



2025-2026 General Assembly

SENATE BILL 429: 2025 Public Safety Act, Sec. 15: Set Limits on Motions for Appropriate Relief in Noncapital Cases

Analysis of: S.L. 2025-70, Sec. 15

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Section 15 of S.L. 2025-70 (Senate Bill 429) provides that in a noncapital case, a defendant may file a postconviction motion for appropriate relief (MAR) based on any of the enumerated grounds within 7 years of one of the triggering events. A defendant is permitted to file an MAR based on one of the enumerated grounds at any time with the consent of the district attorney.

These provisions also allow a defendant to raise any of the following claims at any time after the verdict:

- Good cause exists for excusing the grounds for denial and actual prejudice results from denial of the defendant's claim, or that failure to consider the defendant's claim will result in a fundamental miscarriage of justice.
- There has been a significant change in law applied in the proceedings and retroactive application is required.
- The defendant is in confinement and is entitled to release because his sentence has been fully served.

This section becomes effective December 1, 2025, and applies to verdicts entered on or after that date.

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