

HOUSE BILL 364¹: WRONGFUL CONVICTION COMPENSATION ACT; ENACT.

First Signature: Representative Scott Holcomb (81st)

Co-Sponsors: Representative Penny Houston (170th), Representative Debbie Buckner (137th), Representative Carolyn Hugley (141st), Representative Bill Werkheiser (157th)

Summary: “A BILL to be entitled an Act to amend Article 4 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to the Claims Advisory Board, so as to create the Wrongful Conviction Compensation Review Panel; to provide for a short title; to provide for applicability; to provide for definitions; to provide for the composition of such panel; to provide for the burden of proof and evidence to be considered by such panel; to provide for evaluation of claims by such panel; to provide for notice of claims, forms, and hearings; to provide for such panel to make recommendations to such board; to provide for payments; to provide for related matters; to repeal conflicting laws; and for other purposes.”¹

Status: Senate Read and Referred, 03/07/2023²

TEXT OF SENATE BILL 364 (COMMITTEE SUBSTITUTE LC 48 0912S)³

SECTION 1.

Article 4 of Chapter 5 of Title 28 of the Official Code of Georgia Annotated, relating to the Claims Advisory Board, is amended in Part 1, relating to general provisions, by revising Code Section 28-5-60, relating to such board's creation, membership, and representation of members by deputies or other designated employees, as follows:

"28-5-60.

(a) As used in this article, the term:

¹ H.B. 364, 157th Gen. Assemb., Reg. Sess. (Ga. 2023), <https://www.legis.ga.gov/legislation/64275> (last visited Oct. 1, 2023).

² *Id.*

³ *Id.*

(1) 'Board' means the claims advisory board created in subsection (B) of this code section.

(2) 'The state or any of its departments or agencies' means any department, agency, bureau, or commission of state government, excluding state authorities, and also excluding any county or municipal department, agency bureau, commission or authority.

(b) There is created the Claims Advisory Board, ~~hereinafter called the board, to be composed of the Secretary of State, who shall be the chairman~~ chairperson, the commissioner of human services, the commissioner of corrections, and the commissioner of transportation. Whenever the board takes any official action authorized under the law or duly promulgated rules and regulations, three of the members shall constitute a quorum; ~~however,~~ any of those individuals named above may be represented by a deputy or other designated employee; and any such action shall be valid if any two of the remaining three ~~individuals~~ members are present during such action. Any board member may be represented by a deputy or other designated employee, and such individual's actions shall have the same effect as a board member's actions.

~~(b)~~ (c) ~~The Claims Advisory Board~~ board is assigned to the Secretary of State for administrative purposes only as prescribed in Code Section 50-4-3."

SECTION 2.

Said article is further amended in said part by repealing Code Section 28-5-60.1, relating to "the state or any of its departments or agencies" defined, in its entirety.

SECTION 3.

Said article is further amended in Part 2, relating to claims against state or departments or agencies, by adding a new Code section to read as follows:

"28-5-87.

The provisions of this part shall not apply to a claim made pursuant to part 4 of this article."

SECTION 4.

Said article is further amended by adding a new part to read as follows:

"Part 4

28-5-110.

This part shall be known and may be cited as the ‘Wrongful Conviction Compensation Act.’

28-5-111.

(a) As used in this part the term:

(1) ‘Exonerated’ means an individual:

(A) Had his or her judgment of conviction reversed or vacated, or was granted a

new trial, and

had the indictment or accusation dismissed or nolle prossed;

(B) Had his or her judgment of conviction reversed or vacated, or was granted a

new trial and,

upon retrial, acquitted; or

(C) Received a pardon based on innocence.

(2) ‘Panel’ means the Wrongful Conviction Compensation Review Panel.

(b) The board shall have the authority to consider claims of wrongful conviction and recommend compensation pursuant to this part to the chief justice of The Supreme Court of Georgia.

