

HOUSE BILL No. 2504

By Committee on Corrections and Juvenile Justice

1-21

9 AN ACT concerning crimes, criminal procedure and punishment; relat-
10 ing to the calculation of good time credits for inmates on postrelease
11 supervision; amending K.S.A. 21-4722 and K.S.A. 2009 Supp. 22-3717
12 and repealing the existing sections.
13

14 *Be it enacted by the Legislature of the State of Kansas:*

15 Section 1. K.S.A. 21-4722 is hereby amended to read as follows: 21-
16 4722. (a) For purposes of determining release of an inmate, the following
17 shall apply with regard to good time calculations:

18 (1) A system shall be developed whereby good behavior by inmates
19 is the expected norm and negative behavior will be punished; and

20 (2) the amount of good time which can be earned by an inmate and
21 subtracted from any sentence is limited to: (A) For a crime committed
22 on or after July 1, 1993, an amount equal to 15% of the prison part of
23 the sentence; or (B) for a drug severity level 3 or 4 or a nondrug severity
24 level 7 through 10 crime committed on or after January 1, 2008, an
25 amount equal to 20% of the prison part of the sentence.

26 (b) ~~Any time which is earned and subtracted from the prison part of~~
27 ~~the sentence of any inmate pursuant to good time calculation shall be~~
28 ~~added to such inmate's postrelease supervision obligation.~~

29 ~~(c)~~ The secretary of corrections is hereby authorized to adopt rules
30 and regulations to carry out the provisions of this section regarding good
31 time calculations. Such rules and regulations shall provide circumstances
32 upon which an inmate may earn good time credits and for the forfeiture
33 of earned credits and such circumstances may include factors substantially
34 related to program and work participation and conduct and the inmate's
35 willingness to examine and confront the past behavior patterns that re-
36 sulted in the commission of the inmate's crimes.

37 ~~(c)~~ (c) An inmate shall not be awarded good time credits pursuant to
38 this section for any review period established by the secretary of correc-
39 tions in which a court finds that the inmate has done any of the following
40 while in the custody of the secretary of corrections:

41 (1) Filed a false or malicious action or claim with the court;

42 (2) brought an action or claim with the court solely or primarily for
43 delay or harassment;

1 (3) testified falsely or otherwise submitted false evidence or infor-
2 mation to the court;

3 (4) attempted to create or obtain a false affidavit, testimony or evi-
4 dence; or

5 (5) abused the discovery process in any judicial action or proceeding.

6 ~~(e)~~ (d) (1) For purposes of determining release of an inmate who is
7 serving only a sentence for a nondrug severity level 4 through 10 crime
8 or a drug severity level 3 or 4 crime committed on or after January 1,
9 2008, in addition to any good time credits earned and retained, the fol-
10 lowing shall apply with regard to program credit calculations:

11 (A) A system shall be developed whereby program credits may be
12 earned by inmates for the successful completion of a general education
13 diploma, a technical or vocational training program, a substance abuse
14 treatment program or any other program designated by the secretary
15 which has been shown to reduce offender's risk after release; and

16 (B) the amount of time which can be earned and retained by an
17 inmate for the successful completion of programs and subtracted from
18 any sentence is limited to not more than 60 days.

19 ~~(2) Any time which is earned and subtracted from the prison part of~~
20 ~~the sentence of any inmate pursuant to program credit calculation shall~~
21 ~~be added to such inmate's postrelease supervision obligation, if~~
22 ~~applicable.~~

23 ~~(3)~~ When separate sentences of imprisonment for different crimes
24 are imposed on a defendant on the same date, a defendant shall only be
25 eligible for program credits if such crimes are a nondrug severity level 4
26 through 10 or a drug severity level 3 or 4.

27 ~~(4)~~ (3) Program credits shall not be earned by any offender success-
28 fully completing a sex offender treatment program.

29 ~~(5)~~ (4) The secretary of corrections is hereby authorized to adopt
30 rules and regulations to carry out the provisions of this subsection re-
31 garding program credit calculations. Such rules and regulations shall pro-
32 vide circumstances upon which an inmate may earn program credits and
33 for the forfeiture of earned credits and such circumstances may include
34 factors substantially related to program participation and conduct.

