

Senate File 2201

H-8090

1 Amend Senate File 2201, as amended, passed, and  
2 reprinted by the Senate, as follows:

3 1. Page 1, line 12, by striking <relative> and  
4 inserting <parent or guardian>

5 2. Page 2, after line 6 by inserting:

6 <Sec. \_\_\_\_\_. Section 903A.2, subsection 1, unnumbered  
7 paragraph 1, Code 2014, is amended to read as follows:

8 Each inmate committed to the custody of the director  
9 of the department of corrections is eligible to earn a  
10 reduction of sentence in the manner provided in this  
11 section. For purposes of calculating the amount of  
12 time by which an inmate's sentence may be reduced,  
13 inmates shall be grouped into the following ~~two~~ three  
14 sentencing categories:

15 Sec. \_\_\_\_\_. Section 903A.2, subsection 1, paragraph  
16 a, unnumbered paragraph 1, Code 2014, is amended to  
17 read as follows:

18 Category "A" sentences are those sentences which are  
19 not subject to a maximum accumulation of earned time of  
20 fifteen percent of the total sentence of confinement  
21 under section 902.12 or category "C" sentences. To  
22 the extent provided in subsection 5, category "A"  
23 sentences also include life sentences imposed under  
24 section 902.1. An inmate of an institution under the  
25 control of the department of corrections who is serving  
26 a category "A" sentence is eligible for a reduction of  
27 sentence equal to one and two-tenths days for each day  
28 the inmate demonstrates good conduct and satisfactorily  
29 participates in any program or placement status  
30 identified by the director to earn the reduction. The  
31 programs include but are not limited to the following:

32 Sec. \_\_\_\_\_. Section 903A.2, subsection 1, paragraph  
33 b, Code 2014, is amended to read as follows:

34 b. Category "B" sentences are those sentences  
35 which are subject to a maximum accumulation of earned  
36 time of fifteen percent of the total sentence of  
37 confinement under section 902.12 and are not category  
38 "C" sentences. An inmate of an institution under the  
39 control of the department of corrections who is serving  
40 a category "B" sentence is eligible for a reduction of  
41 sentence equal to fifteen eighty-fifths of a day for  
42 each day of good conduct by the inmate.

43 Sec. \_\_\_\_\_. Section 903A.2, subsection 1, Code 2014,  
44 is amended by adding the following new paragraph:

45 NEW PARAGRAPH. c. Notwithstanding paragraphs "a"  
46 and "b", an inmate serving a category "C" sentence is  
47 ineligible to earn any reduction of sentence under this  
48 section. Category "C" sentences are those sentences  
49 where the victim was fifteen years of age or younger at  
50 the time the offense was committed and is a violation

1 of any of the following:  
2 (1) Section 707.3 or 707.11.  
3 (2) Section 709.2, 709.3, 709.4, or 709.8, section  
4 709.11, subsection 1 or 2, section 709.15, subsection  
5 4, paragraph "a", or section 709.15, subsection 5,  
6 paragraph "a".  
7 (3) Section 710.3 or 710.4.  
8 (4) Section 710A.2, subsection 2 or 4.  
9 (5) Section 728.12, subsection 1 or 2, or section  
10 728.12, subsection 3, if the offense is classified as  
11 a felony.

12 Sec. \_\_\_\_\_. Section 903A.7, Code 2014, is amended to  
13 read as follows:

14 **903A.7 Separate sentences.**

15 1. Consecutive multiple sentences that are within  
16 the same category under section 903A.2 shall be  
17 construed as one continuous sentence for purposes of  
18 calculating reductions of sentence for earned time.

19 2. If a person is sentenced to serve sentences of  
20 both categories, category "B" sentences shall be served  
21 before category "A" sentences are served, and earned  
22 time accrued against the category "B" sentences shall  
23 not be used to reduce the category "A" sentences. If  
24 an inmate serving a category "A" sentence is sentenced  
25 to serve a category "B" sentence, the category "A"  
26 sentence shall be interrupted, and no further earned  
27 time shall accrue against that sentence until the  
28 category "B" sentence is completed.

29 3. If a person is sentenced to serve both a  
30 category "C" sentence and another category sentence,  
31 the category "C" sentence shall be served before the  
32 other category sentence is served, and no earned time  
33 shall accrue until the category "C" sentence has been  
34 served. If an inmate serving another category sentence  
35 besides a category "C" sentence is sentenced to serve  
36 a category "C" sentence, the sentence of the other  
37 category sentence shall be interrupted, and no further  
38 earned time shall accrue against that sentence until  
39 the category "C" sentence is completed.>

40 3. Title page, line 1, after <kidnapping,> by  
41 inserting <the accumulation of earned time for criminal  
42 offenses involving certain minor victims,>

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COMMITTEE ON JUDICIARY  
BALTIMORE of Boone, Chairperson