Earned Sentence Credit Bills:

Patrons over the years:

2009- Ticer, Yvonne Miller, Chap Peterson

2008- Dwight Jones

2007- Jeannemarie Davis, Henry Marsh

2006- Jeannemarie Davis, Henry Marsh

2005- Henry Marsh, Jeannemarie Davis, Janet Howell, Benjamin Lambert, Mamie Locke, Louise Lucas, Yvonne Miller, Phillip Puckett, Linda Puller, Mary Margaret Whipple ,Adam Ebbin

2004- Henry Marsh, Floyd Miles

2003- Jeannemarie Davis, Viola Baskerville, Fenton Bland, Mary Christain, Kenneth Melvin, Chap Peterson , Henry Maxwell, Patricia Ticer

***2009***

|  |  |
| --- | --- |
| **SB 1496 Sentence credits; rate at which may be earned, prerequisites.   Failed** [**Patricia S. Ticer**](http://leg1.state.va.us/cgi-bin/legp504.exe?091+mbr+S49) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?091+mbr+SB1496) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?091+n1a+SB1496) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?091+ubk+ONE+SB1496) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Rate at which sentence credits may be earned; prerequisites.**  Allows a maximum of seven and one-half sentence credits, as opposed to the current four and one-half, for each 30 days served.

[history](http://leg1.state.va.us/cgi-bin/legp504.exe?091+sum+SB1496) | [hilite](http://leg1.state.va.us/cgi-bin/legp504.exe?091+ful+SB1496+hil) | [pdf](http://leg1.state.va.us/cgi-bin/legp504.exe?091+ful+SB1496+pdf)

098811336

**SENATE BILL NO. 1496**

Offered January 22, 2009

*A BILL to amend and reenact §* [*53.1-202.3*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3) *of the Code of Virginia, relating to rate at which sentence credits may be earned; prerequisites.*

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Patrons-- Ticer, Miller, Y.B. and Petersen

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Referred to Committee on Rehabilitation and Social Services

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Be it enacted by the General Assembly of Virginia:

1.  That § [53.1-202.3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3) of the Code of Virginia is amended and reenacted as follows:

§ [53.1-202.3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3). Rate at which sentence credits may be earned; prerequisites.

A maximum of ~~four~~ *seven* and one-half sentence credits may be earned for each 30 days served. The earning of sentence credits shall be conditioned, in part, upon full participation in and cooperation with programs to which a person is assigned pursuant to § [53.1-32.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-32.1). For a juvenile sentenced to serve a portion of his sentence as a serious juvenile offender under § [16.1-285.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+16.1-285.1), consideration for earning sentence credits shall be conditioned, in part, upon full participation in and cooperation with programs afforded to the juvenile during that portion of the sentence. The Department of Juvenile Justice shall provide a report that describes the juvenile's adherence to the facility's rules and the juvenile's progress toward treatment goals and objectives while sentenced as a serious juvenile offender under § [16.1-285.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+16.1-285.1). Notwithstanding any other provision of law, no portion of any sentence credits earned shall be applied to reduce the period of time a person must serve before becoming eligible for parole upon any sentence.

*Status:*
01/22/09  Senate: Presented and ordered printed 098811336
[01/22/09  Senate: Referred to Committee on Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?091+com+S09)
[02/06/09  Senate: Reported from Rehabilitation and Social Services (8-Y 6-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?091+vot+S09V0044+SB1496)
[02/09/09  Senate: Constitutional reading dispensed (40-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?091+vot+SV0328SB1496+SB1496)
02/10/09  Senate: Read second time and engrossed
[02/10/09  Senate: Constitutional reading dispensed (40-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?091+vot+SV0408SB1496+SB1496)
02/10/09  Senate: Motion to rerefer to committee agreed to
[02/10/09  Senate: Rereferred to Courts of Justice](http://leg1.state.va.us/cgi-bin/legp504.exe?091+com+S03)
02/11/09  Senate: Left in Courts of Justice

***2008***

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| --- | --- |
| **HB 906 Prisoners; earned sentence credits.   Failed** [**Dwight Clinton Jones**](http://leg1.state.va.us/cgi-bin/legp504.exe?081+mbr+H51) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?081+mbr+HB906) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?081+n1a+HB906) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?081+ubk+ONE+HB0906) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Prisoners; earned sentence credits.** Allows a maximum of seven and one-half sentence credits, as opposed to the current four and one-half, for each 30 days served.

081101580

**HOUSE BILL NO. 906**

Offered January 9, 2008

Prefiled January 8, 2008

*A BILL to amend and reenact §* [*53.1-202.3*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3) *of the Code of Virginia, relating to earned sentence credits.*

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Patron-- Jones, D.C.

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Referred to Committee on Militia, Police and Public Safety

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Be it enacted by the General Assembly of Virginia:

1.  That § [53.1-202.3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3) of the Code of Virginia is amended and reenacted as follows:

§ [53.1-202.3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3). Rate at which sentence credits may be earned; prerequisites.

