

House Bill 4

In The House

On motion by Chief Sponsor
Representatives Anderson,
Underdal, Iverson, Pavalovich
and Lund were added as authors
to the Pre-Filed bill.

April 23, 1981 Died in Committee.

1 HOUSE BILL NO. 4
2 INTRODUCED BY KEEDY

3 BY REQUEST OF THE INTERIM COMMITTEE ON CORRECTIONS
4 POLICY AND FACILITY NEEDS WITH NO RECOMMENDATION

5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO ELIMINATE THE
7 PROVISION THAT AN OFFENDER SERVING A TIME SENTENCE MAY BE
8 PAROLED AFTER SERVING 17 1/2 YEARS; AMENDING SECTION
9 46-23-201, MCA."

10
11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

12 Section 1. Section 46-23-201, MCA, is amended to read:
13 "46-23-201. Prisoners eligible for parole. (1) Subject
14 to the following restrictions, the board shall release on
15 parole by appropriate order any person confined in the
16 Montana state prison, except persons under sentence of death
17 and persons serving sentences imposed under 46-18-202(2),
18 when in its opinion there is reasonable probability that the
19 prisoner can be released without detriment to himself or to
20 the community:

21 (a) No convict serving a time sentence may be paroled
22 until he has served at least one-half of his full term, less
23 the good time allowance provided for in 53-30-105; except
24 that a convict designated as a nondangerous offender under
25 46-18-404 may be paroled after he has served one-quarter of

1 his full term, less the good time allowance provided for in
2 53-30-105. Any offender--serving--a--time--sentence--may--be
3 paroled--after--he--has--served--upon--his--term--of--sentence--
4 17-1/2--years--

5 (b) No convict serving a life sentence may be paroled
6 until he has served 30 years, less the good time allowance
7 provided for in 53-30-105.

8 (2) A parole shall be ordered only for the best
9 interests of society and not as an award of clemency or a
10 reduction of sentence or pardon. A prisoner shall be placed
11 on parole only when the board believes that he is able and
12 willing to fulfill the obligations of a law-abiding
13 citizen."

-End-

H.B.4

STATE OF MONTANA

REQUEST NO. 22-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 7, 1971, there is hereby submitted a Fiscal Note for House Bill #4 pursuant to Title 5, Chapter 4, Part 2 of the Montana Code Annotated (MCA).

Background information used in developing this Fiscal Note is available from the Office of Budget and Program Planning, to members of the Legislature upon request.

Description of Proposed Legislation: "An act to eliminate the provision that an offender serving a time sentence may be paroled after serving 17½ years; Amending Section 46-23-201, MCA."

Assumptions:

This Proposed Legislation is not retroactive.

Fiscal Impact:

There would be no fiscal impact during the 82-83 Biennium.

Syle Manley, for
BUDGET DIRECTOR
Office of Budget and Program Planning
Date: 1-13-81