

HOUSE BILL NO. 9
INTRODUCED BY YARDLEY
BY REQUEST OF THE INTERIM COMMITTEE ON CORRECTIONS POLICY
AND FACILITY NEEDS

IN THE HOUSE

January 6, 1981	Introduced and referred to Committee on Judiciary.
January 7, 1981	Fiscal note requested.
January 13, 1981	Fiscal note returned.
January 16, 1981	Committee recommend bill do pass as amended. Report adopted.
January 19, 1981	Bill printed and placed on members' desks.
	Second reading, do pass.
January 20, 1981	Correctly engrossed.
	Third reading, passed. Transmitted to Senate.

IN THE SENATE

January 21, 1981	Introduced and referred to Committee on Judiciary.
March 9, 1981	Committee recommend bill be concurred in as amended. Report adopted.
March 10, 1981	Second reading, concurred in.
March 12, 1981	Third reading, concurred in as amended. Ayes, 49; Noes, 1.

IN THE HOUSE

March 13, 1981	Returned from Senate with amendments.
March 18, 1981	Second reading, amendments not concurred in.
	On motion Free Conference Committee requested and appointed.
March 26, 1981	Free Conference Committee reported and dissolved.
April 10, 1981	Second reading, Free Conference Committee report adopted.
	Third reading, Free Conference Committee report adopted. Ayes, 90; Noses, 4. Transmitted to Senate.

IN THE SENATE

April 23, 1981 Free Conference Committee report adopted.

IN THE HOUSE

1 HOUSE BILL NO. 9
2 INTRODUCED BY YARDLEY
3 BY REQUEST OF THE INTERIM COMMITTEE ON CORRECTIONS POLICY
4 AND FACILITY NEEDS
5
6 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE LAW
7 RELATING TO GOOD TIME ALLOWANCE MORE RESTRICTIVE; AMENDING
8 SECTION 53-30-105, MCA."
9
10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
11 Section 1. Section 53-30-105, MCA, is amended to read:
12 "53-30-105. Good time allowance. (1) The department of
13 institutions shall adopt rules providing for the granting of
14 good time allowance for inmates employed in any prison work
15 or activity. The good time allowance shall operate as a
16 credit on his sentence as imposed by the court, conditioned
17 upon the inmate's good behavior and compliance with the
18 rules made by the department or the warden. The rules
19 adopted by the department may not grant good time allowance
20 to exceed:
21 (a) 10 days per month for inmates assigned within the
22 confines of the walls of the prison;
23 (b) 13 days per month for those inmates placed outside
24 the confines of the walls of the prison;
25 (c) 15 days per month for those inmates who have been

1 assigned outside the walls of the prison for an
2 uninterrupted period of 1 year on a minimum status;
3 (d) 13 days per month for those inmates enrolled in
4 school inside the walls who successfully complete the course
5 of study or who while so enrolled are released from prison
6 by discharge or parole;
7 (e) 10 days per month for inmates assigned outside the walls of the prison for an uninterrupted period of 1 year on a minimum status;
8 (f) 5 days per month for those inmates participating in self-improvement activities designated by the department;
9 (2) In the event of an attempted escape by an inmate or a violation of the rules prescribed by the department or warden, the inmate may be punished by the forfeiture of part or all good time allowances. The warden of the state prison shall advise the department of any attempted escape or violation of rules on the part of the inmate. Any punishment by forfeiture of good time allowance must be approved by the department.
10 (3) This section applies to all persons who are on probation or parole or eligible to be placed on probation or parole. No person convicted and sentenced before April 1, 1955, shall have his good time allowance reduced as a result of this section."

-End-

-2- INTRODUCED BILL
H.B.9

STATE OF MONTANA

REQUEST NO.

25-81

FISCAL NOTE

Form BD-15

In compliance with a written request received January 7, 1981, there is hereby submitted a Fiscal Note for House Bill #9 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.

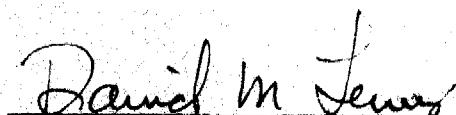
Description of Proposed Legislation: "An act to make the law relating to good time allowance more restrictive; Amending Section 53-30-105, MCA."

Assumptions:

1. Assume all inmates receive 5 days of good time per month.
2. Assume December 1980 is an average month.
3. Assume 343 inmates participated in self help groups.

