

HB 358 -- Sentencing Procedures

Sponsor: Lipke

This bill eliminates the bifurcated jury sentencing process in which an offender is tried and then sentenced in separate phases of a trial. The court must instruct the jury on the range of authorized punishment, and the jury is required to assess punishment as a part of their verdict upon a finding of guilt. If the court finds that the jury cannot agree on the punishment, the jury may return its verdict without assessing punishment; and the court will assess punishment.