27.0225.01000

Seventieth
Legislative Assembly
of North Dakota

BILL NO.

Introduced by

Representative Koppelman

A BILL for an Act to amend and reenact sections 12-54.1-01 and 12-59-07 of the North Dakota Century Code, relating to sentence reduction credit and eligibility requirements precedent to parole.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

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

12-54.1-01. Sentence reduction.

Except as provided under section 12.1-32-09.1, an offender committed to the legal and physical custody of the department of corrections and rehabilitation is eligible to earn sentence reductions based upon performance criteria established through department and penitentiary rules. Performance criteria includes participation in court-ordered or staff-recommended treatment and education programs and good work performance. The department may credit an offender committed to the legal and physical custody of the department who is eligible for sentence reduction five days good time per month for each month of the sentence imposed. The department may not credit an offender with sentence reduction before the offender has completed each month of incarceration for which credit is earned. The department may credit an offender with sentence reduction for time spent in custody before sentencing and commitment to the legal and physical custody of the department. The department may not credit an offender with any sentence reduction for time spent on probation under the supervision and management of the department.

SECTION 2. AMENDMENT. Section 12-59-07 of the North Dakota Century Code is amended and reenacted as follows:

12-59-07. Requirements precedent to parole.

1. The parole board may grant parole to an inmate if ~~the~~:

a. The inmate has served at least forty percent of the sentence imposed by the court, including any amount of good time earned; and

b. The board is convinced the inmate will conform to the terms and conditions of parole the board or the department of corrections and rehabilitation may establish for the inmate.

2. The department of corrections and rehabilitation may establish intermediate conditions of parole, including incarceration for a period of seventy-two hours and restitution, subject to the subsequent approval of the parole board.