

S 1088

Streamlined Procedures Act of 2005

Congress: 109 (2005–2007, Ended)

Chamber: Senate

Policy Area: Crime and Law Enforcement

Introduced: May 19, 2005

Current Status: Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 109-366.

Latest Action: Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 109-366. (Nov 16, 2005)

Official Text: <https://www.congress.gov/bill/109th-congress/senate-bill/1088>

Sponsor

Name: Sen. Kyl, Jon [R-AZ]

Party: Republican • **State:** AZ • **Chamber:** Senate

Cosponsors (4 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Cornyn, John [R-TX]	R · TX		Jun 21, 2005
Sen. Chambliss, Saxby [R-GA]	R · GA		Jun 22, 2005
Sen. Grassley, Chuck [R-IA]	R · IA		Jun 23, 2005
Sen. Hatch, Orrin G. [R-UT]	R · UT		Jun 30, 2005

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Hearings By (full committee)	Nov 16, 2005

Subjects & Policy Tags

Policy Area:

Crime and Law Enforcement

Related Bills

Bill	Relationship	Last Action
109 HR 3035	Related bill	Nov 10, 2005: Subcommittee Hearings Held.

Streamlined Procedures Act of 2005 - Amends the federal judicial code to revise the law and procedures for habeas corpus petitions.

Denies or restricts the jurisdiction of federal courts to hear habeas corpus petitions that: (1) have been procedurally barred in a state court; (2) are based upon errors in sentences or sentencing ruled as harmless error by a state court; (3) pertain to capital cases; or (4) challenge the exercise of a states's executive clemency or pardon power.

Revises deadlines for filing appeals to federal courts of state habeas corpus decisions.

Revises procedures for mixed habeas corpus petitions (petitions bringing claims exhausted and unexhausted in state court) to require petitioners to describe how they have exhausted each claim in state court. Requires unexhausted claims to be dismissed with prejudice.

Limits the ability of habeas corpus petitioners to amend petitions or modify or add additional claims.

Requires any period in which a petitioner does not have a habeas corpus petition pending in a state court to be charged against the one year limitation period for filing a federal habeas corpus petition from a state court decision.

Requires requests for financial support for petitioners in a habeas corpus proceeding to be decided by a judge other than the judge presiding over such proceeding. Requires any amount of financial support authorized by a judge to be publicly disclosed.

Extends crime victims' rights to federal habeas corpus proceedings arising out of a state conviction.

Actions Timeline

- **Nov 16, 2005:** Committee on the Judiciary. Hearings held. Hearings printed: S.Hrg. 109-366.
- **Oct 6, 2005:** Committee on the Judiciary. Committee consideration and Mark Up Session held.
- **Jul 28, 2005:** Committee on the Judiciary. Committee consideration and Mark Up Session held.
- **Jul 14, 2005:** Committee on the Judiciary. Committee consideration and Mark Up Session held.
- **Jul 13, 2005:** Committee on the Judiciary. Hearings held.
- **May 19, 2005:** Introduced in Senate
- **May 19, 2005:** Sponsor introductory remarks on measure. (CR S5540-5543)
- **May 19, 2005:** Read twice and referred to the Committee on the Judiciary.