35 ~~(6)~~ (5) The secretary of corrections shall report to the Kansas sen-
36 tencing commission and the Kansas reentry policy council the data on the
37 program credit calculations.

38 Sec. 2. K.S.A. 2009 Supp. 22-3717 is hereby amended to read as
39 follows: 22-3717. (a) Except as otherwise provided by this section; K.S.A.
40 1993 Supp. 21-4628 prior to its repeal; K.S.A. 21-4635 through 21-4638,
41 and amendments thereto; K.S.A. 8-1567, and amendments thereto;
42 K.S.A. 21-4642, and amendments thereto; and K.S.A. 21-4624, and
43 amendments thereto, an inmate, including an inmate sentenced pursuant

1 to K.S.A. 21-4618, and amendments thereto, shall be eligible for parole
2 after serving the entire minimum sentence imposed by the court, less
3 good time credits.

4 (b) (1) Except as provided by K.S.A. 21-4635 through 21-4638, and
5 amendments thereto, an inmate sentenced to imprisonment for the crime
6 of capital murder, or an inmate sentenced for the crime of murder in the
7 first degree based upon a finding of premeditated murder, committed on
8 or after July 1, 1994, shall be eligible for parole after serving 25 years of
9 confinement, without deduction of any good time credits.

10 (2) Except as provided by subsection (b)(1) or (b)(4), K.S.A. 1993
11 Supp. 21-4628 prior to its repeal and K.S.A. 21-4635 through 21-4638,
12 and amendments thereto, an inmate sentenced to imprisonment for an
13 off-grid offense committed on or after July 1, 1993, but prior to July 1,
14 1999, shall be eligible for parole after serving 15 years of confinement,
15 without deduction of any good time credits and an inmate sentenced to
16 imprisonment for an off-grid offense committed on or after July 1, 1999,
17 shall be eligible for parole after serving 20 years of confinement without
18 deduction of any good time credits.

19 (3) Except as provided by K.S.A. 1993 Supp. 21-4628 prior to its
20 repeal, an inmate sentenced for a class A felony committed before July
21 1, 1993, including an inmate sentenced pursuant to K.S.A. 21-4618, and
22 amendments thereto, shall be eligible for parole after serving 15 years of
23 confinement, without deduction of any good time credits.

24 (4) An inmate sentenced to imprisonment for a violation of subsec-
25 tion (a) of K.S.A. 21-3402, and amendments thereto, committed on or
26 after July 1, 1996, but prior to July 1, 1999, shall be eligible for parole
27 after serving 10 years of confinement without deduction of any good time
28 credits.

29 (5) An inmate sentenced to imprisonment pursuant to K.S.A. 21-
30 4643, and amendments thereto, committed on or after July 1, 2006, shall
31 be eligible for parole after serving the mandatory term of imprisonment
32 without deduction of any good time credits.

33 (c) (1) Except as provided in subsection (e), if an inmate is sentenced
34 to imprisonment for more than one crime and the sentences run consec-
35 utively, the inmate shall be eligible for parole after serving the total of:

36 (A) The aggregate minimum sentences, as determined pursuant to
37 K.S.A. 21-4608 and amendments thereto, less good time credits for those
38 crimes which are not class A felonies; and

39 (B) an additional 15 years, without deduction of good time credits,
40 for each crime which is a class A felony.

41 (2) If an inmate is sentenced to imprisonment pursuant to K.S.A. 21-
42 4643, and amendments thereto, for crimes committed on or after July 1,
43 2006, the inmate shall be eligible for parole after serving the mandatory

1 term of imprisonment.

2 (d) (1) Persons sentenced for crimes, other than off-grid crimes,
3 committed on or after July 1, 1993, or persons subject to subparagraph
4 (G), will not be eligible for parole, but will be released to a mandatory
5 period of postrelease supervision upon completion of the prison portion
6 of their sentence as follows:

7 (A) Except as provided in subparagraphs (D) and (E), persons sen-
8 tenced for nondrug severity level 1 through 4 crimes and drug severity
9 levels 1 and 2 crimes must serve 36 months, ~~plus the amount of good
10 time and program credit earned and retained pursuant to K.S.A. 21-4722,
11 and amendments thereto,~~ on postrelease supervision.

