

FORTY-SIXTH LEGISLATURE
FIRST SESSION

March 10, 2003

HOUSE FLOOR AMENDMENT number ___1___ to SENATE FLOOR SUBSTITUTE FOR
SENATE BILL 390

Amendment sponsored by Representative W. Ken Martinez

1. On page 1, line 14, after "1978" insert "; PROVIDING FOR A DELAYED REPEAL".

2. On page 2, strike lines 11 and 12 in their entirety and insert in lieu thereof "C. The petitioner shall show, by a preponderance of the evidence, that:".

3. On page 3, line 1, after the subparagraph designation "(5)" insert "identity was an issue in his case or that".

4. On page 3, between lines 8 and 9, insert the following subsection to read:

"E. After reviewing a petition, the district court may dismiss the petition, order a response by the district attorney or issue an order for DNA testing.".

5. Reletter the succeeding subsections accordingly.

6. On page 3, lines 21 and 22, strike "the district court shall order appropriate relief for the petitioner. The" and insert in lieu thereof "the".

7. On page 5, between lines 19 and 20, insert the following section to read:

"Section 3. DELAYED REPEAL.--Section 1 of this act is repealed effective July 1, 2006.".

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- 8. Renumber the succeeding section accordingly.**

W. Ken Martinez

Adopted _____ Not Adopted _____
(Chief Clerk) (Chief Clerk)

Date _____