



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 Amended in House Committee

- 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

FISCAL SUMMARY

	<u>FY 2022 Difference</u>	<u>FY 2023 Difference</u>	<u>FY 2024 Difference</u>	<u>FY 2025 Difference</u>
Expenditures:				
General Fund	\$0	\$0	\$0	\$0
Other	\$3,900,000	unknown	unknown	unknown
Revenue:				
General Fund	\$0	\$0	\$0	\$0
Other	\$0	\$0	\$0	\$0
Net Impact-General Fund Balance:	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

Description of fiscal impact: The amendment to HB 92 requires that compensation to wrongfully incarcerated exonerees be paid from the state self-insurance fund pursuant to 2-9-202, MCA. The estimated \$3.9 million implementation cost includes payments for known claims only and does not include payments for other eligible claims that may be presented or future claims. HB 92 would require that claims historically paid by cities/counties must be paid by the state. These expenditures were not contemplated when the Department of Administration developed its rates for the 2023 biennium.

FISCAL ANALYSIS

Assumptions:

1. The estimated cost for implementation of HB 92 is \$3.9 million based on Innocence Project data.
2. It is unknown when the claims will be presented for payment.
3. The number and cost of future claims cannot be determined.

