

April 13, 1999

**S 838. COMPENSATE FOR ERRONEOUS CONVICTION. TO PROVIDE FOR COMPENSATION TO PERSONS ERRONEOUSLY CONVICTED OF CRIMINAL OFFENSES IN CASES IN WHICH THE CONVICTION WAS VACATED OR OTHERWISE SET ASIDE.** Amends GS 148-82 to provide that person who was convicted of felony and imprisoned in state prison, but whose conviction was later vacated or otherwise set aside by court, may apply to Governor for finding that crime for which person was convicted either was not committed or was not committed by that person. Governor must handle such application as if it were application for pardon. Governor's finding entitles applicant to petition claim against state for pecuniary loss sustained by applicant by applicant's erroneous conviction and imprisonment, if petition is presented within five years of Governor's finding. Makes conforming change to include Governor's finding within provisions of GS 148-84 (payment by Industrial Comm'n).

**Intro. by Wellons.**

Ref. to Judiciary I

GS 148