

PROPOSED AMENDMENTS TO SENATE BILL NO. 2178

Page 1, line 1, replace the second "section" with "sections"

Page 1, line 2, after "12-59-02" insert "and 12-59-05"

Page 1, line 3, after "compensation" insert "and considerations"

Page 2, after line 5, insert:

**"SECTION 3. AMENDMENT.** Section 12-59-05 of the North Dakota Century Code is amended and reenacted as follows:

**12-59-05. Consideration by board.**

1. Every inmate's eligibility for parole must be reviewed in accordance with the rules adopted by the parole board. The board shall consider all pertinent information regarding each inmate, including the circumstances of the offense, the presentence report, the inmate's family, educational, and social history and criminal record, the inmate's conduct, employment, participation in education and treatment programs while in the custody of the department of corrections and rehabilitation, and the inmate's medical and psychological records.
2. Notwithstanding section 12.1-32-09.1, if the parole board makes a determination that requiring an inmate to serve eighty-five percent of the inmate's sentence is beyond the time required to rehabilitate the inmate, the parole board may consider the inmate to be eligible for parole after the inmate has served seventy percent of the sentence imposed by the court. In making a determination under this subsection, the parole board shall consider:
  - a. Whether the victim has been notified and given the opportunity to provide input;
  - b. Whether the court that sentenced the inmate has been notified and given the opportunity to provide input;
  - c. The nature of the offense;
  - d. Any instances of institutional offenses, violence, or threats of violence involving the inmate;
  - e. The inmate's participation in institutional programming; and
  - f. Whether the inmate has support in the community and a release plan."

Renumber accordingly