

Department of Planning and Budget 2023 Fiscal Impact Statement

1. Bill Number: HB1582

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Sullivan

3. Committee: Appropriations

4. Title: Claims; David Wayne Kingrea; compensation for wrongful incarceration.

5. Summary: Provides relief in an amount to be provided in the appropriation act to David Wayne Kingrea, who was wrongly convicted of indecent liberties with a minor.

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

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

8. Fiscal Implications: The Department of the Treasury has calculated that Mr. David Wayne Kingrea would be eligible for \$58,942 based upon the latest information it has received regarding dates of incarceration and expenses eligible for reimbursement pursuant to the current provisions of § 8.01-195.11, Code of Virginia. 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 also provides that Mr. Kingrea 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. If the \$15,000 is repaid to the Criminal Fund, the total estimated general fund impact of the bill would be \$58,942.

This bill also provides that Mr. Kingrea 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: No

11. Other Comments: 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 1582 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. Kingrea.

1/23/2023