

CHAPTER 166
HB 649-FN – FINAL VERSION

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HOUSE BILL **649-FN**

AN ACT relative to earned time credits for certain prisoners participating in educational and rehabilitative programming.

SPONSORS: Rep. Gile, Merr 27; Rep. Charron, Rock 4; Rep. Shurtleff, Merr 11; Rep. Gargasz, Hills 27; Sen. D'Allesandro, Dist 20; Sen. Stiles, Dist 24

COMMITTEE: Criminal Justice and Public Safety

AMENDED ANALYSIS

This bill authorizes the commissioner of the department of corrections to award earned time credits for prisoners who participate in, or complete, educational, vocational, mental health, or substance use treatment programming.

Explanation: Matter added to current law appears in ***bold italics***.
 Matter removed from current law appears [~~in brackets and struck through~~].
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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1 approved by the department or that the commissioner deems to be valuable to the prisoner's
2 rehabilitation, shall be entitled to a one-time reduction of 60 days in his or her minimum sentence
3 and a one-time reduction of 60 days in his or her maximum sentence. The commissioner shall
4 establish procedures, which shall be exempt from RSA 541-A, for awarding such reductions.

5 (d) Participation in Family Connections Center Programming. A prisoner who is a
6 parent and who meaningfully participates in the programming offered by the Family Connections
7 Center that the commissioner deems to be valuable to the prisoner's rehabilitation, shall be entitled
8 to a one-time reduction of 60 days in his or her minimum sentence and a one-time reduction of 60
9 days in his or her maximum sentence. The commissioner shall establish procedures, which shall be
10 exempt from RSA 541-A, for awarding such reductions.

11 II. The earned time reductions authorized in paragraph I of this section shall be available to
12 prisoners who were incarcerated on or after the effective date of this section and who have been
13 granted this option by the presiding justice at the time of sentencing. The earned time reductions
14 authorized in paragraph I of this section shall be available to prisoners who were incarcerated prior
15 to the effective date of this section upon recommendation of the commissioner and upon approval of
16 the sentencing court in response to a petition which is timely brought by the prisoner.

17 III. The earned time reductions authorized in paragraph I of this section shall only be
18 earned and available to prisoners while in the least restrictive security classifications of general
19 population and minimum security. The earned time may be forfeited for involvement or membership
20 in a security threat group, attempted escape, escape, or commission of any category A offense listed
21 in the department of corrections policy and procedure directives.

22 IV. The earned time reductions granted under this section shall not exceed 13 months off the
23 prisoner's minimum sentence and 13 months off the prisoner's maximum sentence.

24 166:2 Sentences and Limitations. Amend RSA 651:2, II-e to read as follows:

25 II-e. To the minimum sentence of every person who is sentenced to imprisonment for a
26 maximum of more than one year shall be added a disciplinary period equal to 150 days for each year
27 of the minimum term of the sentence, to be prorated for any part of the year. The presiding justice
28 shall certify, at the time of sentencing, the minimum term of the sentence and the additional
29 disciplinary period required under this paragraph. This additional disciplinary period may be
30 reduced for good conduct as provided in RSA 651-A:22 *and for earned time as provided in*
31 ***RSA 651-A:22-a***. There shall be no addition to the sentence under this section for the period of pre-
32 trial confinement for which credit against the sentence is awarded pursuant to RSA 651-A:23.

33 166:3 Effective Date. This act shall take effect 60 days after its passage.

34 Approved: July 11, 2014

35 Effective Date: September 9, 2014