

REVENUE: No revenue impact
FISCAL: Fiscal statement issued

Action: Do Pass as Amended, Be Printed Engrossed and Rescind the Subsequent Referral to the Committee on Ways and Means
Vote: 7 - 0 - 3
Yeas: Barton, Cameron, Krieger, Olson, Stiegler, Whisnant, Barker
Nays: 0
Exc.: Garrett, Shields, Smith J.
Prepared By: Bill Taylor, Counsel
Meeting Dates: 3/26, 4/17, 4/22, 4/28

WHAT THE MEASURE DOES: States that after a decision by State Board of Parole and Post-Prison Supervision not to grant parole to an inmate, a subsequent parole hearing may not held sooner than two years after denial and not later than ten years from that date if the prisoner is sentenced to life, sentenced as a dangerous offender or is sentenced for a crime committed prior to November 1, 1989, unless the extended period would exceed the maximum sentence less good time credits. Allows the inmate to petition for an earlier hearing. Requires the Board to issue a final order when denying an inmate a parole hearing within two years and to issue finding of facts and conclusions of law with the order.

ISSUES DISCUSSED:

- Who bears the burden of proof
- Constitutionality

EFFECT OF COMMITTEE AMENDMENT: Amendments replace the bill.

BACKGROUND: Anyone sentenced to prison for a felony committed prior to November 1, 1989, received an indeterminate sentence to the Department of Corrections. When the prisoner is released is up to the Board of Parole and Post-Prison Supervision. The Board reviews the prisoner's parole plan and psychiatric or psychological report. Parole hearings are conducted every two years. Also, a person sentenced to life imprisonment for murder or as a dangerous offender is subject to the jurisdiction of the Board of Parole and Post-Prison Supervision.