A maximum of ~~four~~*seven* and one-half sentence credits may be earned for each ~~thirty~~ *30* days served. The earning of sentence credits shall be conditioned, in part, upon full participation in and cooperation with programs to which a person is assigned pursuant to § [53.1-32.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-32.1). Notwithstanding any other provision of law, no portion of any sentence credits earned shall be applied to reduce the period of time a person must serve before becoming eligible for parole upon any sentence.

*Status:*
01/08/08  House: Prefiled and ordered printed; offered 01/09/08 081101580
[01/08/08  House: Referred to Committee on Militia, Police and Public Safety](http://leg1.state.va.us/cgi-bin/legp504.exe?081+com+H15)
02/12/08  House: Left in Militia, Police and Public Safety

***2007***

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| **SB 834 Rehabilitative programs; rate at which sentence credits may be earned.   Failed** [**Jeannemarie D. Davis**](http://leg1.state.va.us/cgi-bin/legp504.exe?071+mbr+S66) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?071+mbr+SB834) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?071+n1a+SB834) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?071+ubk+ONE+SB0834) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Earned sentence credits for rehabilitative programs.**  Allows five additional sentence credits for each 30 days of participation in a rehabilitative program, provided the inmate has been convicted of a non-violent felony committed on or after January 1, 1995, participates in an approved educational program, and completes a mental health or substance abuse treatment program deemed appropriate by the Director. This bill incorporates [SB 1287](http://leg1.state.va.us/cgi-bin/legp504.exe?071+sum+SB1287) (Marsh).

[history](http://leg1.state.va.us/cgi-bin/legp504.exe?071+sum+SB834) | [hilite](http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB834+hil) | [pdf](http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB834+pdf)

075057726

**SENATE BILL NO. 834**

Offered January 10, 2007

Prefiled January 5, 2007

*A BILL to amend and reenact §* [*53.1-202.2*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.2) *of the Code of Virginia and to amend the Code of Virginia by adding in Article 4 of Chapter 6 of Title 53.1 a section numbered* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*, relating to earned sentence credits for rehabilitative programs.*

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Patron-- Devolites Davis

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Referred to Committee on Rehabilitation and Social Services

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Be it enacted by the General Assembly of Virginia:

1.  That § [53.1-202.2](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.2) of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding in Article 4 of Chapter 6 of Title 53.1 a section numbered [53.1-202.5](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5) as follows:

§ [53.1-202.2](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.2). Eligibility for earned sentence credits.

Every person who is convicted of a felony offense committed on or after January 1, 1995, and who is sentenced to serve a term of incarceration in a state or local correctional facility shall be eligible to earn sentence credits in the manner prescribed by this article. Such eligibility shall commence upon the person's incarceration in any correctional facility following entry of a final order of conviction by the committing court. As used in this chapter, "sentence credit" and "earned sentence credit" mean deductions from a person's term of confinement earned through adherence to rules prescribed pursuant to § [53.1-25](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-25), through program participation as required by §§ [53.1-32.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-32.1) ~~and~~*,* [53.1-202.3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3), *and* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*,* and by meeting such other requirements as may be established by law or regulation. One earned sentence credit shall equal a deduction of one day from a person's term of incarceration.

*§* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*. Rate at which sentence credits may be earned for rehabilitative program; prerequisites.*

*Five additional sentence credits may be earned for each 30 days of participation in a rehabilitative program. The earning of these sentence credits shall be conditioned upon full and satisfactory participation in programs for earning a high school diploma or an equivalent degree, college credit, or a certification through an accredited vocational training program or other accredited continuing education program. Credit shall also be given based on completion of equivalent interventional rehabilitation programs including but not limited to mental health treatment, sex offender treatment, and any other interventional rehabilitation programs deemed appropriate for this credit by the Director. Qualified individuals who conduct or teach said programs without other compensation shall also be eligible for such credits.*

*Credit that has not been earned may not later be granted. Credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence. Credit awarded under this section shall vest on the last day of each calendar year or upon full completion of the included program and may be denied based on removal from any included program for noncompliance with program requirements or institutional rules.*

*Exemptions to the general educational development requirement may be made as deemed appropriate based on the determination and recommendation of the Department of Correctional Education personnel.*

*Notwithstanding any other provision of law, no portion of any sentence credits earned shall be applied to reduce the period of time a person is required to serve before becoming eligible for parole upon any sentence.*

071739726

**SENATE BILL NO. 834**

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services

on February 2, 2007)

(Patrons Prior to Substitute--Senators Devolites Davis and Marsh [SB 1287])

*A BILL to amend and reenact §§* [*19.2-295.1*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+19.2-295.1) *and* [*53.1-202.2*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.2) *of the Code of Virginia and to amend the Code of Virginia by adding in Article 4 of Chapter 6 of Title 53.1 a section numbered* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*, relating to earned sentence credits for rehabilitative programs.*

Be it enacted by the General Assembly of Virginia:

1.  That §§ [19.2-295.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+19.2-295.1) and [53.1-202.2](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.2) of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding in Article 4 of Chapter 6 of Title 53.1 a section numbered [53.1-202.5](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5) as follows:

§ [19.2-295.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+19.2-295.1). Sentencing proceeding by the jury after conviction.

