



# Judicial Council of California

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January 19, 2024

## Subject Text

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File #: 23-040, Version: 1

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### Title

## **Rules and Forms | Criminal Procedure: Petition for Resentencing Based on Health Conditions Due to Military Service (Action Required)**

### Summary

The Criminal Law Advisory Committee recommends revising the optional Judicial Council petition for resentencing based on health conditions due to military service to reflect statutory changes expanding eligibility for relief and clarifying that relief is available for health conditions discovered after sentencing.

### Recommendation

The Criminal Law Advisory Committee recommends that the Judicial Council, effective January 1, 2024, revise *Petition for Resentencing Based on Health Conditions Due to Military Service Listed in Penal Code Section 1170.91(b)* (form CR-412/MIL-412) to reflect statutory changes to section 1170.91(b) expanding eligibility for relief and clarifying that relief is available for health conditions discovered after sentencing.