

1 *House* BILL NO. *560*
 2 INTRODUCED BY *Murphy*
 3 *(By request of Dept Institutions)*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW GOOD TIME
 5 ALLOWANCE FOR INMATES IN CERTAIN ACTIVITIES; AMENDING
 6 SECTION 80-1905, R.C.M. 1947."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

9 Section 1. Section 80-1905, R.C.M. 1947, is amended to
10 read as follows:

11 "80-1905. Good time allowance--forfeiture--
 12 probationers and parolees--application of prior law--good
 13 time allowance offenders. (1) The state department of
 14 institutions shall adopt rules and regulations providing for
 15 the granting of good time allowance for inmates employed in
 16 any prison work or activity. The good time allowance shall
 17 operate as a credit on his sentence as imposed by the court,
 18 conditioned upon the inmate's good behavior and compliance
 19 with the rules and regulations made by the department or the
 20 warden. Except as provided in subsection (4), the rules
 21 adopted by the department may not grant good time allowance
 22 to exceed:

23 (a) ten (10) days per month for inmates assigned
24 within the confines of the walls of the prison;

25 (b) thirteen (13) days per month for those inmates

1 placed outside the confines of the walls of the prison;

2 (c) fifteen (15) days per month for those inmates who
3 have been assigned outside the walls of the prison for an
4 uninterrupted period of one year on a minimum status.

5 (d) thirteen (13) days per month for those inmates
6 enrolled in school inside the walls who successfully
7 complete the course of study or who while so enrolled are
8 released from prison by discharge or parole.

9 (e) ten (10) days for each pint of blood donated by an
10 inmate.

11 (2) In the event of an attempted escape by an inmate,
12 or a violation of the rules and regulations prescribed by
13 the department or warden, the inmate may be punished by the
14 forfeiture of part or all good time allowances. The warden
15 of the state prison shall advise the department of
16 institutions of any attempted escape or violation of rules
17 and regulations on the part of the inmate. Any punishment by
18 forfeiture of good time allowance must be approved by the
19 department.

20 (3) The provisions of subsections (1) and (2) apply to
21 all persons who are on probation or parole or eligible to be
22 placed on probation or parole. No person convicted and
23 sentenced before April 1, 1955, shall have his good time
24 allowance reduced as a result of this section.

25 (4) The maximum allowances for good time described in

1 subsection (1) shall be reduced for a person who has been
2 convicted of a felony offense on more than two (2) occasions
3 within a ten (10) year period; provided, however, for the
4 purpose of determining such ten (10) year period, the time
5 during which a person is incarcerated shall not be counted.
6 The maximum amount of good time allowable for such a
7 habitual offender shall be computed as follows:

8 (a) five (5) days per month for inmates assigned
9 within the confines of the walls of the prison;

10 (b) eight (8) days per month for those inmates placed
11 outside the confines of the walls of the prison;

12 (c) ten (10) days per month for those inmates who have
13 been assigned outside the walls of the prison for an
14 uninterrupted period of one (1) year on a minimum status;

15 (d) eight (8) days per month for those inmates
16 enrolled in school inside the walls who successfully
17 complete the course of study or who while so enrolled are
18 released from prison by discharge or parole;

19 (e) five (5) days for each pint of blood donated by an
20 inmate;

21 (f) three (3) days per month for those inmates who are
22 enrolled in any self-help group activity.

23 (5) No person convicted and sentenced before July 1,
24 1974, shall have his good time allowance reduced as required
25 by subsection (4)."

Approved by Committee
on Public Health, Welfare
& Safety

1 HOUSE BILL NO. 560
2 INTRODUCED BY MURPHY
3 (BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS)
4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW GOOD TIME
6 ALLOWANCE FOR INMATES IN CERTAIN ACTIVITIES; AMENDING
7 SECTION 80-1905, R.C.M. 1947."
8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10 Section 1. Section 80-1905, R.C.M. 1947, is amended to
11 read as follows:
12 "80-1905. Good time allowance -- forfeiture --
13 probationers and parolees -- application of prior law --
14 good time allowance offenders. (1) The state department of
15 institutions shall adopt rules and regulations providing for
16 the granting of good time allowance for inmates employed in
17 any prison work or activity. The good time allowance shall
18 operate as a credit on his sentence as imposed by the court,
19 conditioned upon the inmate's good behavior and compliance
20 with the rules and regulations made by the department or the
21 warden. Except as provided in subsection (4), the rules
22 adopted by the department may not grant good time allowance
23 to exceed:
24 (a) ten (10) days per month for inmates assigned
25 within the confines of the walls of the prison;

1 (b) thirteen (13) days per month for those inmates
2 placed outside the confines of the walls of the prison;
3 (c) fifteen (15) days per month for those inmates who
4 have been assigned outside the walls of the prison for an
5 uninterrupted period of one year on a minimum status.
6 (d) thirteen (13) days per month for those inmates
7 enrolled in school inside the walls who successfully
8 complete the course of study or who while so enrolled are
9 released from prison by discharge or parole.
10 (e) ten (10) days for each pint of blood donated by an
11 inmate.
12 (F) FIVE (5) DAYS PER MONTH FOR THOSE INMATES WHO ARE
13 ENROLLED IN ANY SELF-HELP GROUP ACTIVITY.
14 (2) In the event of an attempted escape by an inmate,
15 or a violation of the rules and regulations prescribed by
16 the department or warden, the inmate may be punished by the
17 forfeiture of part or all good time allowances. The warden
18 of the state prison shall advise the department of
19 institutions of any attempted escape or violation of rules
20 and regulations on the part of the inmate. Any punishment by
21 forfeiture of good time allowance must be approved by the
22 department.
23 (3) The provisions of subsections (1) and (2) apply to
24 all persons who are on probation or parole or eligible to be
25 placed on probation or parole. No person convicted and

SECOND READING

1 sentenced before April 1, 1955, shall have his good time
2 allowance reduced as a result of this section.

