

# ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY  
AMENDMENT  
Senate Bill 425

AMENDMENT NO. A2  
(to be filled in by  
Principal Clerk)

S425-ABQ-45 [v.1]

Page 1 of 1

Amends Title [NO]  
First Edition

Date \_\_\_\_\_, 2019

Senator Daniel

1 moves to amend the bill on page 1, line 5, by inserting the following before the period:  
2 "AND TO MODIFY WHICH JUDGE SHALL HEAR CERTAIN MOTIONS FOR  
3 APPROPRIATE RELIEF AFTER A CLAIM OF INNOCENCE IS DENIED BY A  
4 THREE-JUDGE PANEL";

5  
6 and, on page 1, line 16, by rewriting the line to read:  
7 "SECTION 2. G.S. 15A-1469(h) reads as rewritten:  
8 "(h) The three-judge panel shall rule as to whether the convicted person has proved by  
9 clear and convincing evidence that the convicted person is innocent of the charges. Such a  
10 determination shall require a unanimous vote. If the vote is unanimous, the panel shall enter  
11 dismissal of all or any of the charges. If the vote is not unanimous, the panel shall deny relief. If  
12 the claimant files a motion for appropriate relief pursuant to Article 89 of Chapter 15A of the  
13 General Statutes any time within a year of the denied relief, the motion shall be considered by  
14 the senior judge of the three-judge panel."

15 SECTION 3. Section 2 of this act becomes effective December 1, 2019, and applies  
16 to offenses committed on or after that date. The remainder of this act is effective when it becomes  
17 law."

SIGNED \_\_\_\_\_  
Amendment Sponsor

SIGNED \_\_\_\_\_  
Committee Chair if Senate Committee Amendment

ADOPTED \_\_\_\_\_ FAILED \_\_\_\_\_ TABLED \_\_\_\_\_

**The official copy of this document, with signatures  
and vote information, is available in the  
Senate Principal Clerk's Office**



\* S 4 2 5 - A B Q - 4 5 - V - 1 \*