

Fifty-sixth Legislative Assembly, State of North Dakota, begun in the Capitol in the City of Bismarck, on Tuesday, the fifth day of January, one thousand nine hundred and ninety-nine

SENATE BILL NO. 2249
(Senators W. Stenehjem, Lyson)
(Representatives Hawken, Nottestad)

AN ACT to amend and reenact section 12-54.1-01 of the North Dakota Century Code, relating to sentence reduction for good or meritorious conduct.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. AMENDMENT. Section 12-54.1-01 of the North Dakota Century Code is amended and reenacted as follows:

12-54.1-01. Performance-based sentence reduction.

1. Except as provided under section 12.1-32-09.1, offenders sentenced to the penitentiary or any of its affiliated facilities are eligible to earn sentence reductions based upon performance criteria established through penitentiary rules. Performance criteria includes participation in court-ordered or staff-recommended treatment and education programs and good work performance. While incarcerated in the penitentiary or any of its affiliated facilities, an inmate may earn five days good time per month except for any sentence where the incarceration time is six months or less.
2. The presiding judge of a judicial district in which a correctional facility is located, after consultation with the other judges in the district, may authorize the facility administrator to provide for sentence reductions based upon performance criteria established through the administrator. The criteria must be substantially similar to the performance criteria established by the penitentiary. Except as provided under section 12.1-32-09.1, offenders sentenced to the facility are eligible to earn sentence reductions based upon the performance criteria. While incarcerated in a correctional facility, an inmate may earn five days good time per month except for any sentence where the incarceration time is thirty days or less.

President of the Senate

Speaker of the House

Secretary of the Senate

Chief Clerk of the House

This certifies that the within bill originated in the Senate of the Fifty-sixth Legislative Assembly of North Dakota and is known on the records of that body as Senate Bill No. 2249.

Senate Vote: Yeas 49 Nays 0 Absent 0

House Vote: Yeas 93 Nays 0 Absent 5

Secretary of the Senate

Received by the Governor at _____ M. on _____, 1999.

Approved at _____ M. on _____, 1999.

Governor

Filed in this office this _____ day of _____, 1999,

at _____ o'clock _____ M.

Secretary of State