

SENATE BILL No. 415

DIGEST OF INTRODUCED BILL

Citations Affected: IC 11-13-3-2.

Synopsis: Parole for certain kidnappers. Provides that a person who was sentenced to more than one term of life imprisonment without parole upon conviction of more than one felony because the person committed kidnapping as one of the felonies before the criminal code was enacted in 1976, is eligible for consideration for release on parole. Applies regardless of the amount of time the person has served on the person's sentence.

Effective: July 1, 1998.

Randolph

January 13, 1998, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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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. 415

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

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

1 SECTION 1. IC 11-13-3-2 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 1998]: Sec. 2. (a) Release on parole
3 and discharge of an offender sentenced for an offense under IC 35-50
4 shall be determined under IC 35-50-6.

5 (b) Parole and discharge eligibility for offenders sentenced for
6 offenses under laws other than IC 35-50 is as follows:

7 (1) A person sentenced upon conviction of a felony to an
8 indeterminate term of imprisonment is eligible for consideration
9 for release on parole upon completion of his minimum term of
10 imprisonment, less the credit time he has earned with respect to
11 that term.

12 (2) A person sentenced upon conviction of a felony to a
13 determinate term of imprisonment is eligible for consideration for
14 release on parole upon completion of one-half (½) of his
15 determinate term of imprisonment or at the expiration of twenty
16 (20) years, whichever comes first, less the credit time he has
17 earned with respect to that term.



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- 1 (3) A person sentenced upon conviction of first degree murder or
2 second degree murder to a term of life imprisonment is eligible
3 for consideration for release on parole upon completion of twenty
4 (20) years of time served on the sentence. A person sentenced
5 upon conviction of a felony other than first degree murder or
6 second degree murder to a term of life imprisonment is eligible
7 for consideration for release on parole upon completion of fifteen
8 (15) years of time served on the sentence. A person sentenced
9 upon conviction of more than one (1) felony, **other than**
10 **kidnapping**, to more than one (1) term of life imprisonment is not
11 eligible for consideration for release on parole under this section.
12 A person sentenced to a term of life imprisonment does not earn
13 credit time with respect to that term.
- 14 (4) A person sentenced upon conviction of a misdemeanor is not
15 eligible for parole and shall, instead, be discharged upon
16 completion of his term of imprisonment, less the credit time he
17 has earned with respect to that term.
- 18 (c) A person whose parole is revoked may be reinstated on parole
19 by the parole board any time after the revocation, regardless of whether
20 the offender was sentenced under IC 35-50 or another law. The parole
21 board may adopt, under IC 4-22-2, rules and regulations regarding
22 eligibility for reinstatement.

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