

1 ENGROSSED HOUSE  
2 BILL NO. 1687

By: Denney of the House

3 and

4 Halligan of the Senate  
5  
6

7 An Act relating to adult education; amending 70 O.S.  
8 2011, Section 3-110.1, as amended by Section 1,  
9 Chapter 164, O.S.L. 2014 (70 O.S. Supp. 2014, Section  
10 3-110.1), which relates to the allocation of funds  
11 for adult education; modifying name of certain  
12 diploma; amending Section 5, Chapter 164, O.S.L. 2014  
13 (70 O.S. Supp. 2014, Section 14-132), which relates  
14 to certain contracts; authorizing contracts for  
15 certain assessment; updating statutory language;  
16 amending Section 6, Chapter 164, O.S.L. 2014 (70 O.S.  
17 Supp. 2014, Section 14-133), which relates to the  
18 Adult Education Revolving Fund; providing fund to  
19 consist of fee for certain purpose; updating  
20 statutory language; amending 57 O.S. 2011, Sections  
21 138, as amended by Section 6, Chapter 228, O.S.L.  
22 2012, 510.7 and 510.8 (57 O.S. Supp. 2014, Section  
23 138), which relate to education programs for inmates;  
24 updating statutory language; providing an effective  
date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-110.1, as  
amended by Section 1, Chapter 164, O.S.L. 2014 (70 O.S. Supp. 2014,  
Section 3-110.1), is amended to read as follows:

Section 3-110.1 Funds appropriated to the State Board of Career  
and Technology Education for Adult Education Matching Funds shall be

1 provided to school districts which offer courses leading to ~~the~~  
2 ~~General Education Diploma~~ a high school equivalency diploma. The  
3 State Board of Career and Technology Education shall promulgate  
4 rules for the distribution of the funds.

5 SECTION 2. AMENDATORY Section 5, Chapter 164, O.S.L.  
6 2014 (70 O.S. Supp. 2014, Section 14-132), is amended to read as  
7 follows:

8 Section 14-132. A. The State Board of Career and Technology  
9 Education is hereby authorized and directed to enter into agreements  
10 and to contract for the provision of adult education, assessment and  
11 other services ~~that are needed~~ for courses leading to ~~the General~~  
12 ~~Education Diploma (GED)~~ a high school equivalency diploma. Any  
13 adult education program providing services pursuant to a contract or  
14 subcontract with the State Board of Career and Technology Education  
15 and receiving funds from the State Board of Career and Technology  
16 Education or any contractor with the State Board of Career and  
17 Technology Education shall be subject to the provisions of the  
18 administrative rules of the State Board of Career and Technology  
19 Education.

20 B. The Department of Education shall retain the responsibility  
21 for issuing diplomas to those who successfully complete ~~the General~~  
22 ~~Education Development~~ a high school equivalency test, pursuant to  
23 criteria established by the State Board of Education.

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1 SECTION 3. AMENDATORY Section 6, Chapter 164, O.S.L.  
2 2014 (70 O.S. Supp. 2014, Section 14-133), is amended to read as  
3 follows:

4 Section 14-133. There is hereby created in the State Treasury a  
5 revolving fund for the State Board of Career and Technology  
6 Education, to be designated the "Adult Education Revolving Fund".  
7 The fund shall consist of fees paid to the Board for the ~~scoring of~~  
8 ~~the writing component portion of the General Education Development~~  
9 oversight and management of the high school equivalency test as  
10 administered by the Board pursuant to law. The revolving fund shall  
11 be a continuing fund, not subject to fiscal year limitations, and  
12 shall be under the control and management of the administrative  
13 authority of the State Board of Career and Technology Education.  
14 Expenditures from the fund shall be made to maintain the ~~General~~  
15 ~~Education Development~~ high school equivalency testing process and  
16 ~~for the scoring of the writing component of the test.~~ Warrants for  
17 expenditure shall be drawn by the State Treasurer on claims by an  
18 authorized employee of the State Board of Career and Technology  
19 Education and approved by the Director of the Office of Management  
20 and Enterprise Services.