3 (4) The maximum allowances for good time described in
4 subsection (1) shall be reduced for a person who has been
5 convicted of a felony offense on more than two (2) occasions
6 within a ten (10) year period; provided, however, for the
7 purpose of determining such ten (10) year period, the time
8 during which a person is incarcerated shall not be counted.
9 The maximum amount of good time allowable for such a
10 habitual offender shall be computed as follows:

11 (a) five (5) days per month for inmates assigned
12 within the confines of the walls of the prison;

13 (b) eight (8) days per month for those inmates placed
14 outside the confines of the walls of the prison;

15 (c) ten (10) days per month for those inmates who have
16 been assigned outside the walls of the prison for an
17 uninterrupted period of one (1) year on a minimum status;

18 (d) eight (8) days per month for those inmates
19 enrolled in school inside the walls who successfully
20 complete the course of study or who while so enrolled are
21 released from prison by discharge or parole;

22 (e) five (5) days for each pint of blood donated by an
23 inmate;

24 (f) three (3) days per month for those inmates who are
25 enrolled in any self-help group activity.

1 (5) No person convicted and sentenced before July 1,
2 1974, shall have his good time allowance reduced as required
3 by subsection (4)."

-End-

1 HOUSE BILL NO. 560

2 INTRODUCED BY MURPHY

3 (BY REQUEST OF THE DEPARTMENT OF INSTITUTIONS)

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT TO ALLOW GOOD TIME
6 ALLOWANCE FOR INMATES IN CERTAIN ACTIVITIES; AMENDING
7 SECTION 80-1905, R.C.M. 1947."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10 Section 1. Section 80-1905, R.C.M. 1947, is amended to
11 read as follows:

12 "80-1905. Good time allowance -- forfeiture --
13 probationers and parolees -- application of prior law --
14 good time allowance offenders. (1) The state department of
15 institutions shall adopt rules and regulations providing for
16 the granting of good time allowance for inmates employed in
17 any prison work or activity. The good time allowance shall
18 operate as a credit on his sentence as imposed by the court,
19 conditioned upon the inmate's good behavior and compliance
20 with the rules and regulations made by the department or the
21 warden. Except as provided in subsection (4), the rules
22 adopted by the department may not grant good time allowance
23 to exceed:

24 (a) ten (10) days per month for inmates assigned
25 within the confines of the walls of the prison;

1 (b) thirteen (13) days per month for those inmates
2 placed outside the confines of the walls of the prison;

3 (c) fifteen (15) days per month for those inmates who
4 have been assigned outside the walls of the prison for an
5 uninterrupted period of one year on a minimum status.

6 (d) thirteen (13) days per month for those inmates
7 enrolled in school inside the walls who successfully
8 complete the course of study or who while so enrolled are
9 released from prison by discharge or parole.

10 (e) ten (10) days for each pint of blood donated by an
11 inmate.

12 (F) FIVE (5) DAYS PER MONTH FOR THOSE INMATES WHO ARE
13 ENROLLED IN ANY SELF-HELP GROUP ACTIVITY.

14 (2) In the event of an attempted escape by an inmate,
15 or a violation of the rules and regulations prescribed by
16 the department or warden, the inmate may be punished by the
17 forfeiture of part or all good time allowances. The warden
18 of the state prison shall advise the department of
19 institutions of any attempted escape or violation of rules
20 and regulations on the part of the inmate. Any punishment by
21 forfeiture of good time allowance must be approved by the
22 department.

23 (3) The provisions of subsections (1) and (2) apply to
24 all persons who are on probation or parole or eligible to be
25 placed on probation or parole. No person convicted and

THIRD READING

1 sentenced before April 1, 1955, shall have his good time
2 allowance reduced as a result of this section.

3 (4) The maximum allowances for good time described in
4 subsection (1) shall be reduced for a person who has been
5 convicted of a felony offense on more than two (2) occasions
6 within a ten (10) year period; provided, however, for the
7 purpose of determining such ten (10) year period, the time
8 during which a person is incarcerated shall not be counted.
9 The maximum amount of good time allowable for such a
10 habitual offender shall be computed as follows:

11 (a) five (5) days per month for inmates assigned
12 within the confines of the walls of the prison;

13 (b) eight (8) days per month for those inmates placed
14 outside the confines of the walls of the prison;

15 (c) ten (10) days per month for those inmates who have
16 been assigned outside the walls of the prison for an
17 uninterrupted period of one (1) year on a minimum status;

18 (d) eight (8) days per month for those inmates
19 enrolled in school inside the walls who successfully
20 complete the course of study or who while so enrolled are
21 released from prison by discharge or parole;

22 (e) five (5) days for each pint of blood donated by an
23 inmate;

24 (f) three (3) days per month for those inmates who are
25 enrolled in any self-help group activity.

1 (5) No person convicted and sentenced before July 1,
2 1974, shall have his good time allowance reduced as required
3 by subsection (4)."

-End-