

Department of Planning and Budget 2022 Fiscal Impact Statement

1. Bill Number: HB422ER

House of Origin	<input type="checkbox"/>	Introduced	<input type="checkbox"/>	Substitute	<input type="checkbox"/>	Engrossed
Second House	<input type="checkbox"/>	In Committee	<input type="checkbox"/>	Substitute	<input checked="" type="checkbox"/>	Enrolled

2. Patron: Herring

3. Committee: Passed Both Houses

4. Title: Writ of actual innocence for previously unknown or unavailable nonbiological evidence

5. Summary: The proposed bill changes the provision requiring that a petitioner petitioning for a writ of actual innocence based on previously unknown or unavailable nonbiological evidence allege that such evidence is such as could not, by the exercise of diligence, have been discovered or obtained before the expiration of 21 days following entry of the final order of conviction or adjudication of delinquency by the circuit court to instead require that the petitioner allege such evidence could not have been discovered or obtained before the conviction or adjudication of delinquency became final in the circuit court.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Final (see Item #8)

8. Fiscal Implications: According to the Office of the Executive Secretary of the Supreme Court, after consultation with the Court of Appeals, the bill is not expected to have a material fiscal impact on the court system. The Department of Forensic Science and the Office of the Attorney General also report that no material fiscal impact is expected on their respective agencies.

9. Specific Agency or Political Subdivisions Affected: Courts, Department of Forensic Science, and Office of the Attorney General.

10. Technical Amendment Necessary: No

11. Other Comments: None