

Fiscal Estimate - 2013 Session

- Original
 Updated
 Corrected
 Supplemental

LRB Number 13-2091/2	Introduction Number AB-0519	
Description Resolution of claims against the state for wrongful imprisonment of innocent persons, exempting from taxation certain amounts an individual receives from the claims board or legislature, health benefits for wrongfully imprisoned persons, and making appropriations		
Fiscal Effect State: <input type="checkbox"/> No State Fiscal Effect <input type="checkbox"/> Indeterminate <input type="checkbox"/> Increase Existing Appropriations <input type="checkbox"/> Increase Existing Revenues <input checked="" type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget <input type="checkbox"/> Decrease Existing Appropriations <input checked="" type="checkbox"/> Decrease Existing Revenues <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Create New Appropriations <input type="checkbox"/> Decrease Costs		
Local: <input checked="" type="checkbox"/> No Local Government Costs <input type="checkbox"/> Indeterminate 1. <input type="checkbox"/> Increase Costs 3. <input type="checkbox"/> Increase Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 2. <input type="checkbox"/> Decrease Costs 4. <input type="checkbox"/> Decrease Revenue <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory <input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory 5. Types of Local Government Units Affected <input type="checkbox"/> Towns <input type="checkbox"/> Village <input type="checkbox"/> Cities <input type="checkbox"/> Counties <input type="checkbox"/> Others <input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts		
Fund Sources Affected Affected Ch. 20 Appropriations <input checked="" type="checkbox"/> GPR <input type="checkbox"/> FED <input type="checkbox"/> PRO <input type="checkbox"/> PRS <input type="checkbox"/> SEG <input type="checkbox"/> SEGS		
Agency/Prepared By DOR/ Bradley Caruth (608) 261-8984	Authorized Signature Michael Wagner (608) 266-6785	Date 10/28/2013

Fiscal Estimate Narratives

DOR 10/28/2013

LRB Number	13-2091/2	Introduction Number	AB-0519	Estimate Type	Original
Description Resolution of claims against the state for wrongful imprisonment of innocent persons, exempting from taxation certain amounts an individual receives from the claims board or legislature, health benefits for wrongfully imprisoned persons, and making appropriations					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, the Wisconsin Claims Board is directed to hear petitions for compensation by persons who are released from imprisonment for crimes of which they claim to be innocent. Based on the board's findings it may compensate claimants in an amount up to \$5,000 per year of imprisonment or a maximum of \$25,000, whichever is less. For amounts exceeding the maximum, the board may submit its recommendation for additional compensation to the state legislature.

This bill increases the amount that the board may authorize for compensation to \$50,000 per year and removes the limit on the total amount of the award. It also indexes the per year maximum amount for inflation using the U.S. Consumer Price Index.

The bill also allows a surviving spouse, domestic partner, child, parent, or sibling of a wrongfully imprisoned individual to seek compensation on behalf of the individual within one year of his death, if he has not received an award.

Under the bill payments made to an individual, or his estate, from the Claims Board, or from the state legislature as a result of claims board action are exempt from taxation.

Records from the Claims Board decisions from 2008 to 2012 show four cases in which individuals received a total of \$202,240 under current law, or an average of \$40,448 per year. Adjusting for the higher compensation rates under the bill, average annual compensation could have been as high as \$436,448. As a result, the expected annual revenue loss from the tax exemption is approximately \$29,000.

Long-Range Fiscal Implications

Fiscal Estimate Worksheet - 2013 Session

Detailed Estimate of Annual Fiscal Effect

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I. One-time Costs or Revenue Impacts for State and/or Local Government (do not include in annualized fiscal effect):			
II. Annualized Costs:		Annualized Fiscal Impact on funds from:	
		Increased Costs	Decreased Costs
A. State Costs by Category			
State Operations - Salaries and Fringes		\$	\$
(FTE Position Changes)			
State Operations - Other Costs			
Local Assistance			
Aids to Individuals or Organizations			
TOTAL State Costs by Category		\$	\$
B. State Costs by Source of Funds			
GPR			
FED			
PRO/PRS			
SEG/SEG-S			
III. State Revenues - Complete this only when proposal will increase or decrease state revenues (e.g., tax increase, decrease in license fee, ets.)			
		Increased Rev	Decreased Rev
GPR Taxes		\$	\$-29,000
GPR Earned			
FED			
PRO/PRS			
SEG/SEG-S			
TOTAL State Revenues		\$	\$-29,000
NET ANNUALIZED FISCAL IMPACT			
		<u>State</u>	<u>Local</u>
NET CHANGE IN COSTS		\$	\$
NET CHANGE IN REVENUE		\$-29,000	\$
Agency/Prepared By		Authorized Signature	
DOR/ Bradley Caruth (608) 261-8984		Michael Wagner (608) 266-6785	
		Date	
		10/28/2013	