

**BILL SUMMARY**  
1<sup>st</sup> Session of the 58<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB25</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Kannady</b>
<b>Date:</b>	<b>3/26/2021</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

SB 25 allows a defendant to waive resentencing before the trial court within 90 days of the appellate court order remanding for resentencing, but may not waive resentencing after the commencement of the resentencing hearing or trial. The defendant may not waive resentencing on an appeal or petition for a writ of extraordinary relief sought by the prosecution or if the original sentence was unlawful. If the defendant waives resentencing, the original sentence is to be reinstated by the court and is not appealable by the defendant. The defendant is allowed to testify at his or her resentencing proceeding.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: Mark Tygret

**Other Considerations**

None.