

LEGISLATIVE FISCAL OFFICE
Fiscal Note



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

Date: April 12, 2026 2:23 PM	Author: BOUDREAUX, GERALD
Dept./Agy.: Louisiana Commission on Law Enforcement	
Subject: Increases Compensation Cap - Wrongful Conviction Law	Analyst: Daniel Druilhet

CRIMINAL PROCEDURE EG INCREASE GF EX See Note Page 1 of 2
 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.	INCREASE	INCREASE	INCREASE	INCREASE	INCREASE	
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 \$400,000 and a maximum of \$920,000 in SGF expenditures in FY 27 transferred to the Innocence Compensation Fund, 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 based on the total number of known exonerees who become eligible in future fiscal years, the number of deceased exonerees whose respective heirs file claims to receive the extended annual payments, and exonerees who may be eligible, contingent upon a review of their qualifications (based upon their years served and whether there is any impact to receipt of those payments having already received a lump sum payment in lieu of annual payments). Currently, there are 10 exonerees who are eligible to receive additional funds in FY 27 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 10	x 11	x 12.5	x 12.8	x 12
Subtotal Additional Payments	\$400,000	\$440,000	\$500,000	\$512,000	\$480,000
Annual Payment	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
Total Eligible (Heirs)**	x 3	x 3	x 3	x 3	x 3
Subtotal Additional Payments	\$120,000	\$120,000	\$120,000	\$120,000	\$120,000
Annual Payment	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000	\$ 40,000
Potential Exonerees***	x 10	x 10	x 10	x 10	x 10
Subtotal Additional Payments	\$400,000	\$400,000	\$400,000	\$400,000	\$400,000
Total Payments	\$920,000	\$960,000	\$1,020,000	\$1,032,000	\$1,000,000

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. [CONTINUED ON PAGE TWO]

REVENUE EXPLANATION

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

Senate Dual Referral Rules
 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



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CONTINUED EXPLANATION from page one:

[CONTINUED FROM PAGE ONE]


* Two of the eligible exonerees will reach the number of maximum payments they can receive due to time served, and will receive a prorated amount (reflected in FY 29 as 12.5 to represent six months and FY 30 as 12.8 to represent 9.5 months).

** 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.

*** For those listed as potential exonerees, the LFO does not have information regarding the number of years each was incarcerated. The estimated figure for total payments represents maximum exposure. These estimates may decrease, to the extent that they have received their maximum allowable amount based on years served, and whether previously receiving a lump sum payment disqualifies them from future payments.

Senate Dual Referral Rules
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