

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend and reenact § 8.01-195.11 of the Code of Virginia, relating to compensation for*
3 *wrongful incarceration for a felony conviction; transition assistance grants for wrongfully*
4 *incarcerated persons.*

5 [H 976]

6 Approved

7 **Be it enacted by the General Assembly of Virginia:**8 **1. That § 8.01-195.11 of the Code of Virginia is amended and reenacted as follows:**9 **§ 8.01-195.11. Compensation for wrongful incarceration.**

10 A. Any person who is convicted of a felony by a county or city circuit court of the Commonwealth
11 and is wrongfully incarcerated for such felony may be awarded compensation in an amount equal to 90
12 percent of the inflation adjusted Virginia per capita personal income as reported by the Bureau of
13 Economic Analysis of the U.S. Department of Commerce for each year of incarceration, or portion
14 thereof.

15 B. Any compensation computed pursuant to subsection A and approved by the General Assembly
16 shall be paid by the Comptroller by his warrant on the State Treasurer in favor of the person found to
17 have been wrongfully incarcerated. The person wrongfully incarcerated shall be paid an initial lump sum
18 equal to 20 percent of the compensation award with the remaining 80 percent of the principal of the
19 compensation award to be used by the State Treasurer to purchase an annuity from any A+ rated
20 company, including any A+ rated company from which the Virginia Lottery may purchase an annuity, to
21 provide equal monthly payments to such person for a period certain of 25 years commencing no later
22 than one year after the effective date of the appropriation. The annuity shall provide that it shall not be
23 sold, discounted, or used as securitization for loans and mortgages by the person awarded compensation.
24 The annuity shall, however, contain beneficiary provisions providing for the annuity's continued
25 disbursement in the event of the death of the person awarded compensation. All payments or costs of
26 annuities under this section shall be made by check issued by the State Treasurer on warrant of the
27 Comptroller.

28 C. Any person who is convicted of a felony by a county or city circuit court of the Commonwealth
29 and is wrongfully incarcerated for such felony shall receive a transition assistance grant of \$15,000 to be
30 paid from the Criminal Fund, which amount shall be deducted from any award received pursuant to
31 subsection B, *within 30 days of receipt of the written request for the disbursement of the transition*
32 *assistance grant to the Executive Secretary of the Supreme Court of Virginia. Payment of the transition*
33 *assistance grant from the Criminal Fund shall be made by the State Treasurer on warrants issued by*
34 *the Comptroller upon written request signed by the Executive Secretary of the Supreme Court of*
35 *Virginia.* In addition, such person shall be entitled to receive reimbursement up to \$10,000 for tuition
36 for career and technical training within the Virginia ~~community college system~~ *Community College*
37 *System* contingent upon successful completion of the training. Reimbursement for tuition shall be
38 provided by the comprehensive community college at which the career or technical training was
39 completed.

ENROLLED

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