

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 86TH LEGISLATIVE REGULAR SESSION**

**April 12, 2019**

**TO:** Honorable John Zerwas, Chair, House Committee on Appropriations

**FROM:** John McGeady, Assistant Director    Sarah Keyton, Assistant Director  
Legislative Budget Board

**IN RE: HB4153** by Anchia (Relating to the election of alternative annuity payments payable to surviving spouses and designated beneficiaries of persons wrongfully imprisoned.), **As Introduced**

**The cost of the bill cannot be determined at this time due to the unknown number of claimants who would elect to receive a reduced annuity under the provisions of the bill.**

The bill would amend the Civil Practices and Remedies Code as it relates to compensation to persons wrongfully imprisoned. The bill would expand the circumstances in which a person wrongfully imprisoned who is entitled to compensation can elect to receive reduced alternative annuity payments. Under current law, a claimant can elect to receive reduced alternative annuity payments if the election is made not later than the 45th day after the date on which the claimant files with the Comptroller an application for compensation. The bill would additionally authorize a claimant to elect to receive the alternative annuity payments upon a life-changing event, as defined by the bill.

The bill would allow a person who started receiving payments before the effective date of the bill to elect to receive any remaining payments as alternative annuity payments. The bill would require the Comptroller to provide notice to certain persons not later than December 1, 2019.

The bill would establish additional circumstances for which a claimant could elect to receive a reduced annuity which could be passed on to a spouse or beneficiary upon the claimant's death. Because the number of claimants who would elect to receive a reduced annuity under the additional circumstances added by the bill are unknown, the additional cost to the state cannot be estimated.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:**    304 Comptroller of Public Accounts, 696 Department of Criminal Justice

**LBB Staff:** WP, KK, NV, LCO