

Department of Legislative Services
Maryland General Assembly
2023 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 186

(Delegate B. Barnes)

Appropriations and Judiciary

Budget and Taxation and Judicial Proceedings

Victim Services Programs – Supplementing Federal Funding and Support
(Victim Services Stabilization Act)

This bill (1) requires the Governor’s Office of Crime Prevention, Youth, and Victim Services (GOCPYVS) to help support programs providing services for victims of crime throughout the State; (2) authorizes GOCPYVS to award grants to public or private nonprofit organizations to operate the victim services programs; (3) requires money for the victim services programs to be provided in the annual State budget (to supplement, but not supplant, money that the programs receive from other sources); and (4) requires the Governor, in each fiscal year, to include in the annual budget bill an appropriation that, together with the amount received under the federal Victims of Crime Act (VOCA) in the prior year, totals an aggregate \$60.0 million for the victim services programs funded under the bill. By December 31, each year, the Executive Director of GOCPYVS must report to the General Assembly on all victim services programs and grantees and funds awarded under the bill. **The bill takes effect July 1, 2023.**

Fiscal Summary

State Effect: Although the impact in any given year depends on the amount received under VOCA in the prior year, general fund expenditures and State revenues are not anticipated to be affected, under the assumptions discussed below. **This bill establishes a mandated appropriation beginning in FY 2025.**

Local Effect: Local government revenues and expenditures are not affected.

Small Business Effect: None.

Analysis

Bill Summary: The victim services programs must (1) be developed and located to facilitate their use by alleged victims residing in surrounding areas and (2) with specified exceptions, provide services to victims of crime as authorized by VOCA and related regulations.

GOCOPYVS may not require victim services programs to provide a match for State funds expended. In addition, GOCOPYVS must ensure that State funds awarded under the bill (1) are administered in a unified process with federal VOCA funds, as specified; (2) may be used as a match for VOCA funds; and (3) may not be used for capital projects or capital programming of any kind. GOCOPYVS must regularly consult, collaborate with, and consider the recommendations regarding allocation of funding from specified entities. In addition, GOCOPYVS must prioritize continuity and stability of crime victim services and equitable distribution of funding in every jurisdiction in the State.

Current Law: GOCOPYVS serves as a coordinating office that advises the Governor on criminal justice strategies. The office plans, promotes, and funds efforts with government entities, private organizations, and the community to advance public policy, enhance public safety, reduce crime and juvenile delinquency, and serve victims. Chapter 422 of 2018 established the Victim Services Unit in GOCOPYVS to coordinate State responsibilities concerning services to victims, including the collection of restitution and reimbursements for sexual assault forensic evidence examinations and other eligible expenses for cases involving rape, sexual offenses, or child sexual abuse. Oversight functions and operations relating to the Criminal Injuries Compensation Board and the Criminal Injuries Compensation Fund were transferred from the Department of Public Safety and Correctional Services to GOCOPYVS.

The Crime Victims Fund, established by the federal VOCA of 1984, is a major funding source for victim services throughout the country. The fund is comprised of revenues from criminal fines, forfeited bail bonds, penalty fees, and special assessments collected by U.S. Attorney's Offices, U.S. Courts, and the Bureau of Prisons. The purpose of the VOCA program is to improve the treatment of victims of crime by providing victims with the assistance and services necessary to aid their restoration after a violent criminal act and to support and aid victims as they move through the criminal justice process. Victim assistance includes services such as crisis intervention, counseling, emergency transportation to court, temporary housing, and criminal justice support and advocacy. As shown in **Exhibit 1**, the amount of funding awarded to the State through VOCA fluctuates annually.

Exhibit 1
Federal Victims of Crime Act Funding Awarded

<u>Federal Fiscal Year</u>	<u>Award Amount</u>
FY 2018	\$61,140,519
FY 2019	41,161,674
FY 2020	30,398,592
FY 2021	18,937,787
FY 2022	26,364,732

Source: Governor's Office of Crime Prevention, Youth, and Victim Services; Department of Legislative Services

State Fiscal Effect: The bill's mandated appropriation requires funding to be included in the annual budget that, together with the federal amount received, totals an aggregate \$60.0 million. The actual fiscal impact of the bill depends on the amount awarded to the State through VOCA in the prior year. However, this analysis assumes that funding under VOCA remains level with federal fiscal 2022 (\$26.4 million). Although general funds are needed to ensure that funding totals the mandated aggregate \$60.0 million, the fiscal 2024 budget as passed by the General Assembly includes \$35.0 million in general funds for crime victim assistance, which is consistent with general fund support provided in fiscal 2023. This estimate further assumes that, even in the absence of the bill, the level of general fund support in fiscal 2023 and 2024 would have continued. Accordingly, *based on these assumptions*, general fund expenditures are not anticipated to be affected. The Department of Legislative Services notes, however, that should federal funding awards decrease beyond that received in the most recent federal fiscal year, general fund expenditures increase accordingly to meet the mandated funding amount in the bill.

Additional Information

Prior Introductions: Similar legislation has not been introduced within the last three years.

Designated Cross File: SB 148 (Senator Guzzone, *et al.*) - Budget and Taxation and Judicial Proceedings.

Information Source(s): Governor's Office of Crime Prevention, Youth, and Victim Services; Department of Legislative Services

Fiscal Note History:
km/jkb

First Reader - January 24, 2023

Revised - Updated Information - March 10, 2023

Third Reader - March 27, 2023

Revised - Amendment(s) - March 27, 2023

Revised - Budget Information - May 5, 2023

Analysis by: Shirleen M. E. Pilgrim

Direct Inquiries to:
(410) 946-5510
(301) 970-5510