Fiscal Impact:

	FY 82	FY 83
Operating Expenses	\$10,684	\$11,748
General Fund		



BUDGET DIRECTOR

Office of Budget and Program Planning

Date: 1-12-81

Approved by Committee
on Judiciary

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18 rules made by the department or the warden. The rules
19 adopted by the department may not grant good time allowance
20 to exceed:

21 (a) 10 days per month for inmates assigned within--the
22 confines--cf--the-walls-of-the-prison TO_MAXIMUM,_CLOSE,_AND
23 MEDIUM_I SECURITY CLASSIFICATIONS:

(b) 13 days per month for those inmates-placed-outside
the-confines-of-the-walls-of-the-prison CLASSIFIED AS MEDIUM

1 II AND MINIMUM SECURITY CLASSIFICATIONS:

2 (c) 15 days per month for those inmates who have been
3 assigned outside the walls of the prison for an
4 uninterrupted period of 1 year on a minimum status INMATES
5 AFTER HAVING BEEN ASSIGNED AS MEDIUM II OR MINIMUM SECURITY
6 FOR AN UNINTERRUPTED PERIOD OF 1 YEAR;

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

11 18-days-for-each-point-of-blood-donated--by--an
12 inmate

13 5--days--per-month-for-those-inmates-participating
14 in-self-improvement-activities-designated-by-the-department

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

23 (3) This--section-applies-to-all-persons-who-are-on A
24 person-may-not-earn-good-time-under-this-section-while-he-is
25 on probation or parole-or-eligible-to-be-placed-on-probation

1 or-parole. No-person-convicted-and-sentenced-before-April-19
2 1955, shall-have-his-good-time-allowance-reduced-as-a-result
3 of-this-section."

-End-

6 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE THE LAW
7 RELATING TO GOOD TIME ALLOWANCE MORE RESTRICTIVE; AMENDING
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7 (d) 13 days per month for those inmates enrolled in
8 school inside the walls who successfully complete the course
9 of study or who while so enrolled are released from prison
10 by discharge or parole.

11 ~~for 10 days for each pint of blood donated by an~~
12 inmate

13 ~~for 5 days per month for those inmates participating~~
14 in self-improvement activities designated by the department.

15 (2) In the event of an attempted escape by an inmate
16 or a violation of the rules prescribed by the department or
17 warden, the inmate may be punished by the forfeiture of part
18 or all good time allowances. The warden of the state prison
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22 department.

23 (3) This section applies to all persons who are on A
24 person may not earn good time under this section while he is
25 on probation or parole or eligible to be placed on probation

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2 1955-shall-have-his-good-time-allowance-reduced-as-a-result
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II AND MINIMUM SECURITY CLASSIFICATIONS:

(c) 15 days per month for those inmates who have been assigned outside the walls of the prison for an uninterrupted period of 1 year on a minimum status INMATES AFTER HAVING BEEN ASSIGNED AS MEDIUM II OR MINIMUM SECURITY FOR AN UNINTERRUPTED PERIOD OF 1 YEAR;

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

(e) 18 days for each pint of blood donated by an inmate.

(E) 5 DAYS PER MONTH FOR THOSE INMATES PARTICIPATING IN SELF-IMPROVEMENT ACTIVITIES DESIGNATED BY THE DEPARTMENT.

(f) 5 days per month for those inmates participating in self-improvement activities designated by the department.

(2) In the event of an attempted escape by an inmate or a violation of the rules prescribed by the department or warden, the inmate may be punished by the forfeiture of part or all good time allowances. The warden of the state prison shall advise the department of any attempted escape or violation of rules on the part of the inmate. Any punishment by forfeiture of good time allowance must be approved by the department.

(3) This section applies to all persons who are on a

1 person may not earn good time under this section while he is
2 on probation or parole or-eligible-to-be-placed-on-probation
3 or-parole. No-person-convicted-and-sentenced-before-April-1,
4 1955, shall have his good time allowance reduced as a result
5 of-this-section."

-End-

March 9, 1981

SENATE STANDING COMMITTEE REPORT
(Judiciary)

That House Bill No. 9 be amended as follows:

1. Page 2, lines 13 and 14.

Following: line 12

Insert: "(e) 5 days per month for those inmates participating in self improvement activities designated by the department."

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1 fe)---to-days-for-each---pint---of---blood---donated---by---an
2 transfused

3 (E) 3 DAYS PER MONTH FOR THOSE INMATES PARTICIPATING
4 IN SELF-IMPROVEMENT ACTIVITIES DESIGNATED BY THE DEPARTMENT.

5 LET - 5 - DAYS - PER - MONTH - FOR - THOSE - INMATES - PARTICIPATING
6 IN - SELF - IMPROVEMENT - ACTIVITIES - DESIGNATED - BY - THE - DEPARTMENT.

7 tfj--5--days--per--month--for--those--inmates--participating
8 in--self--improvement--activities--designated--by--the--departments

1 warden, the inmate may be punished by the forfeiture of part
2 or all good time allowances. The warden of the state prison
3 shall advise the department of any attempted escape or
4 violation of rules on the part of the inmate. Any punishment
5 by forfeiture of good time allowance must be approved by the

1 department.

2 (3) This section applies to all persons who are on a
3 person may not earn good time under this section while he is
4 on probation or parole or eligible to be placed on probation
5 or parole. No person convicted and sentenced before April 1,
6 1955, shall have his good time allowance reduced as a result
7 of this section."

-End-