

SENATE BILL No. 99

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-38-1-23; IC 35-50-6-3.3.

Synopsis: Credit time for inmates. Repeals a statute that provides for a reduction in an offender's sentence under specified circumstances. Eliminates a reference to the reduction of sentence statute in the credit time statute. Provides that in addition to other educational programs for which an inmate may receive credit time, an inmate may receive three months of credit time for completion of a vocational education or substance abuse course approved by the department of correction. Allows a person incarcerated in a department of correction facility who is in credit Class I and who demonstrates a pattern consistent with
(Continued next page)

Effective: July 1, 1998.

Kenley

January 8, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.



Digest Continued

rehabilitation to earn at least three months of credit time for completion of a vocational education program approved by the department of correction, up to a maximum of six months. Provides that a person may earn at least three months of credit time for completion of a substance abuse program approved by the department of correction, up to a maximum of six months. Requires the offender to complete a portion of the program requirements after June 30, 1998. Requires the department of correction to establish admissions criteria and other requirements for vocational education and substance abuse programs available for earning credit time.



Introduced

Second Regular Session 110th General Assembly (1998)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 1997 General Assembly.

SENATE BILL No. 99

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-50-6-3.3, AS AMENDED BY P.L.148-1995,
2 SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
3 JULY 1, 1998]: Sec. 3.3. (a) In addition to any credit time a person
4 earns under section 3 of this chapter, ~~and in addition to any reduction~~
5 ~~of sentence a person receives under IC 35-38-1-23~~, a person earns
6 credit time if the person:
7 (1) is in credit Class I;
8 (2) has demonstrated a pattern consistent with rehabilitation; and
9 (3) successfully completes requirements to obtain one (1) of the
10 following:
11 (A) A general educational development (GED) diploma under
12 IC 20-10.1-12.1, if the person has not previously obtained a
13 high school diploma.
14 (B) A high school diploma.
15 (C) An associate's degree from an approved institution of



1 higher learning (as defined under IC 20-12-21-3).

2 (D) A bachelor's degree from an approved institution of higher
3 learning (as defined under IC 20-12-21-3).

4 **(b) A person may also earn credit time if, while confined by the
5 department of correction, the person:**

6 **(1) is in credit Class I;**

7 **(2) demonstrates a pattern consistent with rehabilitation; and**

8 **(3) successfully completes requirements to obtain at least one**

9 **(1) of the following:**

10 **(A) A certificate of completion of a vocational education
11 program approved by the department of correction.**

12 **(B) A certificate of completion of a substance abuse
13 program approved by the department of correction.**

14 **(c) The department of correction shall establish admissions
15 criteria and other requirements for programs available for earning
16 credit time under subsection (b).**

17 ~~(b)~~ **(d) The amount of credit time a person may earn under this
18 section is the following:**

19 **(1) Six (6) months for completion of a state of Indiana general
20 educational development (GED) diploma under IC 20-10.1-12.1.**

21 **(2) One (1) year for graduation from high school.**

22 **(3) One (1) year for completion of an associate's degree.**

23 **(4) Two (2) years for completion of a bachelor's degree.**

24 **(5) Three (3) months for completion of a vocational education
25 program approved by the department of correction. However,
26 a person may not accumulate more than six (6) months of
27 credit for completion of vocational education programs.**

28 **(6) Three (3) months for completion of a substance abuse
29 program approved by the department of correction. However,
30 a person may not accumulate more than six (6) months of
31 credit for completion of substance abuse programs.**

32 ~~(c)~~ **(e) Credit time earned by a person under this section is
33 subtracted from the period of imprisonment imposed on the
34 person by the sentencing court.**

35 ~~(d)~~ **(f) A person does not earn credit time under subsection (a)
36 unless the person completes at least a portion of the degree
37 requirements after June 30, 1993.**

38 **(g) A person does not earn credit time under subsection (b)
39 unless the person completes at least a portion of the program
40 requirements after June 30, 1998.**

41 ~~(e)~~ **(h) The maximum amount of credit time a person may earn
42 under this section is the lesser of:**



1 (1) four (4) years; or
2 (2) one-third (1/3) of the person's total applicable credit time.
3 SECTION 2. IC 35-38-1-23 IS REPEALED [EFFECTIVE JULY
4 1, 1998].

