

Regular Session, 2011

ACT No. 262

HOUSE BILL NO. 285

BY REPRESENTATIVES DIXON, ARMES, AUBERT, AUSTIN BADON, BALDONE, BISHOP, BROSSETT, BURFORD, BURRELL, HARDY, HONORE, MICHAEL JACKSON, ROSALIND JONES, LEGER, RICHARD, RITCHIE, GARY SMITH, PATRICIA SMITH, AND WILLIAMS AND SENATORS BROOME, JACKSON, LAFLEUR, LONG, MURRAY, AND PETERSON

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

1 AN ACT

2 To amend and reenact R.S. 15:572.8(H)(2)(introductory paragraph), (a), and (b) and to enact
3 R.S. 15:572.8(Q), relative to compensation for wrongful conviction and
4 imprisonment; to provide for the amount of compensation; to provide for job-skills
5 training; to provide for medical and counseling services; to authorize the filing of a
6 supplemental petition; to provide for time limitations; and to provide for related
7 matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 15:572.8(H)(2)(introductory paragraph), (a), and (b) are hereby
10 amended and reenacted and R.S. 15:572.8(Q) is hereby enacted to read as follows:

11 §572.8. Compensation for wrongful conviction and imprisonment; petition process;
12 compensation; proof; assignment of powers and duties

13 * * *

14 H.

15 * * *

16 (2) Compensation shall be calculated at a rate of ~~fifteen~~ twenty-five thousand
17 dollars per year incarcerated not to exceed a maximum total amount of ~~one hundred~~
18 ~~fifty thousand dollars~~ two hundred fifty thousand dollars for the physical harm and
19 injury suffered by the petitioner to be paid at a rate of twenty-five thousand dollars
20 annually. As compensation for the loss of life opportunities resulting from the time
21 spent incarcerated, the court shall also review requests for payment and order

1 payment, not to exceed ~~forty~~ eighty thousand dollars, which the court finds
2 reasonable and appropriate from the Innocence Compensation Fund to:

3 (a) Pay the costs of job-skills training for ~~one year~~ three years.

4 (b) Pay for appropriate medically necessary medical and counseling services
5 for ~~three~~ six years to the petitioner at a mutually agreed upon location at no charge
6 to the petitioner, but only if such services are not available from a state or other
7 public facility, clinic, or office that is reasonably accessible to the petitioner.

8 * * *

9 Q. Any petitioner who has been awarded compensation by the court pursuant
10 to the provisions of this Section, on or after September 1, 2005, and prior to
11 September 1, 2011, may file a petition seeking supplemental compensation in the
12 amount authorized by the provisions of this Section. The petitioner shall file a
13 petition seeking supplemental compensation on or before September 1, 2012, or be
14 forever barred from filing a supplemental petition.

15 Section 2. This Act shall become effective on September 1, 2011.

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PRESIDENT OF THE SENATE

GOVERNOR OF THE STATE OF LOUISIANA

APPROVED: _____