

Department of Planning and Budget

2017 Fiscal Impact Statement

1. Bill Number: HB1650

House of Origin ☐ Introduced ☒ Substitute ☐ Engrossed
Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Sullivan

3. Committee: Appropriations

4. Title: Relief; Keith Allen Harward.

5. Summary: Provides relief in the amount of \$1,548,439 to Mr. Harward, who spent 33 years in prison for crimes he did not commit after being convicted on March 6, 1986, of first degree murder and sentenced to life in prison. In late 2015 and early 2016 the Department of Forensic Sciences analyzed DNA evidence from a rape kit collected from the victim after the crime and excluded Mr. Harward as the perpetrator of the crime. This analysis identified the real perpetrator of the crime as Jerry Crotty, who had died in an Ohio prison in 2006. On April 7, 2016, the Supreme Court of Virginia granted Mr. Howard's Writ of Actual Innocence, formally exonerating him of all the crimes for which he had been convicted.

Mr. Harward's relief would be paid as follows: (i) an initial lump sum of \$309,688 to be paid within 60 days immediately following the execution of a release by Mr. Harward from any present or future claims he may have and (ii) the sum of \$1,238,751 to purchase an annuity no later than September 30, 2017, for the primary benefit of Mr. Harward with the terms structured in his best interests. Mr. Harward would also be entitled to receive career and technical training within the Virginia Community College System free of tuition charges, up to a maximum of \$10,000. The cost of tuition would be paid by the community college at which the training is provided. The tuition benefit expires on January 1, 2022.

6. Budget Amendment Necessary: Yes. Item 278.

7. Fiscal Impact Estimates: Preliminary; See Item 8 below.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2017	\$1,548,439	0	General
2018	\$0	0	

8. Fiscal Implications: The bill will have a general fund fiscal impact of \$1,548,439 in fiscal year 2017. No fiscal impacted is expected by the Virginia Community College system if the career and technical training benefit is used as existing resources would be relied upon.

9. Specific Agency or Political Subdivisions Affected: Department of the Treasury and the Virginia Community College System.

10. Technical Amendment Necessary: No.

11. Other Comments: Identical to SB1479.

January 31, 2017

File: 2017/EFIS/Posted/HB1650H1