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By: **Senators Hooper, Colburn, Jacobs, Mooney, and Munson**

Introduced and read first time: January 25, 2006

Assigned to: Judicial Proceedings

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A BILL ENTITLED

1 AN ACT concerning

2 **Uniform Postconviction Procedure Act - Time of Filing of Petition for Relief**

3 FOR the purpose of altering the time period for filing a petition for relief under the  
4 Uniform Postconviction Procedure Act under certain circumstances; providing  
5 for the application of this Act; and generally relating to the time of filing a  
6 petition for relief under the Uniform Postconviction Procedure Act.

7 BY repealing and reenacting, with amendments,  
8 Article - Criminal Procedure  
9 Section 7-103  
10 Annotated Code of Maryland  
11 (2001 Volume and 2005 Supplement)

12 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
13 MARYLAND, That the Laws of Maryland read as follows:

14 **Article - Criminal Procedure**

15 7-103.

16 (a) For each trial or sentence, a person may file only one petition for relief  
17 under this title.

18 (b) (1) Unless extraordinary cause is shown, in a case in which a sentence of  
19 death has not been imposed, a petition under this subtitle may not be filed more than  
20 [10] THE LATER OF 2 years after:

21 (I) the sentence was imposed;

22 (II) THE FINAL MANDATE OF AN APPELLATE COURT ON DIRECT  
23 APPEAL OF THE CONVICTION; OR

24 (III) THE PETITION FOR LEAVE TO APPEAL WAS DENIED.

25 (2) In a case in which a sentence of death has been imposed, Subtitle 2 of  
26 this title governs the time of filing a petition.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall be  
2 construed to apply only prospectively and may not be applied or interpreted to have  
3 any effect on or application to any person filing a petition for a trial or sentence before  
4 the effective date of this Act.

5 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
6 October 1, 2006.