

Add to new subsection 1-A:

The fact that a petition initiated pursuant to subsection 1, former paragraph C was dismissed as untimely filed or for the failure to exercise due diligence does not preclude the initiation of a petition for review under this subsection based on the same or different newly-discovered evidence.

Section 2 of the amendment to read:

**Sec. 2. 15 MRSA §2128-B, sub-§1-A** is enacted to read:

**1-A. No filing deadline for direct impediment if newly discovered evidence.** If the factual predicate of the claim is based on newly discovered evidence then the claim may be filed at any time regardless of when the newly discovered evidence could have been obtained or discovered through the exercise of due diligence. The court may require the petitioner to provide additional information about the nature of the newly-discovered evidence. *The fact that a petition initiated pursuant to subsection 1, former paragraph C was dismissed as untimely filed or for the failure to exercise due diligence does not preclude the initiation of a petition for review under this subsection based on the same or different newly-discovered evidence.*