638.19 REAPPLYING FOR CLEMENCY.

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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