

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
House Bill 1021

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

H1021-ASA-168 [v.3]

Page 1 of 2

Amends Title [NO]
Second Edition

Date _____, 2016

Representative Stam

1 moves to amend the bill on page 3, lines 7-8
2 By rewriting those lines to read:

3 "SECTION 6. G.S. 15A-1460 reads as rewritten:

4 '**§ 15A-1460. Definitions.**

5 The following definitions apply in this Article:

6 (1) "Claim of factual innocence" means a claim on behalf of a living person
7 convicted of a felony in the General Court of Justice of the State of North
8 Carolina, asserting the complete innocence of any criminal responsibility for
9 the felony for which the person was convicted and for any other reduced level
10 of criminal responsibility relating to the crime, and for which there is some
11 credible, verifiable evidence of innocence that has not previously been
12 presented at trial or considered at a hearing granted through postconviction
13 relief.

14 (1a) "Claimant" means a person asserting that he or she is completely innocent of
15 any criminal responsibility for a felony crime upon which the person was
16 convicted and for any other reduced level of criminal responsibility relating to
17 the crime.

18 (2) "Commission" means the North Carolina Innocence Inquiry Commission
19 established by this Article.

20 (3) "Director" means the Director of the North Carolina Innocence Inquiry
21 Commission.

22 (3a) "Formal Inquiry" means the stage of an investigation when the Commission has
23 entered into a signed agreement with the original claimant and the Commission
24 has made efforts to notify the victim.

25 (4) "Victim" means the victim of the crime, or if the victim of the crime is
26 deceased, the next of kin of the victim.'

27 **SECTION 7.** This act becomes effective August 1, 2016, and applies to any claim
28 filed on or after that date and any claim pending on that date. However, nothing in this act shall
29 abate a claim filed prior to that date or invalidate any action taken on a claim prior to that date."



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Page 2 of 2

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
House Principal Clerk's Office**