In cases of trial by jury, upon a finding that the defendant is guilty of a felony or a Class 1 misdemeanor, or upon a finding in the trial de novo of an appealed misdemeanor conviction that the defendant is guilty of a Class 1 misdemeanor, a separate proceeding limited to the ascertainment of punishment shall be held as soon as practicable before the same jury. At such proceeding, the Commonwealth shall present the defendant's prior criminal convictions by certified, attested or exemplified copies of the record of conviction, including adult convictions and juvenile convictions and adjudications of delinquency. Prior convictions shall include convictions and adjudications of delinquency under the laws of any state, the District of Columbia, the United States or its territories. The Commonwealth shall provide to the defendant fourteen days prior to trial notice of its intention to introduce evidence of the defendant's prior criminal convictions. Such notice shall include (i) the date of each prior conviction, (ii) the name and jurisdiction of the court where each prior conviction was had, and (iii) each offense of which he was convicted. Prior to commencement of the trial, the Commonwealth shall provide to the defendant photocopies of certified copies of the defendant's prior criminal convictions which it intends to introduce at sentencing. After the Commonwealth has introduced such evidence of prior convictions, or if no such evidence is introduced, the defendant may introduce relevant, admissible evidence related to punishment. Nothing in this section shall prevent the Commonwealth or the defendant from introducing relevant, admissible evidence in rebuttal.

*The court shall instruct the jury that the defendant may be eligible for sentence credits pursuant to §* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5) *in any case to which such credits may apply.*

If the jury cannot agree on a punishment and if the defendant, the attorney for the Commonwealth, and the court agree, in the manner provided in § [19.2-257](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+19.2-257), then the court shall fix punishment.

If the sentence imposed pursuant to this section is subsequently set aside or found invalid solely due to an error in the sentencing proceeding, the court shall impanel a different jury to ascertain punishment, unless the defendant, the attorney for the Commonwealth and the court agree, in the manner provided in § [19.2-257](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+19.2-257), that the court shall fix punishment.

§ [53.1-202.2](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.2). Eligibility for earned sentence credits.

Every person who is convicted of a felony offense committed on or after January 1, 1995, and who is sentenced to serve a term of incarceration in a state or local correctional facility shall be eligible to earn sentence credits in the manner prescribed by this article. Such eligibility shall commence upon the person's incarceration in any correctional facility following entry of a final order of conviction by the committing court. As used in this chapter, "sentence credit" and "earned sentence credit" mean deductions from a person's term of confinement earned through adherence to rules prescribed pursuant to § [53.1-25](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-25), through program participation as required by §§ [53.1-32.1](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-32.1) ~~and~~*,* [53.1-202.3](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.3), *and* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*,* and by meeting such other requirements as may be established by law or regulation. One earned sentence credit shall equal a deduction of one day from a person's term of incarceration.

*§* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*. Rate at which sentence credits may be earned for rehabilitative programs; prerequisites.*

*Every person who is convicted of a felony offense committed on or after January 1, 1995, that is not a violent felony as defined in §* [*17.1-805*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+17.1-805)*, and who is sentenced to serve a term of incarceration in a state or local correctional facility, may be eligible to earn five additional sentence credits for each 30 days of participation in a rehabilitative program. The earning of these sentence credits shall be conditioned upon full and satisfactory participation in programs to obtain a high school diploma or equivalent certification, college credit, or certification through an accredited vocational training program or other accredited continuing education program. Credit shall be based upon completion of mental health or substance abuse treatment programs deemed appropriate for this credit by the Director. Qualified individuals who conduct or teach said programs without other compensation also shall be eligible for such credits.*

*Credit that has not been earned may not later be granted. Credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence. Credit awarded under this section shall vest once yearly at such person's annual review, or upon full completion of the treatment program, and credit may be denied based on removal from any program for noncompliance with program requirements or institutional rules.*

*Exemptions to the general educational development requirement may be made as deemed appropriate based on the determination and recommendation of Department of Correctional Education personnel.*

*Notwithstanding any other provision of law, no portion of any sentence credits earned shall be applied to reduce the period of time a person is required to serve before becoming eligible for parole upon any sentence.*

*Status:*
01/05/07  Senate: Prefiled and ordered printed; offered 01/10/07 075057726
[01/05/07  Senate: Referred to Committee on Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?071+com+S09)
[01/26/07  Senate: Incorporated by Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?071+vot+S09V0057+SB0834) [(SB1287-Marsh)](http://leg1.state.va.us/cgi-bin/legp504.exe?071+bil+SB1287) (14-Y 0-N)
[02/02/07  Senate: Reconsidered by Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?071+com+S09)
02/02/07  Senate: Committee substitute printed 071739726-S1
[02/02/07  Senate: Failed to report (defeated) in Rehabilitation and Social Services (7-Y 7-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?071+vot+S09V0056+SB0834)

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| **SB 1287 Good conduct allowances and mandatory functional literacy requirement; created.   Failed** [**Henry L. Marsh III**](http://leg1.state.va.us/cgi-bin/legp504.exe?071+mbr+S20) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?071+mbr+SB1287) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?071+n1a+SB1287) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?071+ubk+ONE+SB1287) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowances; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners, depending on their performance and conduct, in which escalating credits toward good conduct allowance are available in four class levels. The highest level available is 30 percent credit for those prisoners who have demonstrated exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate. Creates a mandatory functional literacy program for all mentally capable inmates that offers testing at a ninth-grade level. The bill also provides, for certain prisoners, credits for reading and passing examinations on books approved by the Department of Correctional Education.  This bill has been incorporated into [SB 834](http://leg1.state.va.us/cgi-bin/legp504.exe?071+sum+SB834) (Devolites Davis).

