



GOVERNOR'S OFFICE OF
BUDGET AND PROGRAM PLANNING

Fiscal Note 2023 Biennium

Bill # HB0092

Title: Establish compensation program for wrongfully convicted individuals

Primary Sponsor: Kelker, Kathy

Status: As Introduced

- Significant Local Gov Impact
 Needs to be included in HB 2
 Technical Concerns
 Included in the Executive Budget
 Significant Long-Term Impacts
 Dedicated Revenue Form Attached

Description of fiscal impact: The Judicial Branch and Department of Corrections are unable to determine the impact of this bill. There is no funding source provided in the bill and the fiscal impact could be significant.

FISCAL ANALYSIS

Assumptions:

Judicial Branch

1. This bill provides compensation for people who have been wrongly convicted of felony crimes. It allows a claimant to bring a civil action against the state in the district court in which the conviction originated. It entitles a claimant to a hearing in district court as expeditiously as possible after filing a claim for compensation
2. The number of district court cases may increase as a result of this legislation; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because court dockets currently are full in many judicial districts throughout the state.

Department of Corrections

3. There could be a potential fiscal impact to the DOC if there are any approved claims due to the changes proposed in this legislation. This bill will require a new process that does not have any data to use to quantify the possible costs that the agency would incur as a result should this bill pass.

Technical Note:

1. The bill provides for compensation for individuals who meet the criteria outlined in the bill. The costs could be significant. There has been no funding source identified to make these payments, nor can the amount of these payments be reasonably determined.

Amendment will change this note.

KAK
Sponsor's Initials

01/11/2021
Date

KA
Budget Director's Initials

1/13/21
Date