

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 10, 2011

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: SB1686 by Ellis (Relating to group health insurance coverage for persons wrongfully imprisoned.), **As Introduced**

No fiscal implication to the State is anticipated.

The bill would add Subsection (d) to Section 103.001 of the Civil Practice and Remedies Code to require group health insurance to be provided to certain wrongfully imprisoned persons that are entitled to receive compensation under Subsection (a) from the county in which the offense occurred as if the person were a county employee.

The bill would add Subsection (f) to Section 103.051 to outline the procedures required for a claimant to apply for coverage under a county employee group health insurance plan. The bill would require a statement by the Comptroller that the claimant is eligible for compensation.

Under current statute, a person is entitled to compensation if the person has served in whole or in part a sentence in prison under the laws of this State; and the person has received a full pardon on the basis of innocence for the crime for which the person was sentenced; or has been granted relief on the basis of actual innocence of the crime for which the person was sentenced. Counties are not required to compensate the wrongfully imprisoned, all costs are covered by the State.

The Comptroller of Public Accounts reported there would be no administrative costs to implement the provisions of the bill.

Local Government Impact

There could be significant costs to a county required to compensate certain wrongfully imprisoned persons with group health insurance as though the person was an employee, but the amounts would vary depending on the number of eligible persons, the cost of the group health insurance and the current procedures in a county.

Source Agencies: 304 Comptroller of Public Accounts

LBB Staff: JOB, KJG, TP