k Ni Falte	LEGISLATIVE FISCAL OFFICE Fiscal Note								
Louisiana		Fiscal Note On:	НВ	570	HLS	20RS	920		
Legillative	Bill Text Version: ORIGINAL								
FiscalaOffice	Opp. Chamb. Action: Proposed Amd.:								
riscill Noles	Sub. Bill For.:								
Date: April 29, 2020	11:31 AM	Author: MAGEE							
Dept./Agy.: Louisiana Commis	sion on Law Enforcement								
Subject: Compensation For	Analyst: Monique Appeaning								

CRIMINAL/PROCEDURE

OR +\$435,000 GF EX See Note Increases amount paid for a person who has been wrongfully convicted

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Proposed law amends and reenacts present law pertaining to compensation for wrongful conviction and imprisonment. Proposed law provides for compensation for the physical harm and injury suffered by the petitioner shall be calculated at a rate of forty thousand dollars per year incarcerated, not to exceed a maximum total amount of four hundred thousand dollars, to be paid at a rate of forty thousand dollars annually. Beginning July 1, 2021, proposed law authorizes any petitioner who was awarded wrongful conviction compensation by the court on or after September 1, 2005, and prior to July 1, 2021, to file a petition seeking supplemental compensation in the amount authorized by the provisions of proposed law. Proposed law requires the petitioner to file the the petition seeking supplemental compensation on or before July 1, 2022, or be forever barred from filing a supplemental petition.

EXPENDITURES	2020-21	2021-22	2022-23	2023-24	2024-25	<u>5 -YEAR TOTAL</u>
State Gen. Fd.	\$435,000	\$435,000	\$485,000	\$585,000	\$610,000	\$2,550,000
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$435,000	\$435,000	\$485,000	\$585,000	\$610,000	\$2,550,000
REVENUES	2020-21	2021-22	2022-23	2023-24	2024-25	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

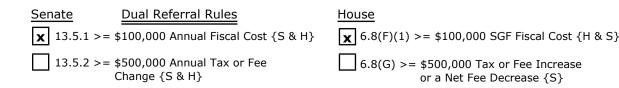
EXPENDITURE EXPLANATION

Proposed law will result in a SGF expenditure increase in the Louisiana Commission on Law Enforcement (LCLE) to provide supplemental compensation to specific individuals who were wrongfully convicted and imprisoned. The amount of compensation will increase from \$25,000 to \$40,000 per year incarcerated and the maximum amount received increases to not more than \$400,000 from not more than \$250,000. This change represents an annual \$15,000 increase per individual over the current level, and a maximum \$150,000 total increase. LCLE reports that there are currently fifteen (15) petitioners receiving compensation and fourteen (14) petitioners eligible to receive supplemental compensation (29 petitioners x \$15,000 = \$435,000). Under present law, the number of recipients receiving payments would decrease by two in FY 23, an additional four in FY 24, and an additional one in FY 25, as their eligibility for payments expired due to receiving the maximum payment of \$25,000 annually for up to ten years (\$250,000 maximum). The increased maximum will result in these individuals continuing to receive payments of \$40,000 annually in the out years until receiving the full \$400,000 maximum as provided in proposed law.

Any additional individuals awarded wrongful conviction compensation by the court prior to July 1, 2021, would result in an additional \$15,000 annual expenditure for up to ten years (\$150,000) compared to the compensation authorized in present law.

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.



Ein Brasseaux

Evan Brasseaux Staff Director