*Full text:*
[01/10/07  Senate: Prefiled and ordered printed; offered 01/10/07 071710756](http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB1287)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB1287+pdf)
[02/02/07  Senate: Committee substitute printed 071738756-S1](http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB1287S1)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?071+ful+SB1287S1+pdf)

*Status:*
01/10/07  Senate: Prefiled and ordered printed; offered 01/10/07 071710756
[01/10/07  Senate: Referred to Committee on Education and Health](http://leg1.state.va.us/cgi-bin/legp504.exe?071+com+S04)
[01/18/07  Senate: Rereferred from Education and Health (14-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?071+vot+S04V0035+SB1287)
[01/18/07  Senate: Rereferred to Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?071+com+S09)
02/02/07  Senate: Committee substitute printed 071738756-S1
[02/02/07  Senate: Incorporated by Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?071+vot+S09V0054+SB1287) [(SB834-Devolites Davis)](http://leg1.state.va.us/cgi-bin/legp504.exe?071+bil+SB0834) (15-Y 0-N)

***2006***

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| **SB 105 Prisoners; provides for good conduct allowance therefor depending on their performance and conduct.   Continued to next session** [**Henry L. Marsh III**](http://leg1.state.va.us/cgi-bin/legp504.exe?061+mbr+S20) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?061+mbr+SB105) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?061+n1a+SB105) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?061+ubk+ONE+SB0105) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowance; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners, depending on their performance and conduct, in which escalating credits toward good conduct allowance are available in four class levels. The highest level available is 50% credit for those prisoners who have demonstrated exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate.

**SENATE BILL NO. 105**

Offered January 11, 2006

Prefiled January 9, 2006

*A BILL to amend the Code of Virginia by adding in Chapter 6 of Title 53.1 an article numbered 5, consisting of a section numbered* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*, relating to eligibility for good conduct allowance; classification system; mandatory functional literacy requirement.*

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Patrons-- Marsh and Devolites Davis

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Referred to Committee on Rehabilitation and Social Services

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Be it enacted by the General Assembly of Virginia:

1.  That the Code of Virginia is amended by adding in Chapter 6 of Title 53.1 an article numbered 5, consisting of a section numbered [53.1-202.5](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5) as follows:

*Article 5.*

*Good Conduct Allowance for Persons Committed On or After January 1, 1995.*

*§* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*. Eligibility for good conduct allowance; application.*

*A. In addition to sentence credits earned as provided in Article 4 of this chapter, beginning July 1, 2006, each person who on or after January 1, 1995, has been convicted of a felony and each person convicted of a misdemeanor and to whom the provisions of §* [*53.1-151*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-151)*,* [*53.1-152*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-152)*, or* [*53.1-153*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-153) *apply may be entitled to good conduct allowance not to exceed the amount set forth below. Such good conduct allowance shall be applied to reduce the person's maximum term of confinement while he is confined in any state correctional facility.*

*Any person who, on or after January 1, 1995, has been sentenced upon a conviction of murder in the first degree, rape in violation of §* [*18.2-61*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-61)*, forcible sodomy, animate or inanimate object sexual penetration or aggravated sexual battery and any person who has been sentenced to a term of life imprisonment or two or more life sentences shall be classified within the system established by §* [*53.1-201*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-201)*. Such person shall be eligible for no more than five days good conduct allowance for each 30 days served, regardless of the class to which he is assigned. Additional good conduct allowance may be approved by the Board of Corrections for such persons in accordance with §* [*53.1-191*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-191)*.*

*B. Regulations approved by the Board shall govern the earning of good conduct allowance. The regulations shall require, as a condition for earning the allowance, that a prisoner who is serving a term of imprisonment as outlined above may receive credit toward the service of the prisoner's sentence, beyond the time served, of up to 180 days at the end of each year of the prisoner's term of imprisonment, beginning at the end of the first year of the term, subject to determination by the Department of Corrections that, during that year, the prisoner has displayed exemplary compliance with institutional disciplinary regulations. If the Department of Corrections determines that, during that year, the prisoner has not satisfactorily complied with such institutional regulations, the prisoner shall receive no such credit toward service of the prisoner's sentence or shall receive such lesser credit as the Department of Corrections determines to be appropriate. In awarding credit under this section, the Department of Corrections shall consider whether the prisoner, during the relevant period, has earned, or is making satisfactory progress toward earning, a high school diploma or an equivalent degree or a certificate through an accredited vocational training program. Credit that has not been earned may not later be granted. Credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence. Credit awarded under this section shall vest on the last day of each calendar year. Exemptions to the general educational development requirement may be made as deemed appropriate based upon the determination and recommendation of the Department of Correctional Education.*

*C. Good conduct allowances shall be based upon a four-level classification system. Such system shall be established as follows:*

