



March 9, 2024

SUMMARY OF BILL: Reduces the percentage of sentence that a person convicted of first-degree murder on or after July 1, 1995, and sentenced to life imprisonment is required to serve before becoming eligible for release, from 100 percent of 60 years less sentence credits earned and retained, with a prohibition on reduction of the sentence by more than 15 percent of the sentence imposed, to 60 percent of 60 years less sentence credits earned and retained.

Prohibits a defendant from becoming eligible for parole before serving 25 years of the sentence, if the defendant was 25 years of age or younger at the time of the offense, or 30 years of the sentence, if the defendant was 26 years of age or older at the time of the offense.

FISCAL IMPACT:

Other Fiscal Impact – Passage of the proposed legislation may lead to a decrease in state incarceration expenditures. The extent and timing of any such decrease cannot be determined with reasonable certainty.

Assumptions:

- Under current law, a person convicted of first-degree murder and sentenced to life imprisonment will serve a minimum of 51 years [(100% - 15%) x 60 years] before being eligible for release.
- The proposed legislation will require an offender convicted of first-degree murder and sentenced to life imprisonment to serve 36 years (60 years x 60%) before becoming eligible for release, but no less than:
 - 25 years, if the defendant was 25 years of age or less at the time of the offense; and
 - 30 years, if the defendant was 26 years of age or older at the time of the offense.
- Passage of the proposed legislation will result in offenders serving either:
 - 26 years less (51 years – 25 years);
 - 21 years less (51 years – 30 years); or
 - 15 years less (51 years – 36 years).
- Based on information provided by the Department of Correction (DOC), there are currently 1,411 offenders with a life sentence for first-degree murder.
- Of those 1,411 offenders:
 - 751 were 25 years of age or less at the time of the offense; and
 - 660 were 26 years or older at the time of the offense.

- Changes to the minimum sentence requirement for first-degree murder may lead to an increased use of parole and a reduction in state incarceration expenditures.
- Pursuant to Public Chapter 1007 of 2022, incarceration costs that include both increases and decreases are to be netted out on an annual basis for the next three fiscal years, with the cost increases based on the highest of the next three fiscal years and cost decreases based on actual estimated decreases for each of the three fiscal years.
- Based on information provided by the DOC, the number of offenders who may qualify for release to parole as a result of the proposed legislation within the next three years is as follows:

Year	Offenders Eligible for Parole
FY24-25	35
FY25-26	38
FY26-27	17

- To the extent any such offenders are granted parole, there will be a decrease in incarceration expenditures; however, the timing and net impact of such changes cannot be quantified with reasonable certainty and is dependent upon multiple unknown factors, including but not limited to, the number of offenders granted parole and the amount of time left on their sentence.
- Any impact on state expenditures associated with additional parolees is estimated to be not significant.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.



Krista Lee Carsner, Executive Director

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