21 SECTION 4. AMENDATORY 57 O.S. 2011, Section 138, as  
22 amended by Section 6, Chapter 228, O.S.L. 2012 (57 O.S. Supp. 2014,  
23 Section 138), is amended to read as follows:

24

1 Section 138. A. Except as otherwise provided by law, every  
2 inmate of a state correctional institution shall have their term of  
3 imprisonment reduced monthly, based upon the class level to which  
4 they are assigned. Earned credits may be subtracted from the total  
5 credits accumulated by an inmate, upon recommendation of the  
6 institution's disciplinary committee, following due process, and  
7 upon approval of the warden or superintendent. Each earned credit  
8 is equivalent to one (1) day of incarceration. Lost credits may be  
9 restored by the warden or superintendent upon approval of the  
10 classification committee. If a maximum and minimum term of  
11 imprisonment is imposed, the provisions of this subsection shall  
12 apply only to the maximum term. No deductions shall be credited to  
13 any inmate serving a sentence of life imprisonment; however, a  
14 complete record of the inmate's participation in work, school,  
15 vocational training, or other approved program shall be maintained  
16 by the Department for consideration by the paroling authority. No  
17 earned credit deductions shall be credited or recorded for any  
18 inmate serving any sentence for a criminal act which resulted in the  
19 death of a police officer, a law enforcement officer, an employee of  
20 the Department of Corrections, or an employee of a private prison  
21 contractor and the death occurred while the police officer, law  
22 enforcement officer, employee of the Department of Corrections, or  
23 employee of a private prison contractor was acting within the scope  
24 of their employment. No earned credit deductions shall be credited

1 or recorded for any person who is referred to an intermediate  
2 revocation facility for violating any of the terms and conditions of  
3 probation.

4 B. The Department of Corrections is directed to develop a  
5 written policy and procedure whereby inmates shall be assigned to  
6 one of four class levels determined by an adjustment review  
7 committee of the facility to which the inmate is assigned. The  
8 policies and procedures developed by the Department shall include,  
9 but not be limited to, written guidelines pertaining to awarding  
10 credits for rehabilitation, obtaining job skills and educational  
11 enhancement, participation in and completion of alcohol/chemical  
12 abuse programs, incentives for inmates to accept work assignments  
13 and jobs, work attendance and productivity, conduct record,  
14 participation in programs, cooperative general behavior, and  
15 appearance. When assigning inmates to a class level the adjustment  
16 review committee shall consider all aspects of the policy and  
17 procedure developed by the Department including but not limited to  
18 the criteria for awarding credits required by this subsection.

19 C. If an inmate is subject to misconduct, nonperformance or  
20 disciplinary action, earned credits may be removed according to the  
21 policies and procedures developed by the Department. Earned credits  
22 removed for misconduct, nonperformance or disciplinary action may be  
23 restored as provided by Department policy, if any.

24 D. 1. Class levels shall be as follows:

- 1 a. Class level 1 shall include inmates not eligible to  
2 participate in class levels 2 through 4, and shall  
3 include, but not be limited to, inmates on escape  
4 status.
- 5 b. Class level 2 shall include an inmate who has been  
6 given a work, education, or program assignment, has  
7 received a good evaluation for participation in the  
8 work, education, or program assignment, and has  
9 received a good evaluation for personal hygiene and  
10 maintenance of living area.
- 11 c. Class level 3 shall include an inmate who has been  
12 incarcerated at least three (3) months, has received  
13 an excellent work, education, or program evaluation,  
14 and has received an excellent evaluation for personal  
15 hygiene and maintenance of living area.
- 16 d. Class level 4 shall include an inmate who has been  
17 incarcerated at least eight (8) months, has received  
18 an outstanding work, education, or program evaluation,  
19 and has received an outstanding evaluation for  
20 personal hygiene and maintenance of living area.

- 21 2. a. Until November 1, 2001, class level corresponding  
22 credits are as follows:

23 Class 1 - 0 Credits per month;

24 Class 2 - 22 Credits per month;

1                   Class 3 - 33 Credits per month;

2                   Class 4 - 44 Credits per month.

3           b.    Class level corresponding credits beginning November  
4               1, 2001, for inmates who have ever been convicted as  
5               an adult or a youthful offender or adjudicated  
6               delinquent as a juvenile for a felony offense  
7               enumerated in subsection E of this section are as  
8               follows:

9                   Class 1 - 0 Credits per month;

10                  Class 2 - 22 Credits per month;

11                  Class 3 - 33 Credits per month;

12                  Class 4 - 44 Credits per month.

13           c.    Class level corresponding credits beginning November  
14               1, 2001, for inmates who have never been convicted as  
15               an adult or a youthful offender or adjudicated  
16               delinquent as a juvenile for a felony offense  
17               enumerated in subsection E of this section are as  
18               follows:

