

FIFTIETH LEGISLATURE  
SECOND SESSION, 2012

SB 367/a

February 12, 2012

Mr. President:

Your **PUBLIC AFFAIRS COMMITTEE**, to whom has been referred

**SENATE BILL 367**

has had it under consideration and reports same **WITHOUT RECOMMENDATION**, amended as follows:

1. On page 3, between lines 12 and 13, insert the following new subsection:

"C. To the extent possible, the order of restitution shall identify each victim and the loss to each victim and shall be of a dollar amount that is sufficient to fully reimburse each victim for every determined economic loss or expense incurred as the result of a defendant's criminal activities, including but not limited to, the following:

(1) full or partial payment for the value of stolen or damaged property. The value of stolen or damaged property shall be the replacement cost of like property, or the actual cost of repairing the property when repair is possible;

(2) medical expenses;

(3) mental health counseling expenses;

(4) wages or profits lost due to injury incurred by the victim, and if the victim is a minor, wages or profits lost by the minor's parent, parents, guardian or guardians while caring for the injured minor. Lost wages shall include any commission income as well as any base wages. Commission income shall be established by evidence of commission income during the twelve-month period prior to the date of the crime for which restitution is being ordered, unless good cause for a shorter time period is shown;

(5) wages or profits lost by the victim, and if the

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victim is a minor, wages or profits lost by the minor's parent, parents, guardian or guardians due to time spent as a witness or in assisting the police or prosecution; and

(6) funeral expenses."

2. Reletter the succeeding subsections accordingly.
3. On page 4, line 20, strike "F" and insert in lieu thereof "G".
4. On page 5, line 20, strike "E" and insert in lieu thereof "F".
5. On page 7, line 7, strike "D" and insert in lieu thereof "E".
6. On page 7, line 23, strike "C" and insert in lieu thereof "D".,

and thence referred to the **JUDICIARY COMMITTEE.**

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Respectfully submitted,

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Dede Feldman, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 5 For 1 Against

Yes: 5

No: Curtis

Excused: Boitano, Griego, E.

Absent: None

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