638.19 REAPPLYING FOR CLEMENCY.

Subdivision 1. **Time-barred from reapplying; exception.** (a) After the board has considered and denied a clemency application on the merits, an applicant may not file a subsequent application for five years after the date of the most recent denial. This paragraph applies if an application is denied according to section 638.17, subdivision 1, paragraph (b).

(b) An individual may request permission to reapply before the five-year period expires based only on new and substantial information that was not and could not have been previously considered by the board or commission.

(c) If a waiver request contains new and substantial information, the commission must review the request and recommend to the board whether to waive the time restriction. When considering a waiver request, the commission is exempt from the meeting requirements under section 638.14 and chapter 13D.

(d) The board must grant a waiver request unless the governor or a board majority opposes the waiver.

Subd. 2. **Applying for pardon not precluded.** An applicant who is denied or granted a commutation is not precluded from later seeking a pardon of the criminal conviction once the eligibility requirements of this chapter have been met.

History: *2023 c 52 art 8 s 15*