12 (B) Except as provided in subparagraphs (D) and (E), persons sen-
13 tenced for nondrug severity levels 5 and 6 crimes and drug severity level
14 3 crimes must serve 24 months, ~~plus the amount of good time and pro-
15 gram credit earned and retained pursuant to K.S.A. 21-4722, and amend-
16 ments thereto,~~ on postrelease supervision.

17 (C) Except as provided in subparagraphs (D) and (E), persons sen-
18 tenced for nondrug severity level 7 through 10 crimes and drug severity
19 level 4 crimes must serve 12 months, ~~plus the amount of good time and
20 program credit earned and retained pursuant to K.S.A. 21-4722, and
21 amendments thereto,~~ on postrelease supervision.

22 (D) (i) The sentencing judge shall impose the postrelease supervi-
23 sion period provided in subparagraph (d)(1)(A), (d)(1)(B) or (d)(1)(C),
24 unless the judge finds substantial and compelling reasons to impose a
25 departure based upon a finding that the current crime of conviction was
26 sexually motivated. In that event, departure may be imposed to extend
27 the postrelease supervision to a period of up to 60 months.

28 (ii) If the sentencing judge departs from the presumptive postrelease
29 supervision period, the judge shall state on the record at the time of
30 sentencing the substantial and compelling reasons for the departure. De-
31 partures in this section are subject to appeal pursuant to K.S.A. 21-4721,
32 and amendments thereto.

33 (iii) In determining whether substantial and compelling reasons exist,
34 the court shall consider:

35 (a) Written briefs or oral arguments submitted by either the defend-
36 ant or the state;

37 (b) any evidence received during the proceeding;

38 (c) the presentence report, the victim's impact statement and any
39 psychological evaluation as ordered by the court pursuant to subsection
40 (e) of K.S.A. 21-4714, and amendments thereto; and

41 (d) any other evidence the court finds trustworthy and reliable.

42 (iv) The sentencing judge may order that a psychological evaluation
43 be prepared and the recommended programming be completed by the

1 offender. The department of corrections or the parole board shall ensure
2 that court ordered sex offender treatment be carried out.

3 (v) In carrying out the provisions of subparagraph (d)(1)(D), the court
4 shall refer to K.S.A. 21-4718, and amendments thereto.

5 (vi) Upon petition, the parole board may provide for early discharge
6 from the postrelease supervision period upon completion of court or-
7 dered programs and completion of the presumptive postrelease super-
8 vision period, as determined by the crime of conviction, pursuant to sub-
9 paragraph (d)(1)(A), (d)(1)(B) or (d)(1)(C). Early discharge from
10 postrelease supervision is at the discretion of the parole board.

11 (vii) Persons convicted of crimes deemed sexually violent or sexually
12 motivated, shall be registered according to the offender registration act,
13 K.S.A. 22-4901 through 22-4910, and amendments thereto.

14 (viii) Persons convicted of K.S.A. 21-3510 or 21-3511, and amend-
15 ments thereto, shall be required to participate in a treatment program
16 for sex offenders during the postrelease supervision period.

17 (E) The period of postrelease supervision provided in subparagraphs
18 (A) and (B) may be reduced by up to 12 months and the period of post-
19 release supervision provided in subparagraph (C) may be reduced by up
20 to six months based on the offender's compliance with conditions of su-
21 pervision and overall performance while on postrelease supervision. The
22 reduction in the supervision period shall be on an earned basis pursuant
23 to rules and regulations adopted by the secretary of corrections.

24 (F) In cases where sentences for crimes from more than one severity
25 level have been imposed, the offender shall serve the longest period of
26 postrelease supervision as provided by this section available for any crime
27 upon which sentence was imposed irrespective of the severity level of the
28 crime. Supervision periods will not aggregate.