19                   Class 1 - 0 Credits per month;

20                  Class 2 - 22 Credits per month;

21                  Class 3 - 45 Credits per month;

22                  Class 4 - 60 Credits per month.

23           Each inmate shall receive the above specified monthly credits  
24           for the class to which he or she is assigned.  In determining the

1 prior criminal history of the inmate, the Department of Corrections  
2 shall review criminal history records available through the Oklahoma  
3 State Bureau of Investigation, Federal Bureau of Investigation, and  
4 National Crime Information Center to determine the reported felony  
5 convictions of all inmates. The Department of Corrections shall  
6 also review the Office of Juvenile Affairs Juvenile On-line Tracking  
7 System for inmates who were adjudicated delinquent or convicted as a  
8 youthful offender for a crime that would be an offense enumerated in  
9 subsection E of this section.

10 3. In addition to the criteria established for each class in  
11 paragraph 1 of this subsection, the following requirements shall  
12 apply to each of levels 2 through 4:

- 13 a. satisfactory participation in the work, education, or  
14 program assignment at the standard required for the  
15 particular class level~~†~~1,
- 16 b. maintenance of a clean and orderly living area and  
17 personal hygiene at the standard required for the  
18 particular class level~~†~~1,
- 19 c. cooperative behavior toward facility staff and other  
20 inmates~~†~~1, and
- 21 d. satisfactory participation in the requirements of the  
22 previous class level.

23 4. The evaluation scale for assessing performance shall be as  
24 follows:



- 1 a. Outstanding - For inmates who display consistently  
2 exceptional initiative, motivation, and work habits.
- 3 b. Excellent - For inmates who display above-average work  
4 habits with only minor errors and rarely perform below  
5 expectations.
- 6 c. Good - For inmates who perform in a satisfactory  
7 manner and complete tasks as required, doing what is  
8 expected, with only occasional performance above or  
9 below expectations.
- 10 d. Fair - For inmates who may perform satisfactorily for  
11 some periods of time, but whose performance is marked  
12 by obviously deficient and weak areas and could be  
13 improved.
- 14 e. Poor - For inmates whose performance is unsatisfactory  
15 and falls below expected and acceptable standards.

16 E. No person ever convicted as an adult or a youthful offender  
17 or adjudicated delinquent as a juvenile in this state for any felony  
18 offense enumerated in this subsection or a similar felony offense  
19 pursuant to the provisions of another state, the United States, or a  
20 military court shall be eligible for the credits provided by the  
21 provisions of subparagraph c of paragraph 2 of subsection D of this  
22 section.

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- 1        1. Assault, battery, or assault and battery with a dangerous  
2 weapon as defined by Section 645, ~~or~~ subsection C of Section 652 of  
3 Title 21 or Section 2-219 of Title 43A of the Oklahoma Statutes;
- 4        2. Aggravated assault and battery on a police officer, sheriff,  
5 highway patrolman, or any other officer of the law as defined by  
6 Section 650, subsection C of Section 650.2, 650.5, subsection B of  
7 Section 650.6, or subsection C of Section 650.7 of Title 21 of the  
8 Oklahoma Statutes;
- 9        3. Poisoning with intent to kill as defined by Section 651 of  
10 Title 21 of the Oklahoma Statutes;
- 11       4. Shooting with intent to kill as defined by Section 652 of  
12 Title 21 of the Oklahoma Statutes;
- 13       5. Assault with intent to kill as defined by Section 653 of  
14 Title 21 of the Oklahoma Statutes;
- 15       6. Assault with intent to commit a felony as defined by Section  
16 681 of Title 21 of the Oklahoma Statutes;
- 17       7. Assaults while masked or disguised as defined by Section  
18 1303 of Title 21 of the Oklahoma Statutes;
- 19       8. Entering premises of another while masked as defined by  
20 Section 1302 of Title 21 of the Oklahoma Statutes;
- 21       9. Murder in the first degree as defined by Section 701.7 of  
22 Title 21 of the Oklahoma Statutes;
- 23       10. Solicitation for Murder in the first degree as defined by  
24 Section 701.16 of Title 21 of the Oklahoma Statutes;

