

H.B. 154

EXONERATION AND INNOCENCE ASSISTANCE

HOUSE FLOOR AMENDMENTS

AMENDMENT 3

FEBRUARY 15, 2007 1:55 PM

Representative **David Litvack** proposes the following amendments:

1. *Page 6, Lines 164 through 165:*

164 of one or more offenses of which the person was convicted {~~and all lesser included offenses~~
165 ~~relating to those offenses~~} , the court shall order that those convictions be vacated with prejudice

2. *Page 6, Line 169:*

169 convincing evidence that the person {is} [actually] {~~factually innocent of~~} did not commit one
or more offenses of

3. *Page 6, Line 171:*

171 that the person {is} [actually] {~~factually innocent of all~~} did not commit any lesser included
offenses relating to those

4. *Page 6, Line 178:*

178 offenses the person is challenging and does not find that Subsection (2)(c) applies , the court shall deny
the person's petition regarding the

5. *Page 9, Lines 262 through 264:*

262 evidence that the petitioner {~~is~~} ;
263 (a) is factually innocent of one or more offenses of which he was convicted {~~and all lesser~~
264 ~~included offenses relating to those offenses~~} , the court shall order that those convictions be

6. *Page 9, Line 266:*

266 (b) {~~factually innocent of~~} did not commit one or more offenses of which the petitioner was
convicted.

7. *Page 9, Lines 267 through 268:*

267 but the court does not find by clear and convincing evidence that the petitioner {~~is factually~~
268 ~~innocent of all~~} did not commit any lesser included offenses relating to those offenses, the court shall
modify the

8. Page 9, Line 273:

273 challenging **and does not find that Subsection (4)(b) applies**, the court shall deny the petition regarding
the offense or offenses.

9. Page 11, Line 336 through Page 12, Line 338:

336 (b) Payments pursuant to this section may not be offset by ~~{~~

337 ~~(i)}~~ any expenses incurred by the state or any political subdivision of the state, including

338 expenses incurred to secure the petitioner's custody, or to feed, clothe, or provide medical