



GOVERNOR  
**Asa Hutchinson**

# STATE OF ARKANSAS Arkansas Department of Public Safety

## Crime Victims Reparations Board

### Rule Change Summary 2019

Changes made to state law as a result of the 2019 session of the General Assembly are addressed in the proposed rule changes. Specific rule change proposals are as follows:

- Act 315 of 2019 required that all agencies discontinue the use of the word “Regulation” (and Specifications) and refer to all agency rules as “rules.” Accordingly, all references to “regulations” have been removed.
- Act 910 of 201 (the “Transformation Bill”) created the “Department of Public Safety” and moved the Crime Victims Reparations Board under the direction of the Secretary of the Department of Public Safety. Throughout the rule changes, the Secretary and/or Department of Public Safety has been substituted for the Office of Arkansas Attorney General.

#### Rule 1, Title and Operative Date of the Act.

- Removes reference to regulations

#### Rule 2, Definitions.

- Proposed language change at 2.3(D) includes an additional person to be included in the term victim. The language is necessary to be consistent with statutory changes that were approved by Act 548 of 2001 to A.C.A. §16-90-703.
- Proposed language change to 2.9-allowable expense changes the maximum compensation for funeral expenses from \$5,000 to 7,500. The language change is necessary to make the dollar amount for funeral expenses consistent with Rule 10 which was approved in 2004. Also removes reference to regulations.

#### Rule 4, Membership and Officers of the Board.

- Proposed language change restructures the make-up of the Board. The language change is necessary to be consistent with statutory changes that were approved by Act 773 of 1995 to A.C.A. §16-90-705.

#### Rule 6, Powers and Duties of the Board.

- Proposed language change to 6.4 removes reference to regulations.
- Proposed language change to 6.15 changes the language from Office of the Attorney General to Department of Public Safety.

### **Rule 7, Meetings of the Board.**

- Proposed language at 7.1 reflects the current meeting schedule of the Board. Proposed language specifically lists the months in which the Board will meet to hear appeal claims. Language was part of an emergency rule effective 10/20/94.
- Proposed language at 7.4 reflects the current practice of the Board in regards to a quorum and acting with consent decrees. Language was part of an emergency rule effective 10/20/94.
- Proposed language at 7.7 removes restrictions of voting by proxies. Language was part of an emergency rule effective 10/20/94.

### **Rule 8, Eligibility Criteria for Compensation.**

- Proposed language change at 8.12 removes reference to regulations.

### **Rule 10, Maximum Compensation Amounts and Methods of Payments.**

- Proposed language change to 10.5 removes reference to regulations.

### **Rule 15, Board Staff.**

- Proposed language changes the language from Office of the Attorney General to Department of Public Safety.

### **Rule 17, Amendment to Rules and Regulations.**

- Proposed language change removes reference to regulations.

### **Rule 20, Conflict of Interest.**

- Proposed language defines conflict of interest for the administrative staff of the Board. This language is necessary as the staff reviews all claims submitted to the Board and the language provides a procedure for addressing conflicts of interest.