- 1 11. Murder in the second degree as defined by Section 701.8 of  
2 Title 21 of the Oklahoma Statutes;
- 3 12. Manslaughter in the first degree as defined by Section 711,  
4 712 or 714 of Title 21 of the Oklahoma Statutes;
- 5 13. Manslaughter in the second degree as defined by Section 716  
6 or 717 of Title 21 of the Oklahoma Statutes;
- 7 14. Kidnapping as defined by Section 741 of Title 21 of the  
8 Oklahoma Statutes;
- 9 15. Burglary in the first degree as defined by Section 1431 of  
10 Title 21 of the Oklahoma Statutes;
- 11 16. Burglary with explosives as defined by Section 1441 of  
12 Title 21 of the Oklahoma Statutes;
- 13 17. Kidnapping for extortion as defined by Section 745 of Title  
14 21 of the Oklahoma Statutes;
- 15 18. Maiming as defined by Section 751 of Title 21 of the  
16 Oklahoma Statutes;
- 17 19. Robbery as defined by Section 791 of Title 21 of the  
18 Oklahoma Statutes;
- 19 20. Robbery in the first degree as defined by Section 797 of  
20 Title 21 of the Oklahoma Statutes;
- 21 21. Robbery in the second degree as defined by Section 797 of  
22 Title 21 of the Oklahoma Statutes;
- 23 22. Armed robbery as defined by Section 801 of Title 21 of the  
24 Oklahoma Statutes;

1 23. Robbery by two ~~(2)~~ or more persons as defined by Section  
2 800 of Title 21 of the Oklahoma Statutes;

3 24. Robbery with dangerous weapon or imitation firearm as  
4 defined by Section 801 of Title 21 of the Oklahoma Statutes;

5 25. Any crime against a child provided for in Section 843.5 of  
6 Title 21 of the Oklahoma Statutes;

7 26. Wiring any equipment, vehicle or structure with explosives  
8 as defined by Section 849 of Title 21 of the Oklahoma Statutes;

9 27. Forcible sodomy as defined by Section 888 of Title 21 of  
10 the Oklahoma Statutes;

11 28. Rape in the first degree as defined by Sections 1111 and  
12 1114 of Title 21 of the Oklahoma Statutes;

13 29. Rape in the second degree as defined by Sections 1111 and  
14 1114 of Title 21 of the Oklahoma Statutes;

15 30. Rape by instrumentation as defined by Section 1111.1 of  
16 Title 21 of the Oklahoma Statutes;

17 31. Lewd or indecent proposition or lewd or indecent act with a  
18 child as defined by Section 1123 of Title 21 of the Oklahoma  
19 Statutes;

20 32. Sexual battery of a person over 16 as defined by Section  
21 1123 of Title 21 of the Oklahoma Statutes;

22 33. Use of a firearm or offensive weapon to commit or attempt  
23 to commit a felony as defined by Section 1287 of Title 21 of the  
24 Oklahoma Statutes;

- 1        34. Pointing firearms as defined by Section 1289.16 of Title 21  
2 of the Oklahoma Statutes;
- 3        35. Rioting as defined by Section 1311 or 1321.8 of Title 21 of  
4 the Oklahoma Statutes;
- 5        36. Inciting to riot as defined by Section 1320.2 of Title 21  
6 of the Oklahoma Statutes;
- 7        37. Arson in the first degree as defined by Section 1401 of  
8 Title 21 of the Oklahoma Statutes;
- 9        38. Endangering human life during arson as defined by Section  
10 1405 of Title 21 of the Oklahoma Statutes;
- 11       39. Injuring or burning public buildings as defined by Section  
12 349 of Title 21 of the Oklahoma Statutes;
- 13       40. Sabotage as defined by Section 1262, 1265.4 or 1265.5 of  
14 Title 21 of the Oklahoma Statutes;
- 15       41. Extortion as defined by Section 1481 or 1486 of Title 21 of  
16 the Oklahoma Statutes;
- 17       42. Obtaining signature by extortion as defined by Section 1485  
18 of Title 21 of the Oklahoma Statutes;
- 19       43. Seizure of a bus, discharging firearm or hurling missile at  
20 bus as defined by Section 1903 of Title 21 of the Oklahoma Statutes;
- 21       44. Mistreatment of a vulnerable adult as defined by Section  
22 843.1 of Title 21 of the Oklahoma Statutes;
- 23       45. Sex offender providing services to a child as defined by  
24 Section 404.1 of Title 10 of the Oklahoma Statutes;

