

Fiscal Estimate Narratives

DOA 7/12/2011

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| LRB Number 11-2311/1 | Introduction Number SB-141 | Estimate Type Original |
| Description Resolution of claims against the state for wrongful imprisonment of innocent persons and exempting from | | |

Assumptions Used in Arriving at Fiscal Estimate

Senate Bill (SB)141 increases the maximum annual amount that the Claims Review Board can award to a claimant based on a claim of wrongful imprisonment from \$5000 per year of imprisonment to \$15,000 per year. The bill removes the current overall maximum limit of \$25,000 per claim. The bill provides that the annual limit be adjusted annually by any changes in the U.S. Consumer Price Index. SB 141 also exempts from taxation any payment received as a result of Claims Board action.

It is not possible to project with accuracy the number of claims based on wrongful imprisonment the Claims Board will receive or the number or value of awards that will be made by the Claims Board. Since 1960 the Claims Board has received 46 wrongful imprisonment claims, made 11 awards and recommended 3 awards to the Legislature. The awards made by the Board ranged from \$550.00 to \$109,767.64. The award amounts include the payment made to the incarcerated person and attorney fees.

Long-Range Fiscal Implications

Indeterminate.