

ASSEMBLY BUDGET COMMITTEE

STATEMENT TO

ASSEMBLY, No. 5310

STATE OF NEW JERSEY

DATED: JUNE 28, 2026

The Assembly Budget Committee reports favorably Assembly Bill No. 5310.

As reported, this bill clarifies that a court may sentence a defendant to a reduced sentence under certain circumstances.

Under the bill, in cases of a conviction for a crime of the first or second degree where the court is clearly convinced that the mitigating factors substantially outweigh the aggravating factors and where the interest of justice demands, the court may sentence the defendant to a term appropriate to a crime of one degree lower than that of the crime for which the defendant was convicted. If the court does impose a sentence pursuant to this provision, or if the court imposes a noncustodial or probationary sentence upon conviction for a crime of the first or second degree, the sentence would not become final for 10 days in order to permit the appeal of the sentence by the prosecution.

A crime of the first degree is punishable by a term of imprisonment of 10 to 20 years, a fine of up to \$200,000, or both. A crime of the second degree is punishable by a term of imprisonment of five to 10 years, a fine of up to \$150,000, or both.

This bill restores language omitted under P.L.2025, c.328. The bill would take effect immediately and apply retroactively to the effective date of section 1 of P.L.2025, c.328.

As reported by the committee, Assembly Bill No. 5310 is identical to Senate Bill No. 4406, which was also reported by the committee on this date.

FISCAL IMPACT:

This bill is not certified as requiring a fiscal note.