

HB 820 -- Wrongful Imprisonment

Sponsor: Thompson

This bill allows persons who are convicted and imprisoned for a crime that they did not commit to file an action against the State of Missouri. The claimants must establish by clear and convincing evidence that they were convicted, served at least part of a prison term for the conviction, did not commit the crime, did not bring about the conviction by their conduct, and were released by the state. Claimants must bring an action within two years of being released from prison or within two years of the bill's effective date if they have been released within five years prior to the bill's effective date. Claimants may be awarded attorney fees and damages which do not exceed the greater of twice the amount of the claimant's income in the year prior to his incarceration or \$20,000 for each year of incarceration. Persons who were mistakenly convicted and serving a concurrent sentence for another crime are not eligible for damages under the bill's provisions.