(c) (1) For purposes of considering claims of wrongful conviction and making recommendations of compensation to the board pursuant to this part, there is created the wrongful conviction compensation review panel, to be formed under the board.

(2) the panel shall consist of five members, and each member shall serve for a term of three years; provided, however, that the two members first appointed under subparagraphs (a) and (b) of this paragraph shall be appointed for an initial term of one year and the two members first appointed under subparagraphs (c) and (d) of this paragraph shall be appointed for an initial term of two years; provided, however, that any member appointed to a partial initial term may serve two additional successive terms or until his or her successor has been appointed. any member of the panel may serve two successive terms or until his or her successor has been appointed. the members of the panel shall be:

(A) A judge who presides over felony criminal matters in any state court of record, appointed by the chief justice of the Supreme Court of Georgia;

(B) A current district attorney appointed by the governor;

(C) A criminal defense attorney appointed by the governor;

(D) an attorney, forensic science expert, or law professor, with expertise in wrongful convictions, appointed by the speaker of the house of representatives; and

(E) an attorney, forensic science expert, or law professor, with expertise in wrongful convictions, appointed by the president of the senate.

(3) the members of the panel shall designate one of the members as the panel's chairperson.

(4) the panel shall have the authority to promulgate rules and regulations to govern

Its consideration of claims brought before the panel and the recommendations by the panel to the board.

28-5-112.

(a) in order to be eligible for compensation under this part, a claimant shall establish by a preponderance of evidence to the panel that:

(1) the claimant was convicted of one or more felonies and subsequently incarcerated;

(2) the claimant proclaims his or her innocence;

(3) the claimant did not commit or suborn perjury, fabricate evidence, or engage in conduct intended to bring about the conviction. a confession later found to be false,

an admission of guilt later found to be false, or a guilty plea shall not constitute

committing or suborning perjury, fabricating evidence, or engaging in conduct

intended to bring about the conviction under this part; and

(4) The claimant was exonerated of the crime for which the claim for compensation for wrongful conviction and incarceration is being made.

(b) In order to receive compensation under this part, the claimant shall establish by a preponderance of evidence to the panel that:

(1) The claimant received a pardon based on innocence for the conviction;

(2) The claimant was exonerated based on grounds of innocence; or

(3) The claimant did not commit the crime for which the claimant was convicted and

did not commit any lesser included offenses.

(c) The panel, in evaluating a claim brought under this part, may, in the interest of justice, give due consideration to difficulties of proof caused by the passage of time, the death or unavailability of witnesses, the destruction of evidence, and other factors not caused by the claimant or those acting on his or her behalf.

(d) The panel is authorized to determine:

(1) Whether a claimant qualified for compensation under this part; and

(2) The recommended amount of compensation, if any, with any such amount to be

included in the board's transmittal provided for in subsection (B) of code section 28-

5-115.

28-5-113.

(a) No claim for payment of compensation under this part shall be considered by the panel unless a notice of claim has been filed with the board within three years after the date the claimant's eligibility has been established as set forth in paragraph (4) of subsection (a) of code section 28-5-112 or within three years of July 1, 2023, whichever occurs later.

(b) The panel shall provide forms to be used in filing a notice of claim and shall make them available for such purpose. The forms shall specify what evidence the panel will require in order to process a claim pursuant to subsections (a) and (b) of code section 28-5-112. such information shall include documentation supporting a claimant's eligibility for compensation and showing of innocence. If a claim does not contain all information requested in the form, the panel shall contact the claimant to request this information, in writing, within 30 days of discovering the information is missing, and provide the claimant 60 days to supplement his or her claim.