*1. Prisoners classified as Class I shall earn good conduct allowance at a rate of no more than 15 days credit for each 30 days served. Class I shall be reserved for persons whose initiative, conduct, and performance in their assignments are exemplary and who have earned, or are making satisfactory progress toward earning, a high school diploma or an equivalent degree or certification through an accredited vocational training program. Consideration for Class I credit shall be given to persons who perform in assignments requiring a high degree of trust, extra long hours, or specialized skills.*

*2. Prisoners classified as Class II shall earn good conduct allowance at a rate of no more than 10 days credit for each 30 days served. Class II shall be reserved for persons whose initiative, conduct, and performance in their assignments are satisfactory. Consideration for Class II credit shall be given to persons who require moderate supervision in their assignments and whose assignments require responsibility in the care and maintenance of property.*

*3. Prisoners classified as Class III shall earn good conduct allowance at a rate of no more than five days credit for each 30 days served. Class III shall be reserved for persons whose conduct and performance in their assignments are marginal. Persons requiring intensive supervision in their assignments and exhibiting minor disciplinary problems may be assigned to Class III.*

*4. Prisoners classified as Class IV shall earn good conduct allowance at a rate of no credit for each 30 days served. Class IV shall be reserved for persons who are in isolation or segregation status for disciplinary or security reasons and persons whose conduct and performance in their assignments are so unsatisfactory as to eliminate consideration for good conduct allowance.*

*Persons may be reclassified for an increase or decrease in class according to rules and regulations established pursuant to law.*

*D.1. The Secretary of Public Safety shall direct the Department of Corrections and the Department of Correctional Education to have a mandatory functional literacy program as defined in §§* [*22.1-342*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-342)*,* [*22.1-344*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-344) *and* [*22.1-344.1*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-344.1) *for all mentally capable inmates who are not functionally literate in each state correctional institution by January 1, 2007.*

*2. Each mandatory functional literacy program shall include a requirement that each inmate participate in such program for a mandatory period sufficient to provide the inmate with an adequate opportunity to achieve functional literacy, and appropriate incentives that lead to successful completion of such programs shall be developed and implemented.*

*3. As used in this section, the term "functional literacy" has the same meaning as provided in §* [*22.1-344.1*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-344.1)*.*

*4. Non-English-speaking inmates shall be required to participate in an English-As-A-Second-Language program, if available, until they function at the equivalence of the eighth grade on a nationally recognized educational achievement test.*

*5. The principal of each Department of Correctional Education adult school shall have the authority to grant an exemption for participation in the functional literacy program for good cause as determined by the Board of Correctional Education and documented on an individual basis.*

*E. Upon receipt by the Department, persons who have been confined while awaiting transfer to a state correctional facility shall be credited with such time as is certified to the Department in accordance with §§* [*53.1-116*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-116) *and* [*53.1-129*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-129) *and as is otherwise provided by law. Certified good conduct allowance shall be applied to reduce the person's maximum term of confinement, and one-half of such credit shall be applied to reduce the period of time the person shall serve before being eligible for parole.*

*After admission to a state correctional facility, a person shall be credited at the rate of 10 days for each 30 days of time served with satisfactory conduct. The person shall remain in this credit level until classified in accordance with the provisions herein.*

060486756

**SENATE BILL NO. 105**

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Rehabilitation and Social Services

on February 3, 2006)

(Patron Prior to Substitute--Senator Marsh)

*A BILL to amend the Code of Virginia by adding in Chapter 6 of Title 53.1 an article numbered 5, consisting of sections numbered* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5) *and* [*53.1-202.6*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.6)*, relating to eligibility for good conduct allowance; classification system; mandatory functional literacy requirement.*

Be it enacted by the General Assembly of Virginia:

1.  That the Code of Virginia is amended by adding in Chapter 6 of Title 53.1 an article numbered 5, consisting of sections numbered [53.1-202.5](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5) and [53.1-202.6](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.6), as follows:

*Article 5.*

*Good Conduct Allowance for Persons Committed on or After January 1, 1995.*

*§* [*53.1-202.5*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-202.5)*. Eligibility for good conduct allowance; application.*

*A. In addition to sentence credits earned as provided in Article 4 of this chapter, beginning July 1, 2007, each person who on or after January 1, 1995, has been convicted of a felony and each person convicted of a misdemeanor and to whom the provisions of §* [*53.1-151*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-151)*,* [*53.1-152*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-152)*, or* [*53.1-153*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-153) *apply may be entitled to good conduct allowance not to exceed the amount set forth below. Such good conduct allowance shall be applied to reduce the person's maximum term of confinement while he is confined in any state correctional facility.*

*Any person who, on or after July 1, 1993, has been sentenced upon a conviction of murder in the first degree, rape in violation of §* [*18.2-61*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-61)*, forcible sodomy, animate or inanimate object sexual penetration, or aggravated sexual battery, and any person who has been sentenced to a term of life imprisonment or two or more life sentences shall be classified within the system established by §* [*53.1-201*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-201)*. Such person shall be eligible for no more than five days good conduct allowance for each 30 days served, regardless of the class to which he is assigned. One-half of such credit shall be applied to reduce the period of time he shall serve before being eligible for parole. Additional good conduct allowance may be approved by the Board of Corrections for such persons in accordance with §* [*53.1-191*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-191)*.*

