



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
P.O. BOX 145115 • SALT LAKE CITY, UTAH 84114-5115 • (801) 538-1035

February 22, 2008

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 277**, POST-CONVICTION REMEDIES ACT REVISIONS, by Senator G. Bell, with the following amendments:

1. *Page 4, Line 99:*

99 (2) { ~~The court may not enter a default judgment against the state.~~ } The court may not

2. *Page 4, Lines 115 through 116:*

115 (2) { ~~A time bar or procedural bar may be waived by the state only in a written waiver~~
116 ~~filed in the action and served on the petitioner.~~ } The state may raise any of the procedural bars

3. *Page 4, Line 118:*

118 post-conviction relief , unless the court determines that the state should have raised the time bar or procedural bar at an earlier time. Any court may raise a procedural bar or time bar on its own motion,

4. *Page 8, Lines 234 through 235:*

Bill Number



SB0277

Action Class



S

Action Code



SCRAMD

234 work identified is reasonably likely to develop evidence or legal arguments that will
{entitle the
235 petitioner to} support post-conviction relief.

Respectfully,

Gregory S. Bell
Committee Chair

Voting: 4-1-2

3 SB0277.SC1.WPD jdhove/JDH ECM/JDH 2/22/08 9:04 am

Bill Number



SB0277

Action Class



S

Action Code



SCRAMD