(c) once the panel is in receipt of all information requested under subsection (b) of this code section, and if the panel determines the claimant is eligible under subsection (a) of code section 28-5-112 for consideration for compensation, the panel shall, within 90 days of receiving the notice of claim and requested information:

(1) conduct a hearing if it determines a hearing is necessary to make a recommendation under this part; or

(2) Make a provisional judgment on the eligibility of the claimant and the recommended award and provide its provisional judgment to the claimant. Upon receiving notice of the panel's provisional judgment, the claimant shall have 14 days to request a hearing before the panel if the claimant wishes for further review of his or her claim. If the claimant requests a hearing under this paragraph, the panel shall conduct a hearing within 60 days.

(d) In the event a hearing is to be held, the claimant, the district attorney for the circuit in which the conviction occurred, and the attorney general shall be notified of the date, time, and place of the hearing and shall be entitled to present evidence at such hearing.

(e) Proceedings before the panel shall be governed by rules established by the panel. a claimant may be represented by an attorney as he or she shall choose.

28-5-114.

(a) Upon determining a claimant meets the criteria of subsections (A) and (B) of code section 28-5-112, the panel shall recommend to the board that the claimant be awarded compensation for wrongful conviction and incarceration.

(b) In recommending compensation pursuant to subsection (a) of this code section, the panel:

(1) May include \$100,000.00 per year, but shall include no less than \$50,000.00 per year, for each year of wrongful incarceration, provided that a prorated amount shall be allocated to any partial year served; and

(2) may include the claimant's incurred reasonable attorney's fees and other expenses in connection with all associated criminal and habeas corpus proceedings, obtaining the claimant's discharge from confinement, and filing of a claim for compensation under this part.

(c) In calculating time of incarceration, the panel shall only include time for the charge for which the claimant is making a claim under this part consistent with the requirements of code section 17-10-11; provided, however, that a claimant shall not be entitled to compensation under this part for any portion of a sentence spent incarcerated during which the claimant was also serving a concurrent sentence of incarceration for another crime to which this part does not apply.

(d) (1) Any payment of compensation may be made to or for the benefit of the claimant; or in the case of the death of the claimant, to or for the benefit

of one or more of the heirs at law of the claimant, or, if the claimant chooses, up to one other person who is not an heir at law as designated by the claimant.

(2) payment of compensation shall be made in the form of cash.

(e) In recommending compensation pursuant to subsection (a) of this code section, the panel shall strive for consistency between claimants.

(f) The dollar amounts specified in this code section shall be adjusted annually by an amount calculated by multiplying such dollar amounts (as adjusted for the preceding year) by the annual percentage change in the consumer price index, or its successor or appropriate replacement index, if any, published by the United States Department of Labor for the preceding calendar year, commencing on July 1, 2023.

28-5-115.

(a) Within six months, or within a year if a hearing was held, of receiving the claimant's notice of claim and all information requested under subsection (b) of code section 28-5-113, the panel shall prepare a written recommendation to the board including:

(1) A statement of its findings as to whether the claimant has met the requirements of subsections (a) and (b) of code section 28-5-112;

(2) A statement explaining the panel's calculation of compensable time; and

(3) A statement detailing the amount and forms of compensation.

(b) The board shall adopt the recommendation of the panel as its own and upon adopting the recommendation of the panel shall transmit the recommendation and the statement of the panel to the chief justice of the supreme court of Georgia within seven days of receiving it from the panel.

(c) If the chief justice of the supreme court of Georgia receives and accepts the recommendation of the board on or before September 1, he or she shall include the compensation recommended by the board under this part in the amended budget for the judiciary for the current fiscal year. If the chief justice of the supreme court of Georgia receives and accepts the recommendation of the board after September 1, he or she shall include the compensation recommended by the board under this part in the budget for the judiciary for the next fiscal year.

(d) Any award of compensation made pursuant to this part shall not be:

(1) Subject to any monetary limitation of damages awarded in civil actions;

(2) Subject to any state income taxes; provided, however, that the award of attorney's

fees shall be subject to taxation; or

(3) Offset by any expense incurred by this state or any political subdivision thereof

related to the claimant's incarceration.

(e) The general assembly waives sovereign immunity of this state for the purpose of authorizing payment of claims against this state pursuant to the authority of this part.

