

HB 1285 -- RESTITUTION FOR INDIVIDUALS FOUND ACTUALLY INNOCENT

SPONSOR: Oehlerking

Currently, only individuals who are exonerated based on DNA evidence may receive wrongful conviction restitution. This bill creates a course of action for individuals who are exonerated by any evidentiary method other than DNA evidence. Such individuals may receive up to \$100 per day for every day of post-conviction incarceration, up to \$36,500 per fiscal year, but will not be able to seek civil redress from the state or any of its agencies or departments. An individual who has been determined to be actually innocent under the provisions of the bill will receive an automatic order of expungement from the court in which he or she pled guilty or was sentenced.

This bill is the same as HB 113 (2023) and HB 1569 (2022).