

Regular Session, 2012

HOUSE BILL NO. 167

BY REPRESENTATIVE DIXON

CRIMINAL/PROCEDURE: Provides for the administration of the Innocence Compensation Fund

1 AN ACT

2 To amend and reenact R.S. 15:572.8(N)(1) and to enact R.S. 15:572.8(R) and (S), relative
3 to compensation for wrongful conviction and imprisonment; to provide for the
4 administration of the Innocence Compensation Fund; to require reporting; and to
5 provide for related matters.

6 Be it enacted by the Legislature of Louisiana:

7 Section 1. R.S. 15:572.8(N)(1) is hereby amended and reenacted and R.S.
8 15:572.8(R) and (S) are hereby enacted to read as follows:

9 §572.8. Compensation for wrongful conviction and imprisonment; petition process;
10 compensation; proof; assignment of powers and duties

11 * * *

12 N.(1) There is hereby established a special fund in the state treasury to be
13 known as the Innocence Compensation Fund, hereinafter referred to as the "fund".
14 The fund shall be administered by the Louisiana Commission on Law Enforcement
15 and Administration of Criminal Justice. The source of monies for the fund shall be
16 appropriations, donations, grants, and other monies which may become available for
17 the purposes of the fund. Any judgment rendered pursuant to this Section shall be
18 payable only from the fund established herein. No state agency, political
19 subdivision, constitutional office, nor employee thereof shall be liable for any
20 payment ordered pursuant to this Section.

21 * * *

1 R. The Louisiana Commission on Law Enforcement and Administration of
2 Criminal Justice shall prepare a report annually for the prior calendar year and
3 submit it to the governor and legislature, on or before the first day of April,
4 commencing in 2013, including the number of awards and the total amount of funds
5 distributed in accordance with the provisions of this Section.

6 S. The Louisiana Commission on Law Enforcement and Administration of
7 Criminal Justice, in accordance with the Administrative Procedure Act, shall adopt
8 all rules necessary to implement the provisions of this Section, including but not
9 limited to the following:

10 (1) The methods and procedures for applying for compensation from the
11 Innocence Compensation Fund as authorized by this Section.

12 (2) The administration of the Innocence Compensation Fund.

DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

Dixon

HB No. 167

Abstract: Requires the La. Commission on Law Enforcement and Administration of Criminal Justice to administer the Innocence Compensation Fund, and provides for annual reporting.

Present law provides for compensation for wrongfully convicted persons.

Proposed law provides that the La. Commission on Law Enforcement and Administration of Criminal Justice shall manage the Innocence Compensation Fund.

Proposed law provides that the La. Commission on Law Enforcement and Administration of Criminal Justice shall prepare a report annually for the prior calendar year and submit it to the governor and legislature, on or before the first day of April, commencing in 2013, including the number of awards and the total amount of funds distributed pursuant to present law.

Proposed law authorizes the La. Commission on Law Enforcement and Administration of Criminal Justice to adopt rules to administer proposed law.

(Amends R.S. 15:572.8(N)(1); Adds R.S. 15:572.8(R) and (S))

Summary of Amendments Adopted by House

Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill.

1. Removed the proposed law increase in maximum compensation.
2. Added provisions requiring the fund to be managed by the La. Commission on Law Enforcement and Administration of Criminal Justice.
3. Added provisions requiring the commission to submit an annual report on the total number of awards and compensation distributed to the governor and legislature.