## Department of Planning and Budget 2025 General Assembly Session State Fiscal Impact Statement

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Bill Number: HB2691 Patron: Seibold

**Bill Title:** Claims; Keshawn Clarence Duffy; compensation for wrongful incarceration.

**Bill Summary:** The bill grants relief in an amount to be appropriated to Keshawn Clarence Duffy, who was wrongly convicted of and incarcerated on two counts of forcible sodomy and, as a result of such wrongful conviction, required to wrongfully register on the sex offender registry.

**Budget Amendment Necessary:** Yes **Items Impacted:** 261 of HB1600

**Explanation:** The bill directs that "there is hereby appropriated from the general fund of the state

treasury the sum of an amount to be provided in the appropriation act for the relief of Keshawn Clarence Duffy..." A budget amendment would be required to appropriate such

relief.

**Fiscal Summary:** Based on the Treasury's calculations using Mr. Duffy's dates of wrongful incarceration and registration on the sex offender registry, the bill directs an amount of \$536,296 in the appropriation act for the relief of Mr. Duffy from the general fund of the Treasury. The amount includes potential reimbursable costs that are contingent.

## **General Fund Expenditure Impact:**

<u>Agency</u>	<u>FY2025</u>	<u>FY2026</u>	FY2027	<u>FY2028</u>	<u>FY2029</u>	FY2030
Treasury	-	\$536,296	-	-	-	-
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TOTAL	-	\$536,296	-	-	-	-

**Fiscal Analysis:** The bill would provide relief to Keshawn Clarence Duffy. Mr. Duffy was found to have been wrongfully incarcerated and subsequently wrongfully required to register on the sex offender registry, and this legislation is intended to compensate him for the time he was wrongfully incarcerated and registered. Per calculations performed by the Department of the Treasury (Treasury) based on Mr. Duffy's dates of incarceration and registration, he would be entitled to \$360,817 for wrongful incarceration and \$148,479 for wrongful registration on the sex offender registry, under the provisions of this legislation. The amount includes appropriation for approximately \$27,000 in potential reimbursable costs, which are not yet fully known. Any amount for such compensation would need to be appropriated in the Appropriation Act from the general fund of the Treasury to make the payment.

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**Other:** HB1914 would modify the calculations for compensation for individuals wrongfully required to register on the sex offender registry. If HB1914 is enacted into law, it will impact the wrongful registration relief calculations on this bill.