29 (G) Except as provided in subsection (u), persons convicted of a sex-
30 ually violent crime committed on or after July 1, 2006, and who are re-
31 leased from prison, shall be released to a mandatory period of postrelease
32 supervision for the duration of the person's natural life.

33 (2) As used in this section, "sexually violent crime" means:

34 (A) Rape, K.S.A. 21-3502, and amendments thereto;

35 (B) indecent liberties with a child, K.S.A. 21-3503, and amendments
36 thereto;

37 (C) aggravated indecent liberties with a child, K.S.A. 21-3504, and
38 amendments thereto;

39 (D) criminal sodomy, subsection (a)(2) and (a)(3) of K.S.A. 21-3505,
40 and amendments thereto;

41 (E) aggravated criminal sodomy, K.S.A. 21-3506, and amendments
42 thereto;

43 (F) indecent solicitation of a child, K.S.A. 21-3510, and amendments

1 thereto;

2 (G) aggravated indecent solicitation of a child, K.S.A. 21-3511, and
3 amendments thereto;

4 (H) sexual exploitation of a child, K.S.A. 21-3516, and amendments
5 thereto;

6 (I) aggravated sexual battery, K.S.A. 21-3518, and amendments
7 thereto;

8 (J) aggravated incest, K.S.A. 21-3603, and amendments thereto; or

9 (K) an attempt, conspiracy or criminal solicitation, as defined in
10 K.S.A. 21-3301, 21-3302 or 21-3303, and amendments thereto, of a sex-
11 ually violent crime as defined in this section.

12 “Sexually motivated” means that one of the purposes for which the
13 defendant committed the crime was for the purpose of the defendant’s
14 sexual gratification.

15 (e) If an inmate is sentenced to imprisonment for a crime committed
16 while on parole or conditional release, the inmate shall be eligible for
17 parole as provided by subsection (c), except that the Kansas parole board
18 may postpone the inmate’s parole eligibility date by assessing a penalty
19 not exceeding the period of time which could have been assessed if the
20 inmate’s parole or conditional release had been violated for reasons other
21 than conviction of a crime.

22 (f) If a person is sentenced to prison for a crime committed on or
23 after July 1, 1993, while on probation, parole, conditional release or in a
24 community corrections program, for a crime committed prior to July 1,
25 1993, and the person is not eligible for retroactive application of the
26 sentencing guidelines and amendments thereto pursuant to K.S.A. 21-
27 4724, and amendments thereto, the new sentence shall not be aggregated
28 with the old sentence, but shall begin when the person is paroled or
29 reaches the conditional release date on the old sentence. If the offender
30 was past the offender’s conditional release date at the time the new of-
31 fense was committed, the new sentence shall not be aggregated with the
32 old sentence but shall begin when the person is ordered released by the
33 Kansas parole board or reaches the maximum sentence expiration date
34 on the old sentence, whichever is earlier. The new sentence shall then
35 be served as otherwise provided by law. The period of postrelease su-
36 pervision shall be based on the new sentence, except that those offenders
37 whose old sentence is a term of imprisonment for life, imposed pursuant
38 to K.S.A. 1993 Supp. 21-4628 prior to its repeal, or an indeterminate
39 sentence with a maximum term of life imprisonment, for which there is
40 no conditional release or maximum sentence expiration date, shall remain
41 on postrelease supervision for life or until discharged from supervision
42 by the Kansas parole board.

43 (g) Subject to the provisions of this section, the Kansas parole board

1 may release on parole those persons confined in institutions who are el-
2 ible for parole when: (1) The board believes that the inmate should be
3 released for hospitalization, for deportation or to answer the warrant or
4 other process of a court and is of the opinion that there is reasonable
5 probability that the inmate can be released without detriment to the com-
6 munity or to the inmate; or (2) the secretary of corrections has reported
7 to the board in writing that the inmate has satisfactorily completed the
8 programs required by any agreement entered under K.S.A. 75-5210a, and
9 amendments thereto, or any revision of such agreement, and the board
10 believes that the inmate is able and willing to fulfill the obligations of a
11 law abiding citizen and is of the opinion that there is reasonable proba-
12 bility that the inmate can be released without detriment to the community
13 or to the inmate. Parole shall not be granted as an award of clemency and
14 shall not be considered a reduction of sentence or a pardon.

