



LEGISLATIVE FISCAL OFFICE
Fiscal Note

Fiscal Note On: **HB 673** HLS 25RS 1422
Bill Text Version: **ENGROSSED**
Opp. Chamb. Action:

Proposed Amd.:
Sub. Bill For.: **HB 101**

Date: April 28, 2025	12:24 PM	Author: MUSCARELLO
Dept./Agy.: Louisiana Commission on Law Enforcement and Treasury		
Subject: Repeal-Compensation for Wrongful		Analyst: Daniel Druilhet

CRIMINAL/PROCEDURE EG DECREASE SD EX See Note Page 1 of 1
Repeals provisions relative to compensation for wrongful conviction and imprisonment

Current law provides that a person is entitled to compensation for wrongful conviction when his conviction has been reversed or vacated and he has proven his innocence through clear and convincing evidence; provides that during a contradictory hearing, the court may consider any relevant evidence, whether it was admissible in or excluded from the criminal trial; provides that the attorney general shall represent the state in such proceedings; requires that notice of the petition be sent to the attorney general’s office; provides that compensation for a wrongful conviction be paid from the Innocence Compensation Fund; provides that petitions based convictions involving willful misconduct by the state are not limited to the recovery provided in present law. Proposed law repeals current law in its entirety.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	DECREASE	DECREASE	DECREASE	DECREASE	DECREASE	
Annual Total						

REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$465,544	\$0	\$0	\$0	\$0	\$465,544
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	(\$465,544)	\$0	\$0	\$0	\$0	(\$465,544)
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Louisiana Commission on Law Enforcement

Proposed law will result in a \$1.5 M decrease in Statutory Dedications expenditures in FY 26 out of the Innocence Compensation Fund in the Louisiana Commission on Law Enforcement (LCLE). Proposed law would have the effect of removing the statutorily dedicated funding that is established for compensation for wrongful conviction and imprisonment. The Louisiana Commission on Law Enforcement incurs \$1.5 M in appropriations (originating from State General Fund) to distribute to persons awarded judgments or settlements for wrongful conviction, with no expenditures related to administering the Innocence Compensation Fund.

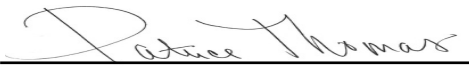
Note: The Louisiana Commission on Law Enforcement reports that there are 29 persons currently receiving payments related to awards for compensation for wrongful conviction and imprisonment, with \$3.2 M in outstanding payments to be made through the Innocence Compensation Fund. Annual payments that are made from the compensation fund represent partial payments toward the full amount awarded to persons receiving compensation for wrongful conviction and imprisonment. For informational purposes, in FY 24, \$1.4 M SGF was paid from the Innocence Compensation Fund for wrongful conviction and imprisonment. The LFO anticipates that moving forward, the legislature will appropriate SGF funding to pay the remaining \$3.2 M in outstanding payments. It is unclear whether these payments will be made over time or as a lump sum.

District Attorneys and Attorney General

Proposed law will likely result in a decreased workload in district attorney’s offices and related Local Funds expenditures, as the proposed law would have the effect of removing the burden of defending claims for wrongful conviction from the Attorney General and local district attorneys. It is difficult to estimate, with any certainty, the projected decrease in costs or workload that would be experienced by district attorneys with the repeal of current law. The exact fiscal impact to each district attorney is indeterminable, as it is unknown the number of occasions in which they would have been required to defend future lawsuits on wrongful conviction in the future.

REVENUE EXPLANATION

Proposed law repeals the Innocence Compensation Fund. The fund receives appropriations, donations, grants, and any other money available to provide funding for wrongful convictions and imprisonment. With enactment of the proposed law, the LFO anticipates any remaining balance in the fund at the close of the fiscal year would be transferred to the state general fund. The fund balance in the Innocence Compensation Fund as of 3/25/25 is \$465,544.

Senate	Dual Referral Rules	House	
<input checked="" type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input checked="" type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	
			 Patrice Thomas Deputy Fiscal Officer