



General Assembly

**Amendment**

*June Special Session, 2017*

LCO No. 10109



Offered by:  
REP. TONG, 147<sup>th</sup> Dist.

To: House Bill No. 7501

File No.

Cal. No.

(As Amended)

**"AN ACT PROVIDING FOR THE CONTINUED OPERATION OF  
ESSENTIAL FUNCTIONS OF THE STATE."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 1. Section 18-98e of the general statutes is repealed  
4 and the following is substituted in lieu thereof (*Effective October 1,*  
5 *2017*):

6 (a) Notwithstanding any provision of the general statutes, any  
7 person sentenced to a term of imprisonment for a crime committed on  
8 or after October 1, 1994, and committed to the custody of the  
9 Commissioner of Correction on or after said date, except a person who  
10 is sentenced for a violation of section 53a-54a, 53a-54b, 53a-54c, 53a-  
11 54d, 53a-55, 53a-55a, 53a-59, 53a-59a, 53a-59c, 53a-70, 53a-70a, 53a-70c  
12 or 53a-100aa, or is a persistent dangerous felony offender or persistent  
13 dangerous sexual offender pursuant to section 53a-40, may be eligible

14 to earn risk reduction credit toward a reduction of such person's  
15 sentence, in an amount not to exceed five days per month, at the  
16 discretion of the Commissioner of Correction for conduct as provided  
17 in subsection (b) of this section occurring on or after April 1, 2006.

18 (b) An inmate may earn risk reduction credit for adherence to the  
19 inmate's offender accountability plan, for participation in eligible  
20 programs and activities, and for good conduct and obedience to  
21 institutional rules as designated by the commissioner, provided (1)  
22 good conduct and obedience to institutional rules alone shall not  
23 entitle an inmate to such credit, and (2) the commissioner or the  
24 commissioner's designee may, in his or her discretion, cause the loss of  
25 all or any portion of such earned risk reduction credit for any act of  
26 misconduct or insubordination or refusal to conform to recommended  
27 programs or activities or institutional rules occurring at any time  
28 during the service of the sentence or for other good cause. If an inmate  
29 has not earned sufficient risk reduction credit at the time the  
30 commissioner or the commissioner's designee orders the loss of all or a  
31 portion of earned credit, such loss shall be deducted from any credit  
32 earned by such inmate in the future.

33 (c) The award of risk reduction credit earned for conduct occurring  
34 prior to July 1, 2011, shall be phased in consistent with public safety,  
35 risk reduction, administrative purposes and sound correctional  
36 practice, at the discretion of the commissioner, but shall be completed  
37 not later than July 1, 2012.

38 (d) Any credit earned under this section may only be earned during  
39 the period of time that the inmate is sentenced to a term of  
40 imprisonment and committed to the custody of the commissioner and  
41 may not be transferred or applied to a subsequent term of  
42 imprisonment. In no event shall any credit earned under this section be  
43 applied by the commissioner so as to reduce a mandatory minimum  
44 term of imprisonment such inmate is required to serve by statute.

45 (e) Prior to release of any inmate whose sentence is being reduced

46 due to risk reduction credits earned pursuant to this section, the  
 47 warden of the correctional facility from which such inmate is to be  
 48 released shall review such inmate's records and verify that the inmate  
 49 earned the risk reduction credits being applied to reduce such inmate's  
 50 sentence.

51 (f) [The] Not later than January 1, 2018, the commissioner shall  
 52 adopt regulations in accordance with the provisions of chapter 54  
 53 detailing the internal policies and procedures to determine the amount  
 54 of credit and whether an inmate may earn such credit toward a  
 55 reduction in his or her sentence and to phase in the awarding of  
 56 retroactive credit authorized by subsection (c) of this section. Such  
 57 regulations shall include (1) a formula to calculate the credits an  
 58 inmate may earn, and (2) provisions concerning (A) an inmate's ability  
 59 to earn such credits, (B) a review of the credits earned and the  
 60 calculation applied to the sentence of an inmate prior to discharge of  
 61 the inmate, (C) forfeiture or rescission of earned credits, and (D)  
 62 exclusion of an inmate from the opportunity to earn such credits."

This act shall take effect as follows and shall amend the following sections:		
Sec. 501	October 1, 2017	New section