

House Bill 239

By: Representatives Lunsford of the 85th, Post 2, Westmoreland of the 86th, Campbell of the 39th, Keen of the 146th and Maddox of the 59th, Post 2

A BILL TO BE ENTITLED
AN ACT

To amend Code Section 42-4-7 of the Official Code of Georgia Annotated, relating to inmate records and earned time allowances in county correctional facilities, so as to change provisions relating to earned time allowances; to increase the maximum amount of earned time which may be awarded when an inmate does work on an authorized work detail; to provide exceptions; to provide for related matters; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Code Section 42-4-7 of the Official Code of Georgia Annotated, relating to inmate records and earned time allowances in county correctional facilities, is amended by striking subsection (b) and inserting in its place a new subsection to read as follows:

"(b)(1) The sheriff, chief jailer, warden, or other officer designated by the county as custodian of inmates confined as county inmates for probation violations of felony offenses or as provided in subsection (a) of Code Section 17-10-3 may award earned time allowances to such inmates based on institutional behavior. Earned time allowances shall not be awarded which exceed one-half of the period of confinement imposed, except that the sheriff or other custodian may authorize the award of not more than four days' credit for each day on which an inmate does work on an authorized work detail; provided, however, that such increased credit for performance on a work detail shall not apply to an inmate who is incarcerated for:

(A) A second or subsequent offense of driving under the influence under Code Section 40-6-391 within a five-year period of time, as measured from the date of any previous arrest for which a conviction was obtained or a plea of nolo contendere was accepted to the date of the current arrest for which a conviction is obtained or a plea of nolo contendere is accepted; or

(B) A misdemeanor of a high and aggravated nature.

1 (2) While an inmate sentenced to confinement as a county inmate is in custody as a
2 county inmate, the custodian of such inmate may award an earned time allowance
3 consistent with this subsection and subsection (b) of Code Section 17-10-4 based on the
4 institutional behavior of such inmate while in custody as a county inmate.

5 (3) An inmate sentenced to confinement as a county inmate shall be released at the
6 expiration of his or her sentence less the time deducted for earned time allowances."

7 **SECTION 2.**

8 All laws and parts of laws in conflict with this Act are repealed.