*B. Regulations approved by the Board shall govern the earning of good conduct allowance. The regulations shall require, as a condition for earning the allowance, that a prisoner who is serving a term of imprisonment as outlined above may receive credit toward the service of the prisoner's sentence, beyond the time served, of up to 180 days at the end of each year of the prisoner's term of imprisonment, beginning at the end of the first year of the term, subject to determination by the Department of Corrections that, during that year, the prisoner has displayed exemplary compliance with institutional disciplinary regulations. If the Department of Corrections determines that, during that year, the prisoner has not satisfactorily complied with such institutional regulations, the prisoner shall receive no such credit toward service of the prisoner's sentence or shall receive such lesser credit as the Department of Corrections determines to be appropriate. In awarding credit under this section, the Department of Corrections shall consider whether the prisoner, during the relevant period, has earned, or is making satisfactory progress toward earning, a high school diploma or an equivalent degree, college credit, or a certificate through an accredited vocational training program. Credit shall also be given based on completion of equivalent interventional rehabilitation programs including, but not limited to, mental health treatment, sex offender treatment, and any other interventional rehabilitation programs deemed appropriate for this credit by the Director. Credit that has not been earned may not later be granted. Credit for the last year or portion of a year of the term of imprisonment shall be prorated and credited within the last six weeks of the sentence. Credit awarded under this section shall vest on the last day of each calendar year. Exemptions to the general educational development requirement may be made as deemed appropriate based upon the determination and recommendation of the Department of Correctional Education.*

*C. Good conduct allowances shall be based upon a four-level classification system. Such system shall be established as follows:*

*1. Prisoners classified as Class I shall earn good conduct allowance at a rate of no more than 15 days credit for each 30 days served. Class I shall be reserved for persons whose initiative, conduct, and performance in their assignments are exemplary and who have earned, or are making satisfactory progress toward earning, a high school diploma or an equivalent degree, college credit, or certification through an accredited vocational training program or other accredited continuing education program. Qualified individuals who conduct or teach said programs without other compensation shall also be eligible for such credits. Consideration for Class I credit shall be given to persons who perform in assignments requiring a high degree of trust, extra long hours, or specialized skills.*

*2. Prisoners classified as Class II shall earn good conduct allowance at a rate of no more than 10 days credit for each 30 days served. Class II shall be reserved for persons whose initiative, conduct, and performance in their assignments are satisfactory. Consideration for Class II credit shall be given to persons who require moderate supervision in their assignments and whose assignments require responsibility in the care and maintenance of property.*

*3. Prisoners classified as Class III shall earn good conduct allowance at a rate of no more than five days credit for each 30 days served. Class III shall be reserved for persons whose conduct and performance in their assignments are marginal. Persons requiring intensive supervision in their assignments and exhibiting minor disciplinary problems may be assigned to Class III.*

*4. Prisoners classified as Class IV shall earn good conduct allowance at a rate of no credit for each 30 days served. Class IV shall be reserved for persons who are in isolation or segregation status for disciplinary or security reasons and persons whose conduct and performance in their assignments are so unsatisfactory as to eliminate consideration for good conduct allowance.*

*Persons may be reclassified for an increase or decrease in class according to rules and regulations established pursuant to law.*

*D.1. The Secretary of Public Safety shall direct the Department of Corrections and the Department of Correctional Education to have in effect a mandatory functional literacy program as defined in §§* [*22.1-342*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-342)*,* [*22.1-344*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-344) *and* [*22.1-344.1*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+22.1-344.1) *for all mentally capable inmates who are not functionally literate in each state correctional institution by January 1, 2007.*

*2. Each mandatory functional literacy program shall include a requirement that each eligible inmate participate in such program for a mandatory period sufficient to provide the inmate with an adequate opportunity to achieve functional literacy, and appropriate incentives that lead to successful completion of such programs shall be developed and implemented.*

*3. As used in this section, the term "functional literacy" means:*

*a. Educational skills necessary to function independently in society, including but not limited to reading, writing, comprehension, and mathematical computation; and*

*b. Completion of such a literacy program, which shall include testing on a nationally recognized standardized test at an eighth-grade level or higher.*

*4. Non-English-speaking inmates shall be required to participate in an English-As-A-Second-Language program until they function at the equivalence of the eighth grade on a nationally recognized educational achievement test.*

*5. The principal of each Department of Correctional Education adult school shall have the authority to grant waivers for good cause as determined by the Board of Correctional Education and documented on an individual basis.*

*E. Upon receipt by the Department, persons who have been confined while awaiting transfer to a state correctional facility shall be credited with such time as is certified to the Department in accordance with §§* [*53.1-116*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-116) *and* [*53.1-129*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-129) *and as is otherwise provided by law. Certified good conduct allowance shall be applied to reduce the person's maximum term of confinement, and one-half of such credit shall be applied to reduce the period of time the person shall serve before being eligible for parole.*

*After admission to a state correctional facility, a person shall be credited at the rate of 10 days for each 30 days of time served with satisfactory conduct. The person shall remain in this credit level until classified in accordance with the provisions herein.*

