

### **49.300 Powers and duties of Crime Victims Compensation Board.**

In addition to the powers and authority outlined in KRS 49.020, the Crime Victims Compensation Board has the power and duty to:

- (1) Promulgate, amend, and repeal suitable administrative regulations to carry out the provisions and purposes of KRS 49.270 to 49.490, including administrative regulations for the approval of attorney's fees for representation before the board or upon judicial review;
- (2) Hear and determine all matters relating to claims for compensation, and the power to reinvestigate or reopen claims without regard to statutes of limitations;
- (3) Request from prosecuting attorneys and law enforcement officers investigations and data to enable the board to determine whether, and the extent to which, a claimant qualifies for compensation. The statute providing confidentiality for juvenile session of District Court records does not apply to proceedings under KRS 49.270 to 49.490;
- (4) Hold hearings in accordance with the provisions of KRS Chapter 13B. The powers provided in this subsection may be delegated by the board to any member or employee thereof. If necessary to carry out any of its powers and duties, the board may petition any Circuit Court for an order;
- (5) Upon the filing of an application by a claimant, negotiate binding fee settlements with the providers of services to claimants that may be eligible for an award under KRS 49.370(2);
- (6) Make available for public inspection all board decisions and opinions, administrative regulations, written statements of policy, and interpretations formulated, promulgated, or used by it in discharging its functions. Materials made available pursuant to this subsection shall be edited to remove personal identifying information of any victim. Materials made available pursuant to this subsection after July 15, 2024, shall be made available on the board's website;
- (7) Publicize widely the availability of reparations, the availability of emergency awards, and information regarding the claims therefor;
- (8) Make an annual report, by January 1 of each year, of its activities for the preceding fiscal year to the Office of the State Budget Director and to the Legislative Research Commission for referral to the Interim Joint Committee on Appropriations and Revenue. Each annual report shall set forth a complete operating and financial statement covering its operations during the year;
- (9) Create an electronic application process on its website, with explanatory materials and easily understood forms;
- (10) Notify all applicants of their right to counsel;
- (11) Ensure that its forms and published materials are clear, easily understandable, and available in a variety of formats and languages to maximize the accessibility of the compensation process;
- (12) By August 1, 2025, create and implement a tracking process for claims filed with the board. The tracking process shall include a public portal allowing victims to access the system; and

- (13) By August 1, 2025, and annually thereafter, report to the Governor and to the Legislative Research Commission for referral to the Interim Joint Committee on Judiciary the number and percentage of cases in which the timeframes established in KRS 49.340(2) and 49.360(3) were not met.

**Effective:** July 15, 2024

**History:** Amended 2024 Ky. Acts ch. 67, sec. 2, effective July 15, 2024. -- Amended 2021 Ky. Acts ch. 185, sec. 38, effective June 29, 2021. -- Repealed, reenacted, renumbered, and amended 2017 Ky. Acts ch. 74, sec. 30, effective June 29, 2017. -- Amended 2013 Ky. Acts ch. 69, sec. 2, effective June 25, 2013. -- Amended 2002 Ky. Acts ch. 183, sec. 23, effective August 1, 2002. -- Amended 1996 Ky. Acts ch. 318, sec. 328, effective July 15, 1996. -- Amended 1980 Ky. Acts ch. 188, sec. 179, effective July 15, 1980. -- Created 1976 Ky. Acts ch. 263, sec 4.

**Legislative Research Commission Note (6/25/97).** 1996 Ky. Acts ch. 318, sec. 357, effective July 15, 1996, repealed KRS 346.110, which is cited in subsection (2) of this statute. Judicial review in this area is now treated by KRS 346.080(8).

**Formerly codified as KRS 346.040.**