

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

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FISCAL IMPACT STATEMENT

LS 6614

BILL NUMBER: SB 88

NOTE PREPARED: Dec 16, 2022

BILL AMENDED:

SUBJECT: Expungement of Wrongful Convictions.

FIRST AUTHOR: Sen. Bohacek

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill provides that the court shall, on its own motion and without holding a hearing, order the expungement of a person's vacated conviction record if the person qualifies for restitution as a wrongfully incarcerated person within 60 days of receiving notice from the Criminal Justice Institute, unless the court finds that automatic expungement would not serve the interests of justice.

Effective Date: July 1, 2023.

Explanation of State Expenditures: The Criminal Justice Institute (CJI) should be able to implement these new requirements with existing resources. Since November 1, 2019, CJI has received 30 applications for restitution. Of these, CJI has approved eight.

Explanation of State Revenues:

Explanation of Local Expenditures: Trial courts with criminal jurisdiction should be able to implement this new requirement with existing resources since no hearing is required.

Explanation of Local Revenues:

State Agencies Affected: Criminal Justice Institute

Local Agencies Affected: Trial courts with criminal jurisdiction

Information Sources: Criminal Justice Institute

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