*§53.1-202.6.  Eligibility for additional Reading for Good Time credits; application.*

*A.  Beginning July 1, 2007, and notwithstanding any other provision of law, every person who, on or after January 1, 1995, has been convicted of a felony and every person convicted of a misdemeanor and to whom the provisions of §§* [*53.1-151*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-151)*,* [*53.1-152*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-152)*, or* [*53.1-153*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-153) *apply may be entitled to earn additional Reading for Good Time (RTG) credits not to exceed the amount set forth below.  Such credits shall be applied to reduce the person's maximum term of confinement while he is confined in any state correctional facility.*

*Any person who, on or after July 1, 1993, has been sentenced upon a conviction of murder in the first degree, rape in violation of §* [*18.2-61*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+18.2-61)*, forcible sodomy, animate or inanimate object sexual penetration or aggravated sexual battery and any person who has been sentenced to a term of life imprisonment or two or more life sentences shall be classified within the system established by §* [*53.1-201*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-201)*. Such person shall be eligible for no more than five days good conduct allowance for each 30 days served, regardless of the class to which he is assigned. One-half of such credit shall be applied to reduce the period of time he shall serve before being eligible for parole. Additional good conduct allowance may be approved by the Board of Corrections for such persons in accordance with §* [*53.1-191*](http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+53.1-191)*.*

*B. Regulations approved by the Board shall govern the earning of additional RGT credits. The regulations shall require, as a condition for earning the credits, that a prisoner who is serving a term of imprisonment as outlined above may receive credit toward the service of the prisoner's sentence, beyond the time served and in addition to any other credit or allowance earned, of up to 10 days at the end of each year of the prisoner's term of imprisonment, beginning at the end of the first year of the term, subject to determination by the Department of Corrections that, during that year, the prisoner has displayed compliance with institutional disciplinary regulations and has satisfactorily completed the requirements of the Reading for Good Time program by completely reading and passing a comprehension test on approved novels or literature as set forth under the program mandates as determined by the Department of Correctional Education. Credit that has not been earned may not later be granted. Credit awarded under this section shall vest on the last day of each calendar year. Participation compliance to the program and comprehension testing compliance may be determined by Department of Correctional Education personnel.*

*C. RGT credits shall be awarded on the basis of one day's credit for every 1,000 pages read of approved novels or compilations of literature scored under the RGT program.  Scoring is determined by the Department of Correctional Education based upon the completion of reading the approved novels or literature and the passing with a score of 70% on comprehension testing for the approved material.*

*D. The Secretary of Public Safety shall direct the Department of Corrections and the Department of Correctional Education to have in effect a Reading for Good Time program with appropriate testing materials and criteria in each state correctional institution by July 1, 2007.*

*Status:*
01/09/06  Senate: Prefiled and ordered printed; offered 01/11/06 061201756
[01/09/06  Senate: Referred to Committee on Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?061+com+S09)
[02/03/06  Senate: Continued to 2007 in Rehabilitation and Social Services (8-Y 6-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?061+vot+S09V0023+SB0105)
02/08/06  Senate: Committee substitute printed 060486756-S1

***2005***

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| **SB 805 Prisoners; good conduct allowance, mandatory functional literacy requirement.   Failed** [**Henry L. Marsh III**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+mbr+S20) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+mbr+SB805) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?051+n1a+SB805) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?051+ubk+ONE+SB0805) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowance; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners depending on their performance and conduct in which escalating credits toward good conduct allowance are available in four class levels. The highest level available is 50 percent credit for those prisoners with exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate.

*Full text:*
[01/07/05  Senate: Prefiled & ordered printed; offered 01/12/05 053710756](http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+SB805)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+SB805+pdf) [**| impact statement**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+oth+SB805F122+PDF)

*Status:*
01/07/05  Senate: Prefiled & ordered printed; offered 01/12/05 053710756
[01/07/05  Senate: Referred to Committee on Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?051+com+S09)
02/08/05  Senate: Left in Rehabilitation and Social Services

***2004***

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| **SB 75 Prisoners; good conduct allowance, mandatory functional literacy requirement.   Failed** [**Henry L. Marsh III**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+mbr+S20) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+mbr+SB75) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?051+n1a+SB75) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?051+ubk+ONE+SB0075) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowance; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners depending on their performance and conduct in which escalating credits toward good conduct allowance are available in four class levels. The highest level available is 50 percent credit for those prisoners with exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate.

*Full text:*
[01/14/04  Senate: Presented & ordered printed, prefiled 01/06/04 040797756](http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+SB75)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+ful+SB75+pdf) [**| impact statement**](http://leg1.state.va.us/cgi-bin/legp504.exe?051+oth+SB75F122+PDF)

*Status:*
01/14/04  Senate: Presented & ordered printed, prefiled 01/06/04 040797756
[01/14/04  Senate: Referred to Committee on Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?051+com+S09)
[02/06/04  Senate: Continued to 2005 in R. & S. S. (13-Y 2-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?051+vot+S09C0023+SB0075)
12/13/04  Senate: Left in Rehabilitation and Social Services

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| **HB 362 Prisoners; good conduct allowance, mandatory functional literacy requirement.   Failed** [**Floyd H. Miles, Sr.**](http://leg1.state.va.us/cgi-bin/legp504.exe?041+mbr+H152) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?041+mbr+HB362) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?041+n1a+HB362) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?041+ubk+ONE+HB0362) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowance; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners depending on their performance and conduct in which escalating credits toward good conduct allowance are available in four class levels. The highest level available is 50 percent credit for those prisoners with exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate.

