

HB 1075 -- FREESTANDING CLAIMS OF ACTUAL INNOCENCE

SPONSOR: Violet

Currently, only those who allege police or prosecutorial misconduct at their trial can file claims for wrongful conviction. This bill allows a person in the custody of the Department of Corrections to file a freestanding claim of actual innocence in any post-conviction action or proceeding challenging the validity of the conviction. The court must vacate or set aside the judgment if it finds there is clear and convincing evidence that undermines the validity of the conviction.

This bill is similar to HB 1783 (2024).