



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2015 Assembly Bill 460

**Assembly
Amendments 1, 2, 4, 5, and 6**

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Contact: Anna Henning, Senior Staff Attorney (266-0292)

2015 ASSEMBLY BILL 460

2015 Assembly Bill 460 makes various changes relating to resolutions of claims against the state for wrongful imprisonment. Key changes include an increase in the amount of compensation that the State Claims Board may award for a claim of wrongful imprisonment and various changes to procedures for consideration and resolution of wrongful imprisonment claims.

ASSEMBLY AMENDMENT 1

The bill creates an exemption from state income taxes for compensation received by an individual, or an individual's estate, from the State Claims Board as a result of a claim against the state for wrongful imprisonment, and for specified other financial assistance authorized under the bill. In addition, the bill allows an individual who receives such compensation to elect health insurance coverage under a health plan offered to state employees.

Assembly Amendment 1 exempts the value of the portion of health insurance premiums paid by the state to such individuals from state income taxes.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 requires the State Claims Board to develop a pamphlet regarding financial information management services, and to issue the pamphlet to individuals who receive compensation from the claims board as a result of a claim for wrongful imprisonment. The pamphlet must include links and general contact information for publicly available financial management tools and resources.

ASSEMBLY AMENDMENT 4

The bill authorizes the State Claims Board to award \$50,000, adjusted for inflation, per year, or any portion of a year, for which a person is found to have been wrongfully imprisoned.

The amendment requires such claims to be prorated based on the number of days of a year in which a person receiving a claim was wrongfully imprisoned.

ASSEMBLY AMENDMENT 5

The bill allows a person who receives compensation from the State Claims Board for wrongful imprisonment to elect health insurance coverage under a health plan offered to state employees. Under the bill, such coverage is authorized for a period not to exceed 10 years.

The amendment limits that coverage to the length of time that an individual was wrongfully imprisoned or five years, whichever is shorter. In addition, the amendment specifies that an individual is not eligible for the health insurance coverage if the person is eligible to obtain health care coverage offered by his or her employer or by the employer or his or her spouse.

ASSEMBLY AMENDMENT 6

Assembly Amendment 6 authorizes the State Claims Board to structure an award of compensation for wrongful imprisonment as an annuity, which may be payable over an amount of time that does not exceed the time the petitioner was imprisoned.

BILL HISTORY

Representatives Kooyenga and Hebl offered Assembly Amendment 1 on December 14, 2015. Representative Ripp offered Assembly Amendment 2 on January 7, 2016. Representative Gannon offered Assembly Amendments 4 and 5 on January 12, 2016. Representative Kooyenga offered Assembly Amendment 6 on January 19, 2016.

On January 20, 2016, the Assembly Committee on State Affairs and Government Operations voted to recommend adoption of Assembly Amendments 1, 2, 4, and 6 on votes of Ayes, 14; Noes, 0. The committee voted to recommend adoption of Assembly Amendment 5 on a vote of Ayes, 10; Noes, 4. On the same day, the committee voted to recommend passage of the bill, as amended, on a vote of Ayes, 14; Noes, 0.

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