*Full text:*
[01/14/04  House: Presented & ordered printed, prefiled 01/12/04 046469420](http://leg1.state.va.us/cgi-bin/legp504.exe?041+ful+HB362)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?041+ful+HB362+pdf) [**| impact statement**](http://leg1.state.va.us/cgi-bin/legp504.exe?041+oth+HB362F122+PDF)

*Status:*
01/14/04  House: Presented & ordered printed, prefiled 01/12/04 046469420
[01/14/04  House: Referred to Committee for Courts of Justice](http://leg1.state.va.us/cgi-bin/legp504.exe?041+com+H08)
[02/02/04  House: Passed by indefinitely in C. J. (21-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?041+vot+H08V0107+HB0362)

***2003***

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| **HB 2293 Good conduct allowance; mandatory functional literacy requirement.   Failed** [**Jeannemarie Devolites**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+mbr+H117) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+mbr+HB2293) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?031+n1a+HB2293) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?031+ubk+ONE+HB2293) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowance; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners depending on their performance and conduct in which escalating credits toward good conduct allowance are available in 4 class levels. The highest level available is 50 percent credit for those prisoners with exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate.

*Full text:*
[01/08/03  House: Presented & ordered printed, prefiled 01/08/03 030813720](http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2293)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+HB2293+pdf) [**| impact statement**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+oth+HB2293F122+PDF)

*Status:*
01/08/03  House: Presented & ordered printed, prefiled 01/08/03 030813720
[01/08/03  House: Referred to Committee on Health, Welfare and Institutions](http://leg1.state.va.us/cgi-bin/legp504.exe?031+com+H12)
[01/30/03  House: Left in Health, Welfare & Inst. (22-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+H12V0147+HB2293)

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| **SB 1254 Good conduct allowance; mandatory functional literacy requirement.   Failed** [**W. Henry Maxwell**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+mbr+S22) **|** [**all patrons**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+mbr+SB1254) **...** [**notes**](http://leg1.state.va.us/cgi-bin/legp507.exe?031+n1a+SB1254) **|** [**add**](http://leg1.state.va.us/cgi-bin/legp508.exe?031+ubk+ONE+SB1254) **to my profiles**  | Top of FormBottom of Form |

*Summary as introduced:*
**Good conduct allowance; mandatory functional literacy requirement.** Provides for good conduct allowance for prisoners depending on their performance and conduct in which escalating credits toward good conduct allowance are available in 4 class levels. The highest level available is 50 percent credit for those prisoners with exemplary behavior and who have earned or are making progress toward earning their general educational development (GED) certificate.

*Full text:*
[01/10/03  Senate: Presented & ordered printed 030816472](http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1254)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1254+pdf) [**| impact statement**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+oth+SB1254F122+PDF)
[01/31/03  Senate: Committee substitute printed 033020472-S1](http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1254S1)[**pdf**](http://leg1.state.va.us/cgi-bin/legp504.exe?031+ful+SB1254S1+pdf)

*Status:*
01/10/03  Senate: Presented & ordered printed 030816472
[01/10/03  Senate: Referred to Committee on Rehabilitation and Social Services](http://leg1.state.va.us/cgi-bin/legp504.exe?031+com+S09)
[01/31/03  Senate: Reported from R. & S. S. w/substitute (7-Y 6-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+S09V0023+SB1254)
01/31/03  Senate: Committee substitute printed 033020472-S1
02/03/03  Senate: Constitutional reading dispensed (37-Y 0-N)
[02/03/03  Senate: VOTE: CONST. RDG. DISPENSED R (37-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+SV0230SB1254+SB1254)
02/04/03  Senate: Read second time
02/04/03  Senate: Reading of substitute waived
02/04/03  Senate: Committee substitute agreed to 033020472-S1
02/04/03  Senate: Engrossed by Senate - committee substitute 033020472-S1
02/04/03  Senate: Constitutional reading dispensed (39-Y 0-N)
[02/04/03  Senate: VOTE: CONST. RDG. DISPENSED (39-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+SV0315SB1254+SB1254)
02/04/03  Senate: Defeated by Senate (10-Y 30-N)
[02/04/03  Senate: VOTE: DEFEATED (10-Y 30-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+SV0316SB1254+SB1254)
02/04/03  Senate: Rec. of defeat. action agreed to by Senate (40-Y 0-N)
[02/04/03  Senate: VOTE: RECONSIDER (40-Y 0-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+SV0333SB1254+SB1254)
02/04/03  Senate: Defeated by Senate (7-Y 32-N)
[02/04/03  Senate: VOTE: DEFEATED (7-Y 32-N)](http://leg1.state.va.us/cgi-bin/legp504.exe?031+vot+SV0334SB1254+SB1254)