

AN ACT

ENTITLED, An Act to provide certain earned discharge credits for inmates.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 24-15A be amended by adding a NEW SECTION to read:

The department may grant an inmate up to ninety days of earned discharge credits for each program completion; up to ninety days of earned discharge credits upon completion of three hundred sixty hours of satisfactory work not to exceed one hundred eighty days of earned discharge credit for work in a twelve-month period; and up to three hundred sixty-five days of earned discharge credits for heroic acts in life threatening situations, through significant efforts in disaster response or by providing exceptional assistance in maintaining the safety and security of a prison. Each program shall fit the definition of evidence based practices as defined in § 16-22-1, or consist of an academic or vocational program. Earned discharge credits under this section may be granted if in the judgement of the warden and the secretary of corrections, the inmate has met the criteria set forth in this section. Nothing in this section may be the basis for establishing a constitutionally protected liberty, property, or due process interest in any inmate. Any earned discharge credit under this section shall be applied to the sentence prior to the calculation of the initial parole date.

Section 2. That § 24-15A-6 be amended to read:

24-15A-6. The department shall establish the sentence discharge date for each inmate based on the total sentence length, minus court ordered jail time credit. Each inmate shall be under the jurisdiction of the department, either incarcerated or under parole release or a combination, for the entire term of the inmate's total sentence length unless the board grants an early final discharge pursuant to § 24-15A-8, a partial early final discharge pursuant to § 24-15A-8.1, the court modifies the sentence, the inmate receives earned discharge credits pursuant to § 24-15A-50 or section 1 of this Act, the inmate receives a compliant discharge pursuant to § 16-22-29, or the sentence is

commuted.

An Act to provide certain earned discharge credits for inmates.

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I certify that the attached Act
originated in the

HOUSE as Bill No. 1053

Chief Clerk

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Speaker of the House

Attest:

Chief Clerk

President of the Senate

Attest:

Secretary of the Senate

House Bill No. 1053

File No. _____

Chapter No. _____

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Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

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The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

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STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State