(f) No award of compensation pursuant to this part shall be disbursed to a claimant who had his or her judgment of conviction reversed or vacated, or was granted a new trial, and had the indictment or accusation dismissed or nolle prossed until the time period set forth in code section 17-3-3 has lapsed or the prosecutor has affirmatively declined further prosecution.

28-5-116.

(a) If, at the time a claim is made under this part to the panel, the claimant has won a monetary award against the state or any political subdivision thereof in the final judgment of a civil action related to the wrongful conviction or has entered into a settlement agreement with the state or any political subdivision thereof related to the wrongful conviction, the amount of the award in the action or the amount received in the settlement agreement, less any sums paid to attorneys for costs in litigating other civil action or obtaining the settlement agreement, shall be deducted from the sum of money to which the panel shall usually recommend under this part.

(b) If, after the time a claim is made under this part to the panel, the claimant wins a monetary award against the state or any political subdivision thereof in the final judgment of a civil action related to the wrongful conviction or enters into a settlement agreement with the state or any political subdivision thereof related to the wrongful conviction, the claimant shall reimburse the state for the sum of money awarded under this part as compensation for wrongful conviction, less any sums paid to attorneys or for costs in litigating other civil action or obtaining the settlement agreement. such a reimbursement shall not exceed the amount of the monetary award the claimant wins for damages in the other civil action or the amount received in the settlement agreement.

SECTION 5.

All laws and parts of laws in conflict with this Act are repealed.

SPONSOR'S RATIONALE

Representative Scott Holcomb (“Representative Holcomb”) sponsored House Bill 364 to advance and reform the state's method of compensating individuals who were wrongfully convicted and imprisoned in the State of Georgia.⁴ Representative Holcomb explains, since 1989, 47 people in Georgia have been exonerated of crimes they did not commit; collectively, losing 538 years to wrongful imprisonment.⁵ Representative Holcomb highlights that the impact of wrongful incarceration is profound, uprooting and permanently altering the lives of individuals.⁶ Further, it entails separation from loved ones, the loss of opportunities to earn a living and accumulate savings, denial of the chance to be active members of society, and a profound theft of a just quality of life.⁷

Representative Holcomb explains House Bill 364 recognizes that the ordeal of wrongful conviction persists beyond release.⁸ Representative Holcomb further explains that upon reentry into society, individuals wrongfully imprisoned encounter additional challenges, often facing limited financial resources, housing insecurity, lack of healthcare, unemployment, and the need to relearn basic life skills.⁹ Consequently, Representative Holcomb highlights how House Bill 364 strives to offer essential support to facilitate the rebuilding of their lives, providing constructive justice after years of wrongful imprisonment.¹⁰ This is achieved by streamlining the process for seeking restitution for wrongful convictions and making it nonpolitical.¹¹

⁴ Georgia State Senate, Session day 28 (Part 2), YOUTUBE, (March. 6, 2023), <https://www.youtube.com/watch?v=umA9Sehsy2s&t=2333s>.

⁵ *Id.*

⁶ *Id.*

⁷ *Id.*

⁸ *Id.*

⁹ Georgia lawmakers consider compensation for wrongfully convicted, YOUTUBE, (Mar. 21, 2023), <https://www.youtube.com/watch?v=5OCH1aPbzE0>.

¹⁰ Georgia State Senate, *supra* note 5.

