

**FINAL
FISCAL NOTE**

Drafting Number: LLS 14-0805
Prime Sponsor(s): Rep. Szabo

Date: May 15, 2014
Bill Status: Postponed Indefinitely
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SHORT TITLE: GOVERNOR'S AUTHORITY TO GRANT REPRIEVE

Summary of Legislation

This bill specifies the circumstances in which the Governor may grant a reprieve in a capital case. Under the bill, a reprieve may only be granted for up to 90 days for cause. Cause is defined as circumstances related to administrative difficulties in carrying out the execution.

After a single reprieve is granted, the Governor is not permitted to grant an additional reprieve unless the circumstances that provided the basis for the reprieve cannot be resolved within the 90 day period. If the Governor grants a reprieve, he or she is to notify the Department of Corrections within 24 hours.

Assessment

This bill is assessed as having no fiscal impact. The bill does not alter the ability of the Governor to commute a death sentence, but limits the type and number of reprieves the Governor may grant. While there was one recent high-profile case where a reprieve of an unspecified length of time was granted to an inmate on death row, reprieves are rare and it is unknown whether one would have been granted in the future and for what reason. For this reason, the fiscal note assumes that the bill does not alter workload or costs for any state agency.

Effective Date

The bill was postponed indefinitely by the House State, Veterans, and Military Affairs Committee on February 24, 2014.

State and Local Government Contacts

Corrections

Governor's Office

Judicial