

**BILL SUMMARY**  
1<sup>st</sup> Session of the 59<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB68</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Rep. Worthen</b>
<b>Date:</b>	<b>4/26/2023</b>
<b>Impact:</b>	<b>\$0</b>

**Research Analysis**

SB 68 requires that any sentence remanded for resentencing be conducted by a jury if the original sentence was imposed by a jury unless jury resentencing is waived by the defendant. The measure authorizes defendants to affirmatively waive resentencing before the appropriate trial court within 90 days of the appellate court order remanding for resentencing. The defendant cannot waive resentencing after the commencement of the resentencing hearing or trial. The measure stipulates that upon the defendant foregoing resentencing, the original sentence shall be reinstated by the court. The reinstated sentence may not be appealed.

Prepared By: Brad Wolgamott

**Fiscal Analysis**

This measure would mandate that a new jury be impaneled when certain cases are remanded. In its current form, SB68 is not anticipated to have an impact on state budget or appropriations.

Prepared By: Robert Flipping IV, House Fiscal Staff

**Other Considerations**

None.