

LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS
FISCAL IMPACT STATEMENT

LS 7035
BILL NUMBER: HB 1314

NOTE PREPARED: Jan 8, 2026
BILL AMENDED:

SUBJECT: Postconviction Proceedings.

FIRST AUTHOR: Rep. Ireland
FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill establishes a procedure for post-conviction relief.

Effective Date: July 1, 2026.

Explanation of State Expenditures: *Summary* - The bill will likely affect the number of appellate petitions filed for post-conviction relief, including successive petitions. It establishes a statute of limitations of one year for non-capital post-conviction relief and 180 days for capital cases. Under current law, there is no statute of limitations for filing a petition for post-conviction relief. However, the federal habeas corpus filing deadline is one year after a conviction becomes final and is tolled while a state post-conviction petition is pending.

Other Provisions: The bill restricts the evidence of material facts that an individual may assert to initiate a post-conviction proceeding. It requires that all grounds for relief be raised in the original petition; otherwise, the court must dismiss the petition unless certain circumstances exist that warrant review. The bill also provides that its provisions supersede any other statute or court rule governing post-conviction relief.

Indiana Supreme Court (Court): The bill will increase the Court's workload to implement, update, and administer the new post-conviction relief rules as prescribed. It will also affect the Court's rule-making authority with respect to court rules and appellate procedures.

Currently, the Court's Committee on Rules of Practice and Procedures makes recommendations regarding rule changes to the Court. The Court solicits public comment on proposed changes and issues a final ruling. If approved, rule changes general take affect January 1 of the following year, unless otherwise specified by the Court.

Court of Appeals: The bill could potentially increase the workload of the Court of Appeals to the extent that post-conviction relief petitions are denied based on the bill's criteria for successive petitions, eligibility for relief, or applicable statutes of limitations.

Explanation of State Revenues: No filing fees or deposits are required for post-conviction petitions.

Explanation of Local Expenditures: *Trial Courts:* The bill is expected to have a minimal workload impact on trial courts related to updating and implementing appellate procedures as the original convicting courts.

Explanation of Local Revenues: No filing fees or deposits are required for post-conviction petitions.

State Agencies Affected: Indiana Supreme Court; Court of Appeals; State Public Defender.

Local Agencies Affected: Courts; County public defenders.

Information Sources: Article 7, Section 4 of the Indiana Constitution; Indiana Supreme Court, Rules of Court, <https://rules.incourts.gov/Content/index.htm>;

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