- 1        46. A felony offense of domestic abuse as defined by subsection  
2 C of Section 644 of Title 21 of the Oklahoma Statutes;
- 3        47. Prisoner placing body fluid on government employee as  
4 defined by Section 650.9 of Title 21 of the Oklahoma Statutes;
- 5        48. Poisoning food or water supply as defined by Section 832 of  
6 Title 21 of the Oklahoma Statutes;
- 7        49. Trafficking in children as defined by Section 866 of Title  
8 21 of the Oklahoma Statutes;
- 9        50. Incest as defined by Section 885 of Title 21 of the  
10 Oklahoma Statutes;
- 11       51. Procure, produce, distribute, or possess juvenile  
12 pornography as defined by Section 1021.2 of Title 21 of the Oklahoma  
13 Statutes;
- 14       52. Parental consent to juvenile pornography as defined by  
15 Section 1021.3 of Title 21 of the Oklahoma Statutes;
- 16       53. Soliciting minor for indecent exposure as defined by  
17 Section 1021 of Title 21 of the Oklahoma Statutes;
- 18       54. Distributing obscene material or child pornography as  
19 defined by Section 1040.13 of Title 21 of the Oklahoma Statutes;
- 20       55. Child prostitution as defined by Section 1030 of Title 21  
21 of the Oklahoma Statutes;
- 22       56. Procuring a minor for prostitution or other lewd acts as  
23 defined by Section 1087 of Title 21 of the Oklahoma Statutes;
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1           57. Transporting a child under 18 for purposes of prostitution  
2 as defined by Section 1087 of Title 21 of the Oklahoma Statutes;

3           58. Inducing a minor to engage in prostitution as defined by  
4 Section 1088 of Title 21 of the Oklahoma Statutes;

5           59. A felony offense of stalking as defined by subsection D of  
6 Section 1173 of Title 21 of the Oklahoma Statutes;

7           60. Spread of infectious diseases as defined by Section 1192 of  
8 Title 21 of the Oklahoma Statutes;

9           61. Advocate overthrow of government by force, commit or  
10 attempt to commit acts to overthrow the government, organize or  
11 provide assistance to groups to overthrow the government as defined  
12 by Section 1266, 1266.4 or 1267.1 of Title 21 of the Oklahoma  
13 Statutes;

14           62. Feloniously discharging a firearm as defined by Section  
15 1289.17A of Title 21 of the Oklahoma Statutes;

16           63. Possession, use, manufacture, or threat of incendiary  
17 device as defined by Section 1767.1 of Title 21 of the Oklahoma  
18 Statutes;

19           64. Causing a personal injury accident while driving under the  
20 influence as defined by Section 11-904 of Title 47 of the Oklahoma  
21 Statutes; or

22           65. Using a motor vehicle to facilitate the discharge of a  
23 firearm as defined by Section 652 of Title 21 of the Oklahoma  
24 Statutes.

1 F. The policy and procedure developed by the Department of  
2 Corrections shall include provisions for adjustment review  
3 committees of not less than three members for each such committee.  
4 Each committee shall consist of a classification team supervisor who  
5 shall act as chairman, the case manager for the inmate being  
6 reviewed or classified, a correctional officer or inmate counselor,  
7 and not more than two other members, if deemed necessary, determined  
8 pursuant to policy and procedure to be appropriate for the specific  
9 adjustment review committee or committees to which they are  
10 assigned. At least once every four (4) months the adjustment review  
11 committee for each inmate shall evaluate the class level status and  
12 performance of the inmate and determine whether or not the class  
13 level for the inmate should be changed.

14 Any inmate who feels aggrieved by a decision made by an  
15 adjustment review committee may utilize normal grievance procedures  
16 in effect with the Department of Corrections and in effect at the  
17 facility in which the inmate is incarcerated.

18 G. Inmates granted medical leaves for treatment that cannot be  
19 furnished at the penal institution where incarcerated shall be  
20 allowed the time spent on medical leave as time served. Any inmate  
21 placed into administrative segregation for nondisciplinary reasons  
22 by the institution's administration may be placed in Class 2. The  
23 length of any jail term served by an inmate before being transported  
24 to a state correctional institution pursuant to a judgment and



1 sentence of incarceration shall be deducted from the term of  
2 imprisonment at the state correctional institution. Inmates  
3 sentenced to the Department of Corrections and detained in a county  
4 jail as a result of the Department's reception scheduling procedure  
5 shall be awarded earned credits as provided for in subparagraph b of  
6 paragraph 1 of subsection D of this section, beginning on the date  
7 of the judgment and sentence, unless the inmate is convicted of a  
8 misdemeanor or felony committed in the jail while the inmate is  
9 awaiting transport to the Lexington Assessment and Reception Center  
10 or other assessment and reception location determined by the  
11 Director of the Department of Corrections.

