

HB 374 -- RESTITUTION

SPONSOR: Quade

This bill allows individuals who have been convicted in a Missouri court and later found to be actually innocent, as defined in the bill, by an evidentiary method other than DNA analysis to receive restitution of \$100 per day of post-conviction incarceration up to \$36,500 per fiscal year. Any individual who was found guilty of an offense in a Missouri court but was later granted a motion to vacate or set aside the judgment because of clear and convincing evidence of actual innocence or a constitutional error may also be paid restitution of up to \$100 per day for each day of post-conviction incarceration up to \$36,500 per fiscal year.

An individual who receives restitution under these provisions cannot receive restitution under any other provisions and will be prohibited from seeking redress from the state, its departments and agencies, or any of its employees.

Such individuals determined to be actually innocent or granted a motion to vacate or set aside a judgment will be automatically granted an order of expungement for all records of their arrest, plea, trial, or conviction. Such individuals will also be eligible for reentry services from the Office of Reentry Services within the Department of Corrections.

The bill also establishes eligibility for reentry services for individuals who have been found actually innocent through evidence by DNA analysis.

This bill is the same as HB 2592 (2022).