¹¹ *Id.*

Representative Holcomb contends that the existing procedure for seeking compensation after wrongful conviction is excessively politicized.¹² Jon Eldan, (“Eldan”) the Director of After Innocence, a non profit which provides reliable, efficient re-entry assistance for America's wrongfully convicted, and advocates with exonerees for laws that provide them with meaningful compensation and effective reentry support, explains that in the current system, when an individual reintegrates into society after wrongful imprisonment and seeks compensation from the state of Georgia, they must initiate a private bill with the backing of a Senator.¹³ Subsequently, not only is it incumbent upon the wrongfully convicted individual to secure Senatorial support for advancing the bill, but the legislature must also assume the role of fact finder.¹⁴ Eldan highlights that the prevailing process requires the legislature to render a determination of innocence by evaluating the facts presented within the private bills.¹⁵ Unfortunately, Eldan explains this approach results in disparities and may leave individuals without recovery.¹⁶

Eldan asserts that the absence of a wrongful conviction compensation process imposes a burdensome and time-consuming responsibility on the legislature.¹⁷ In the 2024 legislative session, six distinct private bills were introduced, guided by After Innocence, in an effort to secure compensation for individuals wrongfully convicted in Georgia.¹⁸ Eldan explains that each individual bill be backed, supported and passed.¹⁹ Representative Holcomb shared this is not always an easy process sharing that in 2023 on Sine Die, the last of the session, in the last hour there was a push to pass wrongly convicted individuals personal bills.²⁰ Representative Holcomb stated if there

¹² Telephone Interview with Representative Scott Holcomb (November 14th, 2023).

¹³ Telephone Interview with Jon Eldan, Director of After Innocence (October 11th, 2023).

¹⁴ *Id.*

¹⁵ *Id.*

¹⁶ Aaleah McConnell, *State lawmakers poised to revisit compensation bill for wrongfully convicted Georgians*, GEORGIA RECORDER (May 25, 2023), <https://georgiarecorder.com/2023/05/25/state-lawmakers-poised-to-revisit-compensation-bill-for-wrongly-convicted-georgians/>

¹⁷ Eldan, *supra* note 13.

¹⁸ *Id.*

¹⁹ *Id.*

²⁰ Holcomb, *supra* note 12.

was not a final push by himself to pass the bills, the wrongly convicted individuals would have not received any compensation.²¹

Representative Holcomb highlights that to ensure fair and informed decisions, the House Bill 364 proposes the establishment of a compensation panel consisting of experts, including a retired judge or justice, a current district attorney, a current criminal defense attorney, and a forensic expert.²² This panel will apply their expertise to individual cases, replacing the ambiguity of individual resolutions with a board of experts possessing the requisite skills and knowledge to render equitable compensation decisions.²³ Furthermore, the significance of this panel lies in the collective expertise it comprises, providing knowledge-driven guidance in decision-making.²⁴ Representative Holcomb calls attention to how the panel will eliminate political considerations from the decision-making process and instead prioritize the factual determination of actual innocence.²⁵

In terms of actual innocence, Representative Holcomb highlighted that the standard of proof in receiving compensation is different from the standard of proof during the process at a trial.²⁶ At trial, one can be found not guilty, however, in order to receive compensation, one must be found actually innocent to overturn their conviction and then apply for compensation.²⁷ Not guilty and actually innocent are vastly separate standards of proof.²⁸ Therefore, the process protects against compensating someone who has been released on a legal technicality.²⁹ Further, Representative Holcomb explains that individuals being exonerated have their cases intertwined with advancements in technology and DNA evidence rather than legal technicalities.³⁰

²¹ *Id.*

²² *Id.*

²³ *Id.*

²⁴ H.B 364, *supra* note 1.

²⁵ Holcomb, *supra* note 13.

²⁶ *Id.*

²⁷ *Id.*

²⁸ *Id.*

²⁹ *Id.*

³⁰ McConnell, *supra* note 16.

