

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2249

Introduced by

Senators W. Stenehjem, Lyson

Representatives Hawken, Nottestad

1 A BILL for an Act to amend and reenact section 12-54.1-01 of the North Dakota Century Code,
2 relating to sentence reduction for good or meritorious conduct.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. AMENDMENT.** Section 12-54.1-01 of the North Dakota Century Code is
5 amended and reenacted as follows:

6 **12-54.1-01. Performance-based sentence reduction.**

- 7 1. Except as provided under section 12.1-32-09.1, offenders sentenced to the
8 penitentiary or any of its affiliated facilities are eligible to earn sentence reductions
9 based upon performance criteria established through penitentiary rules.
10 Performance criteria includes participation in court-ordered or staff-recommended
11 treatment and education programs and good work performance. While
12 incarcerated in the penitentiary or any of its affiliated facilities, an inmate may earn
13 five days good time per month except for any sentence where the incarceration
14 time is six months or less.
- 15 2. The presiding judge of a judicial district in which a correctional facility is located,
16 after consultation with the other judges in the district, may authorize the facility
17 administrator to provide for sentence reductions based upon performance criteria
18 established through the administrator. The criteria must be substantially similar to
19 the performance criteria established by the penitentiary. Except as provided under
20 section 12.1-32-09.1, offenders sentenced to the facility are eligible to earn
21 sentence reductions based upon the performance criteria. While incarcerated in a
22 correctional facility, an inmate may earn five days good time per month except for
23 any sentence where the incarceration time is thirty days or less.