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MEMORANDUM

To: House Committee on Corrections and Juvenile Justice

From: Office of Revisor of Statutes

Date: February 10, 2022

Subject: Bill Brief on HB 2607

HB 2607 clarifies the time limitations for habeas corpus claims.

Section 1 amends K.S.A. 60-1507, which is the habeas corpus statute. Under current law, a habeas corpus action has to be filed within one year of (1) the final order of the last appellate court in this state to exercise jurisdiction on a direct appeal or the termination of such jurisdiction or (2) the denial of a petition for writ of certiorari to the United States supreme court or issuance of such court's final order following granting such petition.

This bill would add that an action would have to be filed within one year of the decision of the district court denying a prior motion under this section, the opinion of the last appellate court in this state to exercise jurisdiction on such prior motion or the denial of the petition for review on such prior motion, whichever is later.