

SPONSOR: Dogan

This bill amends the current process for pardons, sentence commutations, reprieves, and reductions of fines and forfeitures. Submitted applications will be referred to the Parole Board for review. The Board will investigate each case and submit its recommendations, as well as a report of the investigation, to the Governor. As part of an investigation, the Chairperson of the Board may issue oaths and subpoena witnesses, and subpoenas must be directed to any sheriff, coroner, or constable of the county in which the witness may be found.

Before considering an application for a pardon or recommending a sentence commutation, the Board must solicit the recommendation of the committing court, the prosecuting attorney, and the sheriff of the county in which the applicant was convicted. Before considering an application for pardon or recommending a sentence commutation for an applicant who was convicted of capital murder or a class A or B felony, the Board must notify the victim or the victim's next of kin if the victim or the victim's next of kin submitted a request to be notified. When the victim or victim's next of kin is notified, the Board must solicit the victim's or the victim's next of kin's recommendation prior to recommending a pardon or sentence commutation.

At least 30 days prior to submitting a recommendation to the Governor, the Board must issue a public notice of the Board's intention to make such a recommendation and send a notice of the Board's intention to the circuit court judge who presided over the applicant's trial, the prosecuting attorney, and the sheriff of the county in which the applicant was convicted, and, if applicable, the victim or the victim's next of kin.

At least 30 days before granting an application, the Governor must file with the Secretary of State notice of his or her intention to grant the application. Filing such notice does not prohibit the Governor from later denying the application, but an application granted without the filing of the notice of intention will be null and void. If the Governor does not grant an application within 240 days of the Governor's receipt of the Board's recommendation, the application will be considered denied, and any application granted after 240 days will be considered null and void. Subject to exceptions provided in the bill, if the Governor denies an application in writing, the applicant may not submit another application for the same offense for four years from the date of denial. If the applicant is serving a term of imprisonment of life without parole and the Governor denies his or her application in

writing, the applicant may not submit another application for six years from the date of denial or eight years if the offense for which the applicant is serving a term of life without parole was capital murder.