

Department of Planning and Budget 2010 Fiscal Impact Statement

1. Bill Number: HB203ER

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Alexander, K.

3. Committee: Passed Both Houses

4. Title: Writ of Actual Innocence

5. Summary: This legislation expands the definition of “wrongful incarceration”, as it relates to a writ of actual innocence, to include persons incarcerated that have been granted an absolute pardon for the commission of a crime that he did not commit.

6. Fiscal Impact Estimates: Final (see Item 8)

7. Budget Amendment Necessary: No

8. Fiscal Implications: This legislation has the potential to increase the number of persons eligible for wrongful incarceration damage awards. Due to the variables of each case, it is not possible to quantify the potential fiscal impact of this legislation.

§ 8.01-195.11 of the Code of Virginia states any person who is convicted of a felony by a county or city circuit court of the Commonwealth and is wrongfully incarcerated for such felony may be awarded compensation in an amount equal to 90 percent of the Virginia per capita personal income as reported by the Bureau of Economic Analysis of the United States Department of Commerce for each year, or portion thereof, of incarceration up to 20 years.

9. Specific Agency or Political Subdivisions Affected: Courts

10. Technical Amendment Necessary: No

11. Other Comments: None

Date: 4/9/2010

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