime scene cleanup” is also amended to 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 from the crime victims compensation board. Current law in subsection (b) 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 less than 16 years of age 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 also 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.

The bill adds provisions in subsection (b) to 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 made within two years of such testimony; and (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.

The bill also removes current law subsection (h) that prohibits compensation to many victims if the economic loss is less than \$100.