

**CS FOR SPONSOR SUBSTITUTE FOR SENATE BILL NO. 223(JUD)**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY THE SENATE JUDICIARY COMMITTEE

Offered: 2/13/02

Referred: Finance

Sponsor(s): SENATOR DONLEY

**A BILL**

**FOR AN ACT ENTITLED**

1   **"An Act limiting the award of good time and restricting release on mandatory parole for**  
2   **prisoners serving certain sentences who fail to attain certain minimum educational**  
3   **standards; providing that prisoners having attained or attaining those educational**  
4   **standards receive good time awards and availability of release on mandatory parole of**  
5   **one-third of the term or terms of imprisonment rounded off to the nearest day; and**  
6   **providing for an effective date."**

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

8    \* **Section 1.** AS 33.16.010(c) is amended to read:

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

1 \* **Sec. 2.** AS 33.20.010(a) is amended to read:

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

5 **(1) of two years or more** [THAT EXCEEDS THREE DAYS] is  
6 entitled to a deduction of **either**

7 **(A) one-third of the term or terms** of imprisonment rounded  
8 off to the nearest day if the prisoner follows the rules of the correctional  
9 facility in which the prisoner is confined **and the prisoner either**

10 **(i) attains or has attained a high school diploma, a**  
11 **general education development diploma, or an equivalent diploma**  
12 **before being incarcerated or while incarcerated if the program is**  
13 **made available to the prisoner;**

14 **(ii) is incapable of attaining a diploma or its**  
15 **equivalent; or**

16 **(iii) does not speak English as the prisoner's primary**  
17 **language and, due to the prisoner's age and social background, the**  
18 **commissioner determines that the prisoner cannot reasonably be**  
19 **expected to meet an educational requirement; or**

20 **(B) one-sixth of the term or terms of imprisonment rounded**  
21 **off to the nearest day if the prisoner follows the rules of the correctional**  
22 **facility in which the prisoner is confined and the prisoner does not qualify**  
23 **for a one-third deduction under (A) of this paragraph;**

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

29 (1) MANDATORY 99-YEAR TERM OF IMPRISONMENT UNDER  
30 AS 12.55.125(a) AFTER JUNE 27, 1996; OR

31 (2) DEFINITE TERM UNDER AS 12.55.125(l)].

1 \* **Sec. 3.** AS 33.20.010 is amended by adding a new subsection to read:

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

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

6 (2) definite term under AS 12.55.125(l).

7 \* **Sec. 4.** The uncodified law of the State of Alaska is amended by adding a new section to  
8 read:

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

11 \* **Sec. 5.** This Act takes effect immediately under AS 01.10.070(c).