15 (h) The Kansas parole board shall hold a parole hearing at least the
16 month prior to the month an inmate will be eligible for parole under
17 subsections (a), (b) and (c). At least the month preceding the parole hear-
18 ing, the county or district attorney of the county where the inmate was
19 convicted shall give written notice of the time and place of the public
20 comment sessions for the inmate to any victim of the inmate's crime who
21 is alive and whose address is known to the county or district attorney or,
22 if the victim is deceased, to the victim's family if the family's address is
23 known to the county or district attorney. Except as otherwise provided,
24 failure to notify pursuant to this section shall not be a reason to postpone
25 a parole hearing. In the case of any inmate convicted of an off-grid felony
26 or a class A felony the secretary of corrections shall give written notice
27 of the time and place of the public comment session for such inmate at
28 least one month preceding the public comment session to any victim of
29 such inmate's crime or the victim's family pursuant to K.S.A. 74-7338,
30 and amendments thereto. If notification is not given to such victim or
31 such victim's family in the case of any inmate convicted of an off-grid
32 felony or a class A felony, the board shall postpone a decision on parole
33 of the inmate to a time at least 30 days after notification is given as
34 provided in this section. Nothing in this section shall create a cause of
35 action against the state or an employee of the state acting within the scope
36 of the employee's employment as a result of the failure to notify pursuant
37 to this section. If granted parole, the inmate may be released on parole
38 on the date specified by the board, but not earlier than the date the
39 inmate is eligible for parole under subsections (a), (b) and (c). At each
40 parole hearing and, if parole is not granted, at such intervals thereafter
41 as it determines appropriate, the Kansas parole board shall consider: (1)
42 Whether the inmate has satisfactorily completed the programs required
43 by any agreement entered under K.S.A. 75-5210a, and amendments

1 thereto, or any revision of such agreement; and (2) all pertinent infor-
2 mation regarding such inmate, including, but not limited to, the circum-
3 stances of the offense of the inmate; the presentence report; the previous
4 social history and criminal record of the inmate; the conduct, employ-
5 ment, and attitude of the inmate in prison; the reports of such physical
6 and mental examinations as have been made, including, but not limited
7 to, risk factors revealed by any risk assessment of the inmate; comments
8 of the victim and the victim's family including in person comments, con-
9 temporaneous comments and prerecorded comments made by any tech-
10 nological means; comments of the public; official comments; any rec-
11 ommendation by the staff of the facility where the inmate is incarcerated;
12 proportionality of the time the inmate has served to the sentence a person
13 would receive under the Kansas sentencing guidelines for the conduct
14 that resulted in the inmate's incarceration; and capacity of state correc-
15 tional institutions.

16 (i) In those cases involving inmates sentenced for a crime committed
17 after July 1, 1993, the parole board will review the inmates proposed
18 release plan. The board may schedule a hearing if they desire. The board
19 may impose any condition they deem necessary to insure public safety,
20 aid in the reintegration of the inmate into the community, or items not
21 completed under the agreement entered into under K.S.A. 75-5210a, and
22 amendments thereto. The board may not advance or delay an inmate's
23 release date. Every inmate while on postrelease supervision shall remain
24 in the legal custody of the secretary of corrections and is subject to the
25 orders of the secretary.

