

ADOPTED



NORTH CAROLINA GENERAL ASSEMBLY
AMENDMENT
Senate Bill 182

AMENDMENT NO. A1
(to be filled in by
Principal Clerk)

S182-AMM-18 [v.1]

Page 1 of 1

Comm. Sub. [YES]
Amends Title [YES]
S182-PCS35342-SA-45

Date _____, 2013

Senator Brunstetter

- 1 moves to amend the bill on page 1, lines 4-5, by rewriting those lines to read:
- 2 "DEFENDANT HAS WAIVED A HEARING, TO AMEND THE LAW PERTAINING TO
- 3 RESENTENCING UPON THE REVERSAL OF A SENTENCE ON";
- 4
- 5 and on page 2, line 12 by rewriting that line to read:
- 6 "SECTION 3. G.S. 15A-1335 reads as rewritten:
- 7 '**§ 15A-1335. Resentencing after appellate review.**
- 8 When a conviction or sentence imposed in superior court has been set aside on direct
- 9 review or collateral attack, the court may not impose a new sentence for the same offense, or
- 10 for a different offense based on the same conduct, which is more severe than the prior sentence
- 11 less the portion of the prior sentence previously served. This section shall not apply when a
- 12 defendant, on direct review or collateral attack, succeeds in having a plea of guilty vacated."
- 13
- 14 And on page 3, line 11, by rewriting the line to read:
- 15 "to resentencing hearings held on or after that date. The remainder of this act becomes effective
- 16 December".

SIGNED _____
Amendment Sponsor

SIGNED _____
Committee Chair if Senate Committee Amendment

ADOPTED _____ FAILED _____ TABLED _____

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and vote information, is available in the
Senate Principal Clerk's Office**



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