House Bill 364 has garnered a broad spectrum of support.³¹ Nonprofit organizations such as The Innocence Project and After Innocence have continually supported the implantation of a bill targeting compensation for wrongful conviction.³² Moreover, House Bill 364 has found support from both prosecuting and defense councils, highlighting its nonpartisan nature.³³ Representative Holcomb emphasized the importance of removing political considerations from the compensation process, focusing instead on rectifying the wrongs done to innocent individuals by the criminal legal system.³⁴

Representative Holcomb asserts that he is confident House support remains steadfast in advocating for a streamlined process to compensate those who were wrongly imprisoned by the criminal legal system.³⁵ He contends there is ongoing bipartisan support.³⁶ This sentiment is evident in the efforts of Cumming Republican Senator Greg Dolezal, who proposed amendments aimed at expanding the scope of minimum monetary compensations for wrongfully convicted individuals.³⁷ These amendments seek to raise the baseline from \$60,000 to \$120,000 per year of incarceration, effectively doubling the previous range from \$50,000 to \$100,000 per year.³⁸

OPPOSITION'S RATIONALE

Despite bi-partisan support in both the Senate and House, House Bill 364, formerly, House Bill 1354, has yet to pass.³⁹ One narrative of opposition revolves around the doubt surrounding whether those who are receiving compensation are actually innocent or if their release was due to legal technicalities.⁴⁰ This debate underscores the complexity of the issue, as

³¹ *Id.*

³² *Id.*

³³ Eldon, *supra* note 12.

³⁴ *Id.*

³⁵ *Id.*

³⁶ *Id.*

³⁷ *Id.*

³⁸ McConnell, *supra* note 16.

³⁹ Holcomb, *supra* note 13.

⁴⁰ McConnell, *supra* note 16.

opponents to House Bill 364 believe the line between true innocence and legal intricacies can blur.⁴¹

One Representative who has openly rejected House Bill 364 is Representative Randy Robertson (“Representative Robertson”).⁴² Representative Robertson once voted for the Bill but then changed his mind and has shared his objections to the Bill with colleagues, whereby his contention largely circled around actual innocence.⁴³ Representative Holcomb shared there has been conversation of Robertson introducing his own bill to address compensating people who have been wrongly convicted that highlights addressing the issue of actual innocence.⁴⁴ However, it is unclear whether the bill has been constructed yet and when we will see the introduction of Representative Robertson’s bill.⁴⁵

Maya Prabhu (“Prabhu”) explained that in the past two years, four state representatives have filed resolutions on behalf of the six men to compensate them between \$910,000 and \$1.8 million.⁴⁶ Further, the House has overwhelmingly passed all six resolutions and all six have stalled in the Senate.⁴⁷ Of these, four got hung up in Senate committees last year and were not revisited this session.⁴⁸

Other opposition to House Bill 364 remains somewhat ambiguous.⁴⁹ The Wrongful Conviction Compensation Act has been introduced in two legislative cycles without passing.⁵⁰ Representative Holcomb highlighted he

⁴¹ *Id.*

⁴² Holcomb, *supra* note 13.

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ *Id.*

⁴⁶ Maya Prabhu, Last-Ditch Attempt for New Wrongful Conviction Compensation Process Fails

GEORGIA RECORDER (March 29, 2024), <https://www.ajc.com/politics/georgia-house-revives-hope-for-new-process-to-compensate-peoplewrongfullyconvicted/LWCHSFM5GZG6PIDLCVJD4ER4LM/>

⁴⁷ *Id.*

⁴⁸ *Id.*

⁴⁹ Holcomb, *supra* note 13.

⁵⁰ *Id.*

has not been informed of any specifics as to what provision should be changed to ensure the Bill is successfully passed into legislation.⁵¹ It's uncertain whether the resistance stems from concerns about allocating funding for the Bill or a fundamental disagreement with its overarching intent—to acknowledge the miscarriage of justice done to these men and women.⁵² Without clarity of the specific issues, the main opposition to the Bill remains unclear.⁵³

IMPLICATIONS IN GEORGIA

Representative Holcomb contends the enactment of House Bill 364 holds the promise of introducing a streamlined and accountable process for compensating individuals who have been wrongfully convicted in Georgia.⁵⁴ This reform represents a significant step forward, benefiting the state by addressing the long-standing issue of wrongful convictions.⁵⁵ It has the potential to bring much-needed transparency to the criminal legal system, shedding light on the flaws and inefficiencies that have persisted for years.⁵⁶

