

STATEMENT TO

[Second Reprint]

ASSEMBLY, No. 5741

with Assembly Floor Amendments
(Proposed by Assemblyman MUKHERJI)

ADOPTED: DECEMBER 20, 2021

These floor amendments remove the provision that a court may impose a term of imprisonment of up to five years if the court permanently revokes a person's special probation under subsection f. of the bill. Under the amendments, the court would be required to impose any sentence that might have been imposed originally for the offense. The amendments provide that the court would conduct a de novo review of any aggravating and mitigating factors present at the time of both original sentencing and resentencing, and determine, among other things, whether the violation negates any of the mitigating factors originally found, consistent with a hearing pursuant to N.J.S.2C:45-3.