

(A) IN ANY CRIMINAL CASE IN THE DISTRICT COURT, THE COURT MAY CORRECT AN ILLEGAL SENTENCE AT ANY TIME.

(B) (1) FOR A PERIOD OF 90 DAYS AFTER IMPOSITION OF A SENTENCE, OR THEREAFTER ~~[[ACCORDING]]~~ PURSUANT TO A MOTION FILED WITHIN THAT PERIOD, THE COURT SHALL HAVE REVISORY POWER AND CONTROL OVER THE JUDGMENT OR OTHER JUDICIAL ACT FORMING A PART OF THE PROCEEDINGS. THE COURT, ACCORDING TO THIS SECTION, MAY MODIFY OR REDUCE, BUT MAY NOT INCREASE, THE LENGTH OF A SENTENCE. AFTER THE EXPIRATION OF THAT PERIOD, THE COURT HAS REVISORY POWER AND CONTROL ONLY IN CASE OF FRAUD, MISTAKE, OR IRREGULARITY.

(2) A MODIFICATION OF REDUCTION OF SENTENCE SHALL BE MADE IN OPEN COURT AND ONLY AFTER NOTICE TO THE DEFENDANT AND THE STATE'S ATTORNEY. A NEW JUDGMENT OF CONVICTION, SETTING FORTH THE REVISED SENTENCE AND SPECIFYING THE MODIFICATION OR REDUCTION MADE, SHALL BE ENTERED OF RECORD SO THAT THE DOCKET ENTRIES REFLECT THE ACTION TAKEN.

(3) THE COURT, ACCORDING TO A MOTION FILED WITHIN THE TIME SET FORTH IN PARAGRAPH (1) OF THIS SUBSECTION, MAY GRANT A NEW TRIAL OR OTHER APPROPRIATE RELIEF ON THE GROUND OF NEWLY DISCOVERED EVIDENCE WHICH BY DUE DILIGENCE COULD NOT HAVE BEEN DISCOVERED IN TIME TO MOVE FOR A NEW TRIAL UNDER SECTION (A) OF M.D.R. 759 (MOTIONS AFTER VERDICT).

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 1976.

Approved May 17, 1976.

CHAPTER 799

(House Bill 1630)

AN ACT concerning

Mental Retardation Administration -
Residential Facilities

FOR the purpose of prohibiting certain residential facilities under the jurisdiction of the Mental Retardation Administration from exceeding a certain capacity for residents~~[[; and requiring certain existing facilities to reduce their capacity to a certain number if they undergo renovations]]~~.