

Assembly Bill No. 391—Committee on Judiciary

CHAPTER.....

AN ACT relating to prisoners; making technical corrections to the statutes concerning credits against the sentences of certain prisoners; and providing other matters properly relating thereto.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. NRS 209.433 is hereby amended to read as follows:

209.433 1. Every offender who was sentenced to prison on or before June 30, 1969, who has no serious infraction of the regulations of the department, the terms and conditions of his residential confinement, or the laws of the state recorded against him, and who performs in a faithful, orderly and peaceable manner the duties assigned to him, must be allowed for his term a deduction of 2 months in each of the first 2 years, 4 months in each of the next 2 years, and 5 months in each of the remaining years of the term, and pro rata for any part of a year where the sentence is for more or less than a year.

2. ~~{The mode of reckoning credits must be as shown in the following table:~~

SCHEDULE OF CREDITS

~~Number of yearsGood timeTime to be served
of sentence.— granted.Total good time made.if full time is made.~~

1st year	2 months	2 months	10 months
2nd year	2 months	4 months	1 year,8 months
3rd year	4 months	8 months	2 years,4 months
4th year	4 months	1 year	3 years
5th year	5 months	1 year,5 months	3 years,7 months
6th year	5 months	1 year,10 months	4 years,2 months
7th year	5 months	2 years,3 months	4 years,9 months
8th year	5 months	2 years,8 months	5 years,4 months
9th year	5 months	3 years,1 month	5 years,11 months
10th year	5 months	3 years,6 months	6 years,6 months

~~and so on through as many years as may be the term of the sentence.~~

~~—3.]~~ In addition to the credits for good behavior provided for in subsection 1, the board shall adopt regulations allowing credits for offenders whose diligence in labor or study merits the credits and for offenders who donate their blood for charitable purposes. The regulations must provide that an offender is entitled to the following credits for educational achievement:

- (a) For earning a general equivalency diploma, 30 days.
- (b) For earning a high school diploma, 60 days.
- (c) For earning an associate degree, 90 days.

~~[4.]~~ **3.** Each offender is entitled to the deductions allowed by this section if he has satisfied the conditions of subsection 1 or ~~[3]~~ **2** as determined by the director.

Sec. 2. NRS 209.443 is hereby amended to read as follows:

209.443 1. Every offender who is sentenced to prison after June 30, 1969, for a crime committed before July 1, 1985, who has no serious infraction of the regulations of the department, the terms and conditions of his residential confinement, or the laws of the state recorded against him, and who performs in a faithful, orderly and peaceable manner the duties assigned to him, must be allowed:

(a) For the period he is actually incarcerated under sentence; and

(b) For the period he is in residential confinement, a deduction of 2 months for each of the first 2 years, 4 months for each of the next 2 years, and 5 months for each of the remaining years of the term, and pro rata for any part of a year where the actual term served is for more or less than a year. Credit must be recorded on a monthly basis as earned for actual time served.

2. ~~[Credits accumulate as shown in the following table:~~

SCHEDULE OF CREDITS

Number of years served.	Good time granted.	Total good time made.
1 year	2 months	2 months
2 years	2 months	4 months
3 years	4 months	8 months
4 years	4 months	1 year
5 years	5 months	1 year, 5 months
6 years	5 months	1 year, 10 months
7 years	5 months	2 years, 3 months
8 years	5 months	2 years, 8 months
9 years	5 months	3 years, 1 month
10 years	5 months	3 years, 6 months

~~and so on through as many years as may be the term of the sentence. The "total good time made"]~~ **The credits earned by an offender** must be deducted from the maximum term imposed by the sentence and, except as otherwise provided in subsection 5, ~~[applies]~~ **apply** to eligibility for parole.

3. In addition to the credits for good behavior provided for in subsection 1, the board shall adopt regulations allowing credits for offenders whose diligence in labor or study merits such credits and for offenders who donate their blood for charitable purposes. The regulations

must provide that an offender is entitled to the following credits for educational achievement:

- (a) For earning a general equivalency diploma, 30 days.
- (b) For earning a high school diploma, 60 days.
- (c) For earning an associate degree, 90 days.

4. Each offender is entitled to the deductions allowed by this section if he has satisfied the conditions of subsection 1 or 3 as determined by the director.

5. Credits earned pursuant to this section do not apply to eligibility for parole if a statute specifies a minimum sentence which must be served before a person becomes eligible for parole.

Sec. 3. NRS 209.447 is hereby amended to read as follows:

209.447 1. An offender who is sentenced after June 30, 1991, for a crime committed before July 1, 1985, and who is released on parole for a term less than life must, if he has no serious infraction of the terms and conditions of his parole or the laws of this state recorded against him, be allowed for the period he is actually on parole a deduction of 2 months for each of the first 2 years, 4 months for each of the next 2 years, and 5 months for each of the remaining years of the term, and pro rata for any part of a year where the actual term served is for more or less than a year. Credit must be recorded on a monthly basis as earned. ~~[Credits accumulate pursuant to this subsection as shown in the table set forth in subsection 2 of NRS 209.443.]~~

2. An offender who is sentenced after June 30, 1991, for a crime committed on or after July 1, 1985, and who is released on parole for a term less than life must, if he has no serious infraction of the terms and conditions of his parole or the laws of this state recorded against him, be allowed for the period he is actually on parole a deduction of 10 days from his sentence for each month he serves.

3. An offender is entitled to the deductions authorized by this section only if he satisfies the conditions of subsection 1 or 2, as determined by the director. The chief parole and probation officer or other person responsible for the supervision of an offender shall report to the director the failure of an offender to satisfy those conditions.

4. Credits earned pursuant to this section must, in addition to any credits earned pursuant to NRS 209.443, 209.446, 209.4465, 209.448 and 209.449, be deducted from the maximum term imposed by the sentence.

5. The director shall maintain records of the credits to which each offender is entitled pursuant to this section.

Sec. 4. The amendatory provisions of this act do not affect any credits earned against the sentence of a person sentenced to imprisonment in the state prison for a crime committed before, on or after October 1, 1999.