Georgia stands out as one of only twelve states in the United States that currently does not provide compensation to individuals who have been wrongfully convicted.⁵⁷ This notable omission highlights the urgency and importance of this legislative effort.⁵⁸ Under the current system, individuals who are exonerated face a prolonged and frequently challenging process to seek compensation.⁵⁹ This process typically involves securing endorsement from a politician, who will advocate for their compensation and subsequently introduce a private bill.⁶⁰ This bill undergoes hearings and requires individual

⁵¹ *Id.*

⁵² *Id.*

⁵³ *Id.*

⁵⁴ Georgia State Senate, *supra* note 5.

⁵⁵ *Id.*

⁵⁶ Eldan, *supra* note 12.

⁵⁷ *Id.*

⁵⁸ *Id.*

⁵⁹ *Id.*

⁶⁰ Eldan, *supra* note 12.

case evaluations by lawmakers.⁶¹ House Bill 364 aims to replace this cumbersome process of having to individually introduce a private bill with a more efficient and standardized approach, ensuring that those who have suffered unjustly quickly receive the support they deserve.⁶²

The residents of the state of Georgia should be deeply invested in ensuring a fair justice system, as it operates in the name of the people.⁶³ The criminal legal system is both funded and propelled by the citizens of Georgia.⁶⁴ Consequently, when one of their own is wrongfully imprisoned, it is incumbent upon the people of Georgia to advocate for compensation and redress for their fellow citizens.⁶⁵

Moreover, achieving perfection 100 percent of the time is exceptionally rare for any group of people or government entity.⁶⁶ Thus, when errors occur within the government, safeguards should be established to guarantee that individuals wrongfully imprisoned receive compensation, enabling them to heal, restart, and flourish.⁶⁷ Without such safeguards, the well-being of all citizens is compromised.⁶⁸

A correlation appears to exist between the bill and the necessity for prosecutorial oversight and legal system reform.⁶⁹ This connection implies that the bill may not solely focus on compensation but also aim to enhance accountability and fairness within the criminal justice system.⁷⁰ As conversations surrounding this bill advance, there is the potential to redefine Georgia's approach to wrongful convictions, instill hope for individuals who

⁶¹ *Id.*

⁶² Eldan, *supra* note 12.

⁶³ *Id.*

⁶⁴ *Id.*

⁶⁵ *Id.*

⁶⁶ Holcomb, *supra* note 13.

⁶⁷ *Id.*

⁶⁸ McConnell, *supra* note 16.

⁶⁹ *Id.*

⁷⁰ *Id.*

have endured the nightmare of wrongful imprisonment, and propel the state toward a more just and transparent legal system.⁷¹

LEGISLATIVE GENEALOGY

House Bill 364 was introduced in the House Hopper on March 13th, 2023.⁷² It was read for the first time on February 14th.⁷³ The House read the Bill for the second time on February 15th, 2023.⁷⁴ The Committee favorably reported the Bill by substitute on March 6, 2023.⁷⁵ On March 6th, 2023, the House read House Bill 364 for the third time and passed/adopted by substitute.⁷⁶ On March 7th, 2023, the House Bill was read and referred to by the Senate.⁷⁷

Prepared by: *Emma Gibson*

⁷¹ *Id.*

⁷²H.B. 364, 157th Gen. Assemb., Reg. Sess. (Ga. 2023), <https://www.legis.ga.gov/legislation/64275> (last visited Oct. 1, 2023).

⁷³ *Id.*

⁷⁴ *Id.*

⁷⁵ H.B. 364, 157th Gen. Assemb., Reg. Sess. (Ga. 2023), <https://www.legis.ga.gov/legislation/64275> (last visited Oct. 1, 2023).

⁷⁶ *Id.*

⁷⁷ *Id.*