26 (j) Before ordering the parole of any inmate, the Kansas parole board
27 shall have the inmate appear ~~before~~ either in person or via a video con-
28 ferencing format and shall interview the inmate unless impractical be-
29 cause of the inmate's physical or mental condition or absence from the
30 institution. Every inmate while on parole shall remain in the legal custody
31 of the secretary of corrections and is subject to the orders of the secretary.
32 Whenever the Kansas parole board formally considers placing an inmate
33 on parole and no agreement has been entered into with the inmate under
34 K.S.A. 75-5210a, and amendments thereto, the board shall notify the
35 inmate in writing of the reasons for not granting parole. If an agreement
36 has been entered under K.S.A. 75-5210a, and amendments thereto, and
37 the inmate has not satisfactorily completed the programs specified in the
38 agreement, or any revision of such agreement, the board shall notify the
39 inmate in writing of the specific programs the inmate must satisfactorily
40 complete before parole will be granted. If parole is not granted only
41 because of a failure to satisfactorily complete such programs, the board
42 shall grant parole upon the secretary's certification that the inmate has
43 successfully completed such programs. If an agreement has been entered

1 under K.S.A. 75-5210a, and amendments thereto, and the secretary of
2 corrections has reported to the board in writing that the inmate has sat-
3 isfactorily completed the programs required by such agreement, or any
4 revision thereof, the board shall not require further program participa-
5 tion. However, if the board determines that other pertinent information
6 regarding the inmate warrants the inmate's not being released on parole,
7 the board shall state in writing the reasons for not granting the parole. If
8 parole is denied for an inmate sentenced for a crime other than a class A
9 or class B felony or an off-grid felony, the board shall hold another parole
10 hearing for the inmate not later than one year after the denial unless the
11 parole board finds that it is not reasonable to expect that parole would
12 be granted at a hearing if held in the next three years or during the interim
13 period of a deferral. In such case, the parole board may defer subsequent
14 parole hearings for up to three years but any such deferral by the board
15 shall require the board to state the basis for its findings. If parole is denied
16 for an inmate sentenced for a class A or class B felony or an off-grid
17 felony, the board shall hold another parole hearing for the inmate not
18 later than three years after the denial unless the parole board finds that
19 it is not reasonable to expect that parole would be granted at a hearing if
20 held in the next 10 years or during the interim period of a deferral. In
21 such case, the parole board may defer subsequent parole hearings for up
22 to 10 years but any such deferral shall require the board to state the basis
23 for its findings.

24 (k) Parolees and persons on postrelease supervision shall be assigned,
25 upon release, to the appropriate level of supervision pursuant to the cri-
26 teria established by the secretary of corrections.

27 (l) The Kansas parole board shall adopt rules and regulations in ac-
28 cordance with K.S.A. 77-415 et seq., and amendments thereto, not in-
29 consistent with the law and as it may deem proper or necessary, with
30 respect to the conduct of parole hearings, postrelease supervision reviews,
31 revocation hearings, orders of restitution, reimbursement of expenditures
32 by the state board of indigents' defense services and other conditions to
33 be imposed upon parolees or releasees. Whenever an order for parole or
34 postrelease supervision is issued it shall recite the conditions thereof.

35 (m) Whenever the Kansas parole board orders the parole of an in-
36 mate or establishes conditions for an inmate placed on postrelease su-
37 pervision, the board:

38 (1) Unless it finds compelling circumstances which would render a
39 plan of payment unworkable, shall order as a condition of parole or post-
40 release supervision that the parolee or the person on postrelease super-
41 vision pay any transportation expenses resulting from returning the pa-
42 rolee or the person on postrelease supervision to this state to answer
43 criminal charges or a warrant for a violation of a condition of probation,

1 assignment to a community correctional services program, parole, con-
2 ditional release or postrelease supervision;

3 (2) to the extent practicable, shall order as a condition of parole or
4 postrelease supervision that the parolee or the person on postrelease su-
5 pervision make progress towards or successfully complete the equivalent
6 of a secondary education if the inmate has not previously completed such
7 educational equivalent and is capable of doing so;

8 (3) may order that the parolee or person on postrelease supervision
9 perform community or public service work for local governmental agen-
10 cies, private corporations organized not-for-profit or charitable or social
11 service organizations performing services for the community;

12 (4) may order the parolee or person on postrelease supervision to pay
13 the administrative fee imposed pursuant to K.S.A. 22-4529, and amend-
14 ments thereto, unless the board finds compelling circumstances which
15 would render payment unworkable; and

