

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB1463

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Ware

3. Committee: Appropriations

4. Title: Claims; Michael Haas; compensation for wrongful incarceration.

5. Summary: Provides relief in the amount of \$1,384,943 to Michael Haas, who was wrongly convicted of forcible sodomy.

6. Budget Amendment Necessary: Yes; Item 277 of HB 1400/SB 800

7. Fiscal Impact Estimates: Preliminary; see Item 8.

8. Fiscal Implications: The introduced version of HB 1463 provides relief in the amount of \$1,384,943 for Mr. Michael Haas. If the intention is to provide relief pursuant to the methodology in § 8.01-195.11, Code of Virginia, the Department of the Treasury has calculated that Mr. Haas would be eligible for \$1,530,653 based upon the latest information it has received regarding dates of incarceration and expenses eligible for reimbursement. This amount includes a \$15,000 transition assistance grant. This calculation does not include any adjustments proposed in other legislation to § 8.01-195.11, Code of Virginia, such as those in HB 1586.

The bill provides that Mr. Haas shall receive a transition assistance grant of \$15,000 from the Criminal Fund and any amount received as a transition assistance grant shall be deducted from other relief provided. Language is usually provided in the budget to direct this amount to be repaid to the Criminal Fund.

This bill also provides that Mr. Haas may receive career and technical training from the Virginia Community College System (VCCS), free of tuition charges, up to a maximum of \$10,000. This can be absorbed by VCCS within existing resources.

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

10. Technical Amendment Necessary: Based upon the latest information received by the Department of the Treasury regarding the dates of incarceration and expenses eligible for reimbursement pursuant to the provisions of § 8.01-195.11, Code of Virginia, Mr. Michael

Haas would be eligible for \$1,530,653. If the intention is to provide relief pursuant to the methodology in the provisions of § 8.01-195.11, Code of Virginia, this amount should be updated on lines 48 and 53 of the bill.

11. Other Comments: This bill is similar to SB 928.

In addition to the compensation for wrongful incarceration available under current law, HB 1586 proposes additional factors for which compensation would be provided. If enacted, both HB 1463 and HB 1586 as introduced would become effective concurrently. Please see the fiscal impact statement for HB 1586 for an estimate of the impact of such changes if they were to apply to Mr. Haas.

1/23/2023