

SENATE BILL 3868

By Kyle

AN ACT to amend Tennessee Code Annotated, Title 41,
Chapter 21, relative to sentence reduction credits
for inmates.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 41-21-236(a), is amended by deleting subdivision (2)(A) in its entirety and by substituting instead the following language:

(2)

(A)

(i) Each inmate who exhibits good institutional behavior and/or who exhibits satisfactory performance within a program may be awarded time credits toward the sentence imposed, varying between one (1) day and sixteen (16) days for each month served, with not more than eight (8) days for each month served for good institutional behavior and not more than eight (8) days for each month served for satisfactory program performance in accordance with the criteria established by the department.

(ii) In addition to the credits authorized in subdivision (a)(2)(A)(i), inmates classified by the department as Minimum Direct may receive an additional 8 credits per month, for a total of up to 24 days for each month served, with not more than 12 days for each month served for good institutional behavior and not more than 12 days for each month served for satisfactory program participation in accordance with the criteria established by the department.

(iii) In addition to the credits authorized in subdivision (a)(2)(A)(i), inmates classified by the department as Minimum Trustee may receive an additional 14 credits per month, for a total of up to 30 days for each month served, with not more than 15 days for each month served for good institutional behavior and not more than 15 days for each month served for satisfactory program participation, in accordance with the criteria established by the department.

(iv) The additional credits authorized in subdivision (a)(2)(A)(ii) and (a)(2)(A)(iii) shall not apply to any prisoner convicted of an offense that requires service of a least eighty-five percent (85%) of such sentence under § 40-35-501(i) or one hundred percent (100%) of such sentence under § 39-13-523.

SECTION 2. Tennessee Code Annotated, Section 41-21-236(d), is amended by deleting the first sentence of the sub-section in its entirety and substituting instead the following language:

Sentence reduction credits for good institutional behavior as authorized by subdivision (a)(2)(A)(i) shall likewise apply in accordance with the terms of this section, and under the criteria, rules and regulations established by the department, to all felony offenders serving sentences of one (1) or more years in local jails or workhouses and to all inmates serving time in county jails or workhouses because the inmate's commitment to the department has been delayed due to invocation of the governor's emergency overcrowding powers or through an injunction from a federal court restricting the intake of inmates into the department.

SECTION 3. This act shall take effect on January 1, 2011, the public welfare requiring it.