

**MEMORANDUM RE:  
HOUSE PROPOSAL TO THE CONFERENCE COMMITTEE ON 3/14/12**

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Ø **LIFE SENTENCES (Section 40)**

The House Proposal tracks the section of the S.2080 that requires a sentencing judge to fix a minimum term of not less than 15 nor more than 25 years in cases where a life sentence is imposed (except first degree life). Significantly, the House proposal deleted the Senate proposal to make persons serving multiple life sentences ineligible for parole, noting that this “needs further discussion.”

Ø **EARNED GOOD TIME (Sections 27-30)**

The House Proposal tracks the sections of the S.2080 that expand the ability of prisoners to earn good conduct deductions.

Ø **PAROLE BOARD COMPOSITION AND PROCEDURES (Sections 1-6, 30-36, 43)**

The House Proposal tracks the sections of the S.2080 that make changes to the composition and procedures of the Parole Board, including requiring a 2/3 vote for release of a person serving a second degree life sentence.

Ø **MANDATORY MINIMUM SENTENCE REDUCTIONS FOR DRUG OFFENSES (Sections 16, 17, 21, 7-23)**

The House Proposal tracks sections 6 through 20 of S.2080 to reduce mandatory minimum sentences for certain drug offenses and increase weight ranges for trafficking offenses.

Ø **SCHOOL ZONE (Section 26)**

The House Proposal reduces the school zone to a 100 foot radius.

Ø **HABITUAL OFFENDER PROVISIONS (Sections 33, 34, and 41)**

**Subsection(a):**

- § A person who has previously been *twice* convicted of any of the existing 688 felonies and sentenced to *any term of state prison* and is convicted of a *third* felony.
- § Upon the third conviction, the person must be sentenced to state prison for the *maximum* term allowed for the third felony.
- § He or she is *eligible for parole after serving 2/3 of the maximum* sentence allowed for the third felony.

**Subsection(b):**

- § A person who has previously been *twice* convicted of any of the specified 29 offenses;
- § For both of those prior convictions has served 3 years or more in state prison; and
- § Is convicted for a third time of one of the specified 29 offenses.
- § Upon the third conviction, the person must be sentenced to state prison for the *maximum* term of incarceration permitted by law for that third offense; and
- § He or she is *not eligible for parole, work release or any deduction from his or her sentence for good conduct* while serving the maximum term of incarceration for the third offense.
  - The number of crimes listed in Subsection(b) has been reduced from 55 to 29 crimes. The maximum term for 19 of those 29 crimes is life.

Ø **PROVISIONS OF NOTE FROM S.2080 NOT INCLUDED**

- **Mandatory Post-Release Supervision**
- **Medical Parole**
- **Wiretapping**