

**Subject** Modifying postconviction relief petition provisions

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## Overview

A person who has been convicted of a crime can file a petition for postconviction relief in certain limited situations. Petitions can only be filed after the person filed a direct appeal or the deadline to file a direct appeal has expired. Petitions are limited to claims that the person's conviction violated the Constitution or laws of the United States or Minnesota, or that there is newly obtained scientific evidence that establishes the person's actual innocence. Petitions must usually be filed within two years of either a conviction or the appellate court's disposition of the person's direct appeal, whichever occurs later. There are several exceptions to the two-year limitation. If a person meets those exceptions, then a petition may be filed within two years of the time the claim to the exception arises. This bill establishes a new exception for certain persons in immigration removal proceedings.

## Summary

Section	Description
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1	<b>Time limit.</b>
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	Establishes an exception to the two-year limitations period on filing a petition for postconviction relief for a person in immigration removal proceedings when the proceedings are the result of a conviction that was obtained by relying on incorrect advice or absent advice from counsel on immigration consequences.
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