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# SENATE BILL No. 412

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 35-50-6-3.3.

**Synopsis:** Inmate credit time. Provides that a person imprisoned for a crime may not earn credit time for receiving a second or subsequent: (1) GED diploma; (2) high school diploma; (3) associate's degree; or (4) bachelor's degree. Specifies that credit time earned by a person: (1) for completion of a vocational education program or substance abuse program is subtracted from the release date that would otherwise apply to the person after subtracting all other credit time earned by the person; and (2) for completion of a GED diploma, a high school diploma, an associate's degree, or a bachelor's degree is subtracted from the period of imprisonment imposed on the person by the sentencing court.

**Effective:** July 1, 2000.

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January 10, 2000, read first time and referred to Committee on Corrections, Criminal and Civil Procedures.

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Second Regular Session 111th General Assembly (2000)

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 1999 General Assembly.

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# SENATE BILL No. 412



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.183-1999,  
2 SECTION 3, AND AS AMENDED BY P.L.243-1999, SECTION 3, IS  
3 AMENDED AND CORRECTED TO READ AS FOLLOWS  
4 [EFFECTIVE JULY 1, 2000]: Sec. 3.3. (a) In addition to any credit  
5 time a person earns under subsection (b) or section 3 of this chapter,  
6 ~~if~~ a person earns 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. **However, a person may not earn**  
14 **credit time under this section for the successful completion**  
15 **of requirements to obtain a second or subsequent state of**  
16 **Indiana general educational development (GED) diploma.**  
17 (B) A high school diploma. **However, a person may not earn**



- 1           **credit time under this section for the successful completion**  
 2           **of requirements to obtain a second or subsequent high**  
 3           **school diploma.**  
 4           (C) An associate's degree from an approved institution of  
 5           higher learning (as defined under IC 20-12-21-3). **However,**  
 6           **a person may not earn credit time under this section for**  
 7           **the successful completion of requirements to obtain a**  
 8           **second or subsequent associate's degree.**  
 9           (D) A bachelor's degree from an approved institution of higher  
 10          learning (as defined under IC 20-12-21-3). **However, a**  
 11          **person may not earn credit time under this section for the**  
 12          **successful completion of requirements to obtain a second**  
 13          **or subsequent bachelor's degree.**  
 14          (b) In addition to any credit time that a person earns under  
 15          subsection (a) or section 3 of this chapter, a person may earn credit  
 16          time if, while confined by the department of correction, the person:  
 17                  (1) is in credit Class I;  
 18                  (2) demonstrates a pattern consistent with rehabilitation; and  
 19                  (3) successfully completes requirements to obtain at least one (1)  
 20                  of the following:  
 21                          (A) A certificate of completion of a vocational education  
 22                          program approved by the department of correction.  
 23                          (B) A certificate of completion of a substance abuse program  
 24                          approved by the department of correction.  
 25          (c) The department of correction shall establish admissions criteria  
 26          and other requirements for programs available for earning credit time  
 27          under subsection (b). A person may not earn credit time under both  
 28          subsection (a) and subsection (b) for the same program of study.  
 29          (d) The amount of credit time a person may earn under this section  
 30          is the following:  
 31                  (1) Six (6) months for completion of a state of Indiana general  
 32                  educational development (GED) diploma under IC 20-10.1-12.1.  
 33                  (2) One (1) year for graduation from high school.  
 34                  (3) One (1) year for completion of an associate's degree.  
 35                  (4) Two (2) years for completion of a bachelor's degree.  
 36                  (5) Not more than a total of six (6) months of credit, as  
 37                  determined by the department of correction, for the completion of  
 38                  one (1) or more vocational education programs approved by the  
 39                  department of correction.  
 40                  (6) Not more than a total of six (6) months of credit, as  
 41                  determined by the department of correction, for the completion of  
 42                  one (1) or more substance abuse programs approved by the

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1 department of correction.

2 However, a person who does not have a substance abuse problem that  
 3 qualifies the person to earn credit in a substance abuse program may  
 4 earn not more than a total of twelve (12) months of credit, as  
 5 determined by the department of correction, for the completion of one  
 6 (1) or more vocational education programs approved by the department  
 7 of correction. If a person earns more than six (6) months of credit for  
 8 the completion of one (1) or more vocational education programs, the  
 9 person is ineligible to earn credit for the completion of one (1) or more  
 10 substance abuse programs.

11 (e) Credit time earned by a person under this section:

12 **(1) for completion of:**

13 **(A) a vocational education program; or**

14 **(B) a substance abuse program;**

15 is subtracted from the release date that would otherwise apply to  
 16 the person after subtracting all other credit time earned by the  
 17 person; **and**

18 **(2) for completion of:**

19 **(A) a general educational development (GED) diploma**  
 20 **under IC 20-10.1-12.1;**

21 **(B) a high school diploma;**

22 **(C) an associate's degree from an approved institution of**  
 23 **higher learning (as defined under IC 20-12-21-3); or**

24 **(D) a bachelor's degree from an approved institution of**  
 25 **higher learning (as defined under IC 20-12-21-3);**

26 **is subtracted from the period of imprisonment imposed on the**  
 27 **person by the sentencing court.**

28 (f) A person does not earn credit time under subsection (a) unless  
 29 the person completes at least a portion of the degree requirements after  
 30 June 30, 1993.

31 (g) A person does not earn credit time under subsection (b) unless  
 32 the person completes at least a portion of the program requirements  
 33 after June 30, 1999.

34 (h) Subsection (e) applies only to a person who completes at least  
 35 a portion of the degree or program requirements under subsection (a)  
 36 or (b) after June 30, 1999. Credit time earned by a person under  
 37 subsection (a) for a diploma or degree completed before July 1, 1999;  
 38 shall be subtracted from the period of imprisonment imposed on the  
 39 person by the sentencing court.

40 (i) (h) The maximum amount of credit time a person may earn under  
 41 this section is the lesser of:

42 (1) four (4) years; or

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- 1 (2) one-third (1/3) of the person's total applicable credit time.

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