



418918

CHAMBER ACTION

<u>Senate</u>	.	<u>House</u>
Comm: UNFAV	.	
3/25/2008	.	
	.	
	.	

1 The Committee on Judiciary (Joyner) recommended the following
 2 **amendment:**

Senate Amendment

5 Delete line(s) 45-57,
 6 and insert: jurisdiction and with respect to whom the court:
 7 (a) Has made a finding by clear and convincing evidence
 8 that the person did not commit the offense resulting in the
 9 conviction and incarceration and the person did not aid, abet, or
 10 act as an accomplice or accessory to a person who committed the
 11 offense; or

12 (b) Finds that due to the discovery of exonerating evidence
 13 that is so probative of innocence a jury likely would have found
 14 the defendant not guilty had it known of the exonerating
 15 evidence, and the person is, in fact, subsequently acquitted or,
 16 due to the exonerating evidence, no further criminal proceedings
 17 can or will be initiated by the prosecutorial authority.