

SPONSOR SUBSTITUTE FOR SENATE BILL NO. 223

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-SECOND LEGISLATURE - SECOND SESSION

BY SENATOR DONLEY

Introduced: 1/25/02

Referred: Judiciary, Finance

A BILL

FOR AN ACT ENTITLED

1 **"An Act referencing the award of good time and restricting release on mandatory parole**
2 **for prisoners serving certain sentences who fail to attain certain minimum educational**
3 **standards; and providing for an effective date."**

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

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

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

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

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

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

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

6 **(i) attains or has attained a high school diploma, a**
7 **general education development diploma, or an equivalent diploma**
8 **before being incarcerated or while incarcerated if the program is**
9 **made available to the prisoner;**

10 **(ii) is incapable of attaining a diploma or its**
11 **equivalent; or**

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

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

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

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

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

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

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

31 (1) mandatory 99-year term of imprisonment under AS 12.55.125(a)

1 after June 27, 1996; or

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

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

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

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