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## SENATE BILL NO. 89

Offered January 14, 2004

Prefiled January 6, 2004

A BILL to amend the Code of Virginia by adding a section numbered 53.1-151.1, relating to Reading for Good Time program.

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Patron—Marsh

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Referred to Committee on Rehabilitation and Social Services

**Be it enacted by the General Assembly of Virginia:****1. That the Code of Virginia is amended by adding a section numbered 53.1-151.1 as follows:**

§ 53.1-151.1. Eligibility for additional Reading for Good Time credits; application.

A. Beginning July 1, 2004, and notwithstanding any other provision of law, every person who has been convicted of a felony and every person convicted of a misdemeanor and to whom the provisions of §§ 53.1-151, 53.1-152, or § 53.1-153 apply may be entitled to earn additional 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, 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. Such person shall be eligible for no more than five days good conduct credit for each 30 days served. Additional good conduct credits may be approved by the Board of Corrections for such persons in accordance with § 53.1-191.

B. Regulations approved by the Board shall govern the earning of additional credits for reading. 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. In awarding credit under this section, the Department of Corrections shall consider whether the prisoner, during the relevant period, has satisfactorily participated in the Reading for Good Time program by completely reading and passing a comprehension test on approved novels or literature 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.

C. Credits under the Reading for Good Time program shall be awarded on the basis of one day's credit for every one thousand pages read of approved novels or compilations of literature scored under the program. Scoring is determined by the Department of Correctional Education based upon the completion of reading the approved novels or literature and passing comprehension testing with a score of 70 percent 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, 2005.

INTRODUCED

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