

LEGISLATIVE FISCAL OFFICE
Fiscal Note



Fiscal Note On: HB 575 HLS 12RS 828

Bill Text Version: ENGROSSED

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Table with 2 rows and 2 columns. Row 1: Date: April 30, 2012 11:47 AM, Author: LOPINTO. Row 2: Dept./Agy.: Corrections, Analyst: Matthew LaBruyere. Subject: Wrongfully Convicted Persons.

CRIMINAL/PROCEDURE EG SEE FISC NOTE GF EX See Note Page 1 of 1
Provides relative to the disbursement of funds for the loss of life opportunities of wrongfully convicted persons

Present law provides for the disbursement of funds up to \$80,000 for the loss of life opportunities of persons who were wrongfully convicted in order to pay for certain job-skills training, education, or other medical and counseling services. Proposed legislation retains present law but requires the petitioner to show that he has enrolled in or has registered for such training, classes, or services, or provide proof of actual expenses incurred as a result thereof.

Proposed legislation requires the LA Commission on Law Enforcement (LCLE) and Administration of Criminal Justice (ACJ) to manage the Innocence Compensation Fund. Proposed legislation provides that the LCLE and AJC shall prepare a report annually for the prior calendar year and submit it to the governor and legislature, on or before the first day of April, commencing in 2013, including the number of awards and the total amount of funds distributed. Proposed legislation requires the LCLE and ACJ to adopt rules to administer proposed legislation.

Table with 7 columns: EXPENDITURES, 2012-13, 2013-14, 2014-15, 2015-16, 2016-17, 5 -YEAR TOTAL. Rows include State Gen. Fd., Agy. Self-Gen., Ded./Other, Federal Funds, Local Funds, and Annual Total. Similar structure for REVENUES.

EXPENDITURE EXPLANATION
There is no anticipated direct material effect on state governmental expenditures as a result of this measure. The proposed legislation does not decrease or increase the amount paid for "loss of life opportunities" for persons wrongfully convicted. However, as a result of the petitioner showing that he or she has enrolled, registered, or incurred expenses related to job training, counseling or medical services, or tuition, the amount awarded may be less than the maximum amount of \$80,000. Any amount awarded that is less than the maximum of \$80,000 would result in a SGF savings.

The proposed legislation may result in a negligible increase in state general fund expenditures as a result the Louisiana Commission on Law Enforcement (LCLE) administering the Innocence Compensation Fund. LCLE would use existing resources and personnel to prepare an annual report to the governor and legislature regarding the number of awards and funds distributed; and develop and adopt rules for those applying for compensation and the administration of the fund. The potential increase in expenditures would be associated with printing checks for individuals found to be wrongfully convicted and postage associated with mailing the checks. The LFO anticipates that any negligible costs incurred will be absorbed within the agency's existing appropriation.

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