

Fiscal Note

State of Alaska
2016 Legislative Session

Bill Version: HB 55
Fiscal Note Number: _____
() Publish Date: _____

Identifier: HB055-LAW-CRIM-02-05-16
Title: COMPENSATION FOR WRONGFUL
CONVICTION
Sponsor: KAWASAKI
Requester: House Judiciary

Department: Department of Law
Appropriation: Criminal Division
Allocation: Criminal Justice Litigation
OMB Component Number: 2202

Expenditures/Revenues

Note: Amounts do not include inflation unless otherwise noted below.

(Thousands of Dollars)

| | FY2017 Appropriation Requested | Included in Governor's FY2017 Request | Out-Year Cost Estimates | | | | |
|------------------------|--------------------------------------|--|-------------------------|------------|------------|------------|------------|
| OPERATING EXPENDITURES | FY 2017 | FY 2017 | FY 2018 | FY 2019 | FY 2020 | FY 2021 | FY 2022 |
| Personal Services | | | | | | | |
| Travel | | | | | | | |
| Services | | | | | | | |
| Commodities | | | | | | | |
| Capital Outlay | | | | | | | |
| Grants & Benefits | | | | | | | |
| Miscellaneous | | | | | | | |
| Total Operating | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Fund Source (Operating Only)

| | | | | | | | |
|--------------|------------|------------|------------|------------|------------|------------|------------|
| None | | | | | | | |
| Total | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 | 0.0 |

Positions

| | | | | | | | |
|-----------|--|--|--|--|--|--|--|
| Full-time | | | | | | | |
| Part-time | | | | | | | |
| Temporary | | | | | | | |

| | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|
| Change in Revenues | | | | | | | |
|---------------------------|--|--|--|--|--|--|--|

Estimated SUPPLEMENTAL (FY2016) cost: 0.0 (separate supplemental appropriation required)
(discuss reasons and fund source(s) in analysis section)

Estimated CAPITAL (FY2017) cost: 0.0 (separate capital appropriation required)
(discuss reasons and fund source(s) in analysis section)

ASSOCIATED REGULATIONS

Does the bill direct, or will the bill result in, regulation changes adopted by your agency? No
If yes, by what date are the regulations to be adopted, amended or repealed?

Why this fiscal note differs from previous version:

Revised for a hearing in the new legislative session. There are no substantive changes from the initial version.

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Agency: Department of Law

Phone: (907)465-3674
Date: 02/05/2016 01:33 PM
Date: 02/05/16

FISCAL NOTE ANALYSIS

STATE OF ALASKA
2016 LEGISLATIVE SESSION

BILL NO. HB 55

Analysis

This legislation allows a person to request compensation if their conviction was vacated or reversed and the charges were later dismissed or they were found not guilty upon retrial; or if the person was pardoned because of innocence or wrongful conviction. The person cannot have committed any of the crimes charged in the criminal action and they cannot have committed perjury or induced another person to commit perjury. Except for good cause, the request must be made within two years after their case is dismissed, a not guilty verdict was entered, or they were pardoned. A person who meets the requirements of this legislation is entitled to compensation in the amount of \$50,000 per year of imprisonment; the total compensation a person could receive is capped at \$2,000,000.

It is anticipated this bill will increase the number of hearings the Department of Law must participate in; however, it is likely that those hearings will be handled in the normal course of business. The department does not anticipate a fiscal impact; payments resulting from this legislation would be paid outside the Department of Law's operating appropriations.