
DIGEST

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Dixon

HB No. 285

Abstract: Increases the amount of compensation for persons who were wrongfully convicted of crimes.

Present law provides for compensation for wrongfully convicted persons.

Present law provides that compensation shall be calculated at a rate of \$15,000 per year of incarceration, not to exceed a total of \$150,000.

Proposed law changes present law from \$15,000 per year to \$25,000 per year and from \$150,000 total to \$500,000 for physical harm and injury suffered by the petitioner to be paid at a rate of \$25,000 annually.

Present law provides that the petitioner shall be compensated \$40,000 for the loss of life opportunities.

Proposed law changes the amount of compensation for loss of life opportunities in present law from \$40,000 to \$80,000.

Present law provides that the Innocence Compensation Fund shall pay for the costs of job-skills training for one year and for the appropriate medical and counseling services for three years.

Proposed law provides that the Innocence Compensation Fund shall pay for the costs of job-skills training for three years and for the appropriate medical and counseling services for six years.

Proposed law provides that in any fiscal year, the state treasurer is directed to deposit all recurring state general fund revenue, not to exceed \$2 million in any fiscal year, as recognized by the Revenue Estimating Conference in excess of the Official Forecast at the beginning of the current fiscal year into the Innocence Compensation Fund.

Proposed law provides that any petitioner who has been awarded compensation by the court on or after Sept. 1, 2005, and prior to Sept. 1, 2011, may file a petition seeking supplemental compensation. The petitioner shall file a petition seeking supplemental compensation on or before Sept. 1, 2012, or be forever barred from filing a supplemental petition.

Effective Sept. 1, 2011.

(Amends R.S. 15:572.8(H)(2)(intro.para.), (a), and (b) and (N)(1); Adds R.S. 15:572.8(Q))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Removed provision requiring that when the conviction is overturned or reversed, the court shall expunge the petitioner's record of the conviction and declare that the petitioner is a victim of wrongful conviction.

Committee Amendments Proposed by House Committee on Appropriations to the engrossed bill.

1. Changed rate of compensation from \$50,000 per year of incarceration to \$25,000 per year and the total amount of compensation from \$600,000 to \$500,000.
2. Added that the total compensation is to be paid at a rate of \$25,000 annually.
3. Deleted provision that the state shall appropriate monies annually to ensure that the amount of monies in the Innocence Compensation Fund shall not fall below \$1 million.
4. Added provision that in any fiscal year, the state treasurer is directed to deposit all recurring state general fund revenue, not to exceed \$2 million in any fiscal year, as recognized by the Revenue Estimating Conference in excess of the Official Forecast at the beginning of the current fiscal year into the Innocence Compensation Fund.