Justin Johnson, 11.29.18 PROPONENT HB411

Subsequent to sentencing and or during or subsequent to imprisonment, an error in procedure was discovered that occurred prior to, during, or after sentencing, that involved a violation of the Individual’s constitutional rights which violated the individual's rights to a fair trial under the Ohio Constitution or the United States Constitution , and that resulted in the individual’s release, or it was determined by a court of common pleas in that the offense of which the individual was found guilty, including all lesser-included offenses, either was not committed by the individual or that no offense was

committed by any person. In addition to any other application of the provisions of this division regarding an error in procedure that occurred prior to, during, or after sentencing, as those provisions exist on and after the effective date of this amendment, if an individual had a claim dismissed, has a claim pending, or did not file a claim because the law in effect prior to the effective date of this amendment barred the claim or made the claim appear to be futile, those provisions apply with respect to the individual and the claim and, on or after that effective date, the individual may file a claim and

obtain the benefit of those provisions.