



**LEGISLATIVE FISCAL OFFICE
Fiscal Note**

Fiscal Note On: **SB 125** SLS 26RS 418
 Bill Text Version: **ORIGINAL**
 Opp. Chamb. Action:
 Proposed Amd.:
 Sub. Bill For.: **REVISED**

Date: April 7, 2026	1:28 PM	Author: BOUDREAUX, GERALD
Dept./Agy.: Louisiana Commission on Law Enforcement		
Subject: Increases Compensation Cap - Wrongful Conviction Law		Analyst: Daniel Druilhet

CRIMINAL PROCEDURE OR +\$640,000 GF EX See Note Page 1 of 1
 Increases the compensation cap for the wrongful conviction compensation law. (8/1/26)

Current law provides that after 7/01/22, compensation for physical harm and injury suffered by the petitioner be calculated at a rate of \$40,000 per year incarcerated, not to exceed a maximum total of \$400,000, to be paid at an annual rate of \$40,000; provides that on or after 7/01/22, any petitioner who has been awarded compensation who files a petition seeking compensation has the option to receive a \$250,000 lump sum payment in lieu of receiving \$40,000 annually; provides that beginning 7/01/22, any petitioner who has been awarded by the court, on or after 9/01/05 and prior to 7/01/22, may file a petition seeking supplemental compensation at a rate of \$40,000 per year incarcerated, not to exceed a maximum of \$400,000, paid at an annual \$40,000 rate; requires the petitioner to file a petition seeking supplemental compensation on or before 7/01/23, or be forever barred from filing it. Proposed law increases the lifetime cap to \$600,000; provides that beginning 8/01/26, any petitioner awarded compensation, on or after 9/01/05, and prior to 8/01/26, to file a petition seeking supplemental compensation at a rate of \$40,000 per year incarcerated, not to exceed a maximum of \$600,000, paid at an annual rate of \$40,000; requires a petitioner to file a petition seeking supplemental compensation on or before 8/01/27, or be forever barred from filing it; is effective 8/01/26.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$640,000	\$720,000	\$840,000	\$840,000	\$920,000	\$3,960,000
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total						

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	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	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed law will result in an increase of no less than \$640,000 in SGF expenditures transferred to the Innocence Compensation Fund in FY 27, and annual increases in subsequent fiscal years, for additional payments made to exonerees who have received the maximum amount of compensation for wrongful conviction and imprisonment. Proposed law has the effect of extending annual payments that are made available to exonerees, up to a lifetime cap of \$600,000, with \$40,000 in annual payments to be made to each eligible exoneree. The exact amount that will be distributed will increase, contingent on whether heirs of deceased exonerees (5) file claims on their behalf to receive annual payments under the proposed law, along with additional exonerees becoming eligible to file claims for annual payments under the new lifetime cap. Currently, there are 11 exonerees who are eligible to receive additional funds with additional exonerees who will become eligible to receive annual payments in subsequent fiscal years. Projected expenditures are as follows:

	FY 27	FY 28	FY 29	FY 30	FY 31
Annual Payment	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
Total Eligible	x 11	x 13	x 16	x 16	x 18
Subtotal Additional Payments	\$440,000	\$520,000	\$640,000	\$640,000	\$720,000
Annual Payment	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
Total Eligible (Heirs)*	x 5	x 5	x 5	x 5	x 5
Subtotal Additional Payments	\$200,000	\$200,000	\$200,000	\$200,000	\$200,000
Total Payments	\$640,000	\$720,000	\$840,000	\$840,000	\$920,000

NOTE: This fiscal note reports a SGF impact because, while payments are made from the statutorily dedicated Innocence Compensation Fund, the Fund is made whole by deposits out of the SGF.

* For those deceased exonerees, each of their respective heirs is required to complete succession on their behalf, in conjunction with applying for claims to the Innocence Compensation Fund. To the extent that successions may not be adjudicated within each of the respective fiscal years, total annual expenditures may be less than projected.

REVENUE EXPLANATION

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

Senate
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
 Deputy Fiscal Officer