12 H. Additional achievement earned credits for successful  
13 completion of departmentally approved programs or for attaining  
14 goals or standards set by the Department shall be awarded as  
15 follows:

- 16 Bachelor's degree.....200 credits;
- 17 Associate's degree.....100 credits;
- 18 High School Diploma or ~~Equivalent~~  
19 ~~General Education~~ High School
- 20 Equivalency Diploma.....90 credits;
- 21 Certification of Completion of
- 22 Vocational Training.....80 credits;
- 23 Successful completion of
- 24 Alcohol/Chemical Abuse Treatment

1 Program of not less than four (4)  
2 months continuous participation.....70 credits;  
3 Successful completion of other  
4 Educational Accomplishments or  
5 other programs not specified in  
6 this subsection.....10-30 credits;

7 Achievement earned credits are subject to loss and restoration in  
8 the same manner as earned credits.

9 I. The accumulated time of every inmate shall be tallied  
10 monthly and maintained by the institution where the term of  
11 imprisonment is being served. A record of said accumulated time  
12 shall be:

- 13 1. Sent to the administrative office of the Department of  
14 Corrections on a quarterly basis; and
- 15 2. Provided to the inmate.

16 SECTION 5. AMENDATORY 57 O.S. 2011, Section 510.7, is  
17 amended to read as follows:

18 Section 510.7 A. The Department of Corrections shall establish  
19 a program to ensure that inmates have an opportunity to achieve at  
20 least a ~~general educational~~ high school equivalency development  
21 level of proficiency in reading, writing and computation skills, to  
22 the extent resources are available. The provisions of this  
23 subsection shall apply to all inmates in the custody of the  
24 Department of Corrections, except those inmates identified and

1 documented, through the testing requirements provided in subsection  
2 B of this section, to be incapable of benefiting from education  
3 programs, and except those inmates who have already achieved a  
4 general educational development level of proficiency in reading,  
5 writing and computation skills.

6 B. The Department of Corrections, in fulfilling its duty to  
7 assess the educational and training needs of an inmate as part of  
8 the assessment and reception process required by Section 530.1 of  
9 this title, shall administer an examination to determine the  
10 educational proficiency level of the inmate, the existence of any  
11 learning disabilities, and any other factors relevant to determining  
12 if the inmate is capable of achieving the educational proficiency  
13 level established in subsection A of this section and if so, to  
14 determine the type of education programs necessary to bring the  
15 inmate to the ~~general educational~~ high school equivalency  
16 development level of proficiency.

17 SECTION 6. AMENDATORY 57 O.S. 2011, Section 510.8, is  
18 amended to read as follows:

19 Section 510.8 A. The Department of Corrections shall implement  
20 procedures to ensure that priority for placement of eligible inmates  
21 in education programs be given to inmates lacking basic literacy  
22 skills and to inmates closest to their projected release dates.

23 B. Any incarcerated inmate that refuses to participate in  
24 recommended education programs shall be ineligible for earned

1 credits as provided in Section 138.1 of this title and shall  
2 jeopardize the eligibility of the inmate for parole or participation  
3 in the Preparole Conditional Supervision Program.

4 C. Any eligible inmate who has not achieved the educational  
5 proficiency level established in Section 510.7 of this title, prior  
6 to the date of eligibility for parole or preparole conditional  
7 supervision, shall be required by the Pardon and Parole Board to  
8 participate in education programs approved by the Board to achieve  
9 the proficiency level or, at the discretion of the Board, to obtain  
10 a ~~general education~~ high school equivalency diploma as a condition  
11 of parole or preparole conditional supervision. If education  
12 programs are not available in the community where the inmate  
13 resides, or if the Board finds that the educational requirements  
14 would be a financial hardship on the inmate or that the inmate is  
15 not physically able to participate, the Board may waive the  
16 educational requirement set forth in this section.

17 SECTION 7. This act shall become effective July 1, 2015.

18 SECTION 8. It being immediately necessary for the preservation  
19 of the public peace, health and safety, an emergency is hereby  
20 declared to exist, by reason whereof this act shall take effect and  
21 be in full force from and after its passage and approval.

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