

CS FOR SENATE BILL NO. 1(JUD)

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-FIRST LEGISLATURE - FIRST SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 3/18/99
Referred: Finance

Sponsor(s): SENATORS DONLEY, Leman, Taylor

A BILL

FOR AN ACT ENTITLED

1 **"An Act conditioning the award of good time and release on mandatory parole**
2 **on the attainment of certain minimum educational standards for prisoners serving**
3 **certain sentences."**

4 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

5 * **Section 1.** AS 33.16.010(a) is repealed and reenacted to read:

6 (a) A prisoner is eligible for mandatory parole if the prisoner

7 (1) is serving a term or terms of two years or more; and

8 (2) either

9 (A) has attained a high school diploma, a general education
10 development diploma, or the equivalent before being incarcerated or while
11 incarcerated if the program was made available to the prisoner by the
12 department;

13 (B) is incapable of obtaining a diploma or its equivalent; or

14 (C) does not speak English as the prisoner's primary language

1 and, due to the prisoner's age and social background, the commissioner
2 determines that the prisoner cannot reasonably be expected to meet an
3 educational requirement.

4 * **Sec. 2.** AS 33.16.010(c) is amended to read:

5 (c) A prisoner who is not eligible for discretionary parole, or who is not
6 released on discretionary parole, shall be released on mandatory parole for the term of
7 good time deductions credited under AS 33.20 [,] if the **prisoner is eligible under (a)**
8 **of this section** [TERM OR TERMS OF IMPRISONMENT ARE TWO YEARS OR
9 MORE].

10 * **Sec. 3.** AS 33.20.010(a) is amended to read:

11 (a) Notwithstanding AS 12.55.125(f)(3) and 12.55.125(g)(3), a prisoner
12 convicted of an offense against the state or a political subdivision of the state and
13 sentenced to a term **or terms** of imprisonment

14 **(1) of two years or more** [THAT EXCEEDS THREE DAYS] is
15 entitled to a deduction of one-third of the term **or terms** of imprisonment rounded off
16 to the nearest day if the prisoner follows the rules of the correctional facility in which
17 the prisoner is confined **and the prisoner either**

18 **(A) attains or has attained a high school diploma, a general**
19 **education development diploma, or an equivalent diploma before being**
20 **incarcerated or while incarcerated if the program is made available to the**
21 **prisoner;**

22 **(B) is incapable of attaining a diploma or its equivalent; or**

23 **(C) does not speak English as the prisoner's primary**
24 **language and, due to the prisoner's age and social background, the**
25 **commissioner determines that the prisoner cannot reasonably be expected**
26 **to meet an educational requirement;**

27 **(2) that exceed three days but less than two years is entitled to a**
28 **deduction of one-third of the term or terms of imprisonment rounded off to the**
29 **nearest day if the prisoner follows the rules of the correctional facility in which**
30 **the prisoner is confined.** [A PRISONER IS NOT ELIGIBLE FOR A GOOD TIME
31 DEDUCTION IF THE PRISONER HAS BEEN SENTENCED TO A

1 (1) MANDATORY 99-YEAR TERM OF IMPRISONMENT UNDER
2 AS 12.55.125(a) AFTER JUNE 27, 1996; OR
3 (2) DEFINITE TERM UNDER AS 12.55.125(1)].

4 * **Sec. 4.** AS 33.20.010 is amended by adding a new subsection to read:

5 (c) A prisoner is not eligible for a good time deduction if the prisoner has been
6 sentenced to a

7 (1) mandatory 99-year term of imprisonment under AS 12.55.125(a)
8 after June 27, 1996; or

9 (2) definite term under AS 12.55.125(1).

10 * **Sec. 5.** The changes made to AS 33.16.010 and AS 33.20.010 by this Act apply to
11 persons convicted of crimes committed on or after the effective date of this Act.