

CHAPTER.....

AN ACT relating to parole; providing additional credits against the sentence of a parolee under certain circumstances; 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.** Chapter 209 of NRS is hereby amended by adding thereto a new section to read as follows:

*1. In addition to any credits earned pursuant to NRS 209.447, an offender who is on parole as of January 1, 2004, or who is released on parole on or after January 1, 2004, for a term less than life must be allowed for the period he is actually on parole a deduction of 10 days from his sentence for each month he serves if:*

*(a) He is current with any fee to defray the costs of his supervision pursuant to NRS 213.1076; and*

*(b) He is current with any payment of restitution required pursuant to NRS 213.126.*

*2. In addition to any credits earned pursuant to subsection 1 and NRS 209.447, the Director may allow not more than 10 days of credit each month for an offender:*

*(a) Who is on parole as of January 1, 2004, or who is released on parole on or after January 1, 2004, for a term less than life; and*

*(b) Whose diligence in labor or study merits such credits.*

*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, 209.447, 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. 2.** NRS 209.432 is hereby amended to read as follows:

209.432 As used in NRS 209.432 to 209.451, inclusive, *and section 1 of this act*, unless the context otherwise requires:

1. “Offender” includes:

(a) A person who is convicted of a felony under the laws of this state and sentenced, ordered or otherwise assigned to serve a term of residential confinement.

(b) A person who is convicted of a felony under the laws of this state and assigned to the custody of the division of parole and probation of the department of public safety pursuant to NRS 209.4886.

2. "Residential confinement" means the confinement of a person convicted of a felony to his place of residence under the terms and conditions established pursuant to specific statute. The term does not include any confinement ordered pursuant to NRS 176A.530 to 176A.560, inclusive, 176A.660 to 176A.690, inclusive, 213.15105, 213.15193 or 213.152 to 213.1528, inclusive.

**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.

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 ~~and~~ *and section 1 of this act*, 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.** NRS 213.1518 is hereby amended to read as follows:

213.1518 1. If a parolee violates a condition of his parole, he forfeits all or part of the credits earned by him pursuant to NRS

209.447 *and section 1 of this act* after his release on parole, in the discretion of the Board.

2. A forfeiture may be made only by the Board after proof of the violation and notice to the parolee.

3. The Board may restore credits forfeited for such reasons as it considers proper.

4. The Chief Parole and Probation Officer shall report to the Director of the Department of Corrections any forfeiture or restoration of credits pursuant to this section.

**Sec. 5.** This act becomes effective on January 1, 2004.