16 (5) unless it finds compelling circumstances which would render a
17 plan of payment unworkable, shall order that the parolee or person on
18 postrelease supervision reimburse the state for all or part of the expend-
19 itures by the state board of indigents' defense services to provide counsel
20 and other defense services to the person. In determining the amount and
21 method of payment of such sum, the parole board shall take account of
22 the financial resources of the person and the nature of the burden that
23 the payment of such sum will impose. Such amount shall not exceed the
24 amount claimed by appointed counsel on the payment voucher for indi-
25 gents' defense services or the amount prescribed by the board of indi-
26 gents' defense services reimbursement tables as provided in K.S.A. 22-
27 4522, and amendments thereto, whichever is less, minus any previous
28 payments for such services.

29 (n) If the court which sentenced an inmate specified at the time of
30 sentencing the amount and the recipient of any restitution ordered as a
31 condition of parole or postrelease supervision, the Kansas parole board
32 shall order as a condition of parole or postrelease supervision that the
33 inmate pay restitution in the amount and manner provided in the journal
34 entry unless the board finds compelling circumstances which would ren-
35 der a plan of restitution unworkable.

36 (o) Whenever the Kansas parole board grants the parole of an inmate,
37 the board, within 10 days of the date of the decision to grant parole, shall
38 give written notice of the decision to the county or district attorney of the
39 county where the inmate was sentenced.

40 (p) When an inmate is to be released on postrelease supervision, the
41 secretary, within 30 days prior to release, shall provide the county or
42 district attorney of the county where the inmate was sentenced written
43 notice of the release date.

1 (q) Inmates shall be released on postrelease supervision upon the
2 termination of the prison portion of their sentence. Time served while
3 on postrelease supervision will vest.

4 (r) An inmate who is allocated regular good time credits as provided
5 in K.S.A. 22-3725, and amendments thereto, may receive meritorious
6 good time credits in increments of not more than 90 days per meritorious
7 act. These credits may be awarded by the secretary of corrections when
8 an inmate has acted in a heroic or outstanding manner in coming to the
9 assistance of another person in a life threatening situation, preventing
10 injury or death to a person, preventing the destruction of property or
11 taking actions which result in a financial savings to the state.

12 (s) The provisions of subsections (d)(1)(A), (d)(1)(B), (d)(1)(C) and
13 (d)(1)(E) shall be applied retroactively as provided in subsection (t).

14 (t) For offenders sentenced prior to the effective date of this act who
15 are eligible for modification of their postrelease supervision obligation,
16 the department of corrections shall modify the period of postrelease su-
17 pervision as provided for by this section for offenders convicted of severity
18 level 9 and 10 crimes on the sentencing guidelines grid for nondrug
19 crimes and severity level 4 crimes on the sentencing guidelines grid for
20 drug crimes on or before September 1, 2000; for offenders convicted of
21 severity level 7 and 8 crimes on the sentencing guidelines grid for nondrug
22 crimes on or before November 1, 2000; and for offenders convicted of
23 severity level 5 and 6 crimes on the sentencing guidelines grid for nondrug
24 crimes and severity level 3 crimes on the sentencing guidelines grid for
25 drug crimes on or before January 1, 2001.

26 (u) An inmate sentenced to imprisonment pursuant to K.S.A. 21-
27 4643, and amendments thereto, for crimes committed on or after July 1,
28 2006, shall be placed on parole for life and shall not be discharged from
29 supervision by the Kansas parole board. When the board orders the parole
30 of an inmate pursuant to this subsection, the board shall order as a con-
31 dition of parole that the inmate be electronically monitored for the du-
32 ration of the inmate's natural life.

33 (v) Whenever the Kansas parole board or the court orders a person
34 to be electronically monitored, the board or court shall order the person
35 to reimburse the state for all or part of the cost of such monitoring. In
36 determining the amount and method of payment of such sum, the board
37 or court shall take account of the financial resources of the person and
38 the nature of the burden that the payment of such sum will impose.

39 Sec. 3. K.S.A. 21-4722 and K.S.A. 2009 Supp. 22-3717 are hereby
40 repealed.

41 Sec. 4. This act shall take effect and be in force from and after its
42 publication in the statute book.