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

PUBLISHED: 3/10/2025 11:18 AM **ORIGINAL**

Bill Number: HB1914-ER **Patron:** Sullivan
Bill Title: Compensation for wrongful incarceration; compensation for certain intentional acts.

Bill Summary: The bill provides that the instrumentality, political subdivision, or employee responsible for employing the individual who committed the intentional act shall compensate the wrongfully incarcerated individual. In the event the instrumentality or subdivision fails to compensate, the bill grants the Governor the authority to issue an order to the Comptroller to withhold all payments of appropriated funds to the instrumentality or political subdivision until the compensation has been paid. The bill also conditions that any compensation an individual receives as a result of being wrongfully required to register with the Sex Offender and Crimes Against Minors Registry will only be for the years that the individual was registered after being released from incarceration.

Budget Amendment Necessary: No **Items Impacted:** N/A
Explanation: No budget amendment is necessary.

Fiscal Summary: The fiscal impact is indeterminate.

Fiscal Analysis: According to the Treasury, the fiscal impact of the proposed legislation is indeterminate. The proposed legislation requires that the instrumentality or political subdivision that employed the individual who committed the intentional act shall provide compensation to the wrongfully incarcerated individual. If the instrumentality or political subdivision fails to provide compensation, the bill grants the Governor the authority to issue an order directing the Comptroller to withhold all further payments of appropriated funds to the instrumentality or subdivision until the compensation is paid.

The bill also modifies the existing formula for awarding compensation by basing the compensation on whether the person was required to register with the Sex Offender and Crimes Against Minors Registry after release from incarceration. The current law provides compensation to all individuals who were required to register with the Sex Offender and Crimes Against Minors Registry regardless of whether the individual was registered before or after being released from incarceration.

Other: If this bill is enacted into law, it will impact the wrongful registration relief calculations on HB1776 and HB2691.