

Committee Action:
Do Pass _____
Amend & Do Pass _____
Other _____

Senate Committee on Judiciary

This measure may be considered for action during today's work session.

SENATE BILL 413

**Revises provisions relating to credits to reduce the sentence of an offender.
(BDR 16-313)**

Sponsored By: Senate Committee on Judiciary (On Behalf of the Joint Interim Standing Committee on Judiciary)

Date Heard: April 7, 2023

Fiscal Notes: Effect on Local Government: No.
Effect on the State: Yes.

Senate Bill 413 provides a revised method for determining credits the reduction of an offender's sentence such that an eligible offender who complies with programming and placement identified in a risk and needs assessment must be allowed credit against the minimum term or maximum aggregate term of sentence up to an equivalent of 25 percent of the offender's sentence. Similar provisions are set forth regarding credits for good behavior. The provisions in this bill do not apply to an offender convicted of a category A or B felony or for a felony involving use of force or violence, a felony sexual offense, or certain felony DUI offenses. Additionally, the bill applies to an offender sentenced on or after January 1, 2025, or to an offender sentenced prior to that date if the offender chooses to be subject to the revised method.

Amendment: Senator Harris offered an amendment at the initial hearing on the bill that is attached. The amendment changes the percentage in the revised method from 25% to 35% of an offender's sentence and requires the Director of NDOC to report to the offender and the Parole Board on the programs required and available to an offender and which were completed based on availability.

Proposed Conceptual Amendment to Senate Bill 413

Submitted by Senator Dallas Harris

Prepared by Victoria Gonzalez

April 7, 2023

- Require NDOC to:
 - Provide a report to the offender and the Parole Board
 - Listing the programs required based on the outcomes in the risk and needs assessment
 - List the programs available to the offender based on the facilities where the offender was housed
 - Identify which required programs/education/treatment were completed based on availability
- Change percentage from 25% to 35%