

## **COMMITTEE AMENDMENT ANALYSIS**

**Bill:** Senate Bill 100

**Printer's No.:** 85

**Amendment No.:** A02902

**Prepared by:** Gregg Warner

**Summary:** The purpose of this amendment is to bring uniformity to the eligibility requirements for the county intermediate punishment, State boot camp and State intermediate punishment programs. It should help judges in determining which defendants are eligible for each of the programs.

This amendment makes no changes in the eligibility criteria for county intermediate punishment programs but does allow the district attorney to waive the eligibility requirements for the county intermediate punishment. The district attorney may agree to make someone eligible who would otherwise have been ineligible.

The amendment increases the age limit for the State boot camp program from 35 to 40 years of age and adds a 10-year look-back period regarding ineligibility based on a prior conviction. The county intermediate punishment program already has a ten-year look back period. The amendment allows the district attorney to waive the eligibility requirements for the State boot camp program making a defendant eligible who would otherwise have been ineligible.

The State intermediate punishment program's eligibility requirements are amended to match the boot camp eligibility requirements including the ten-year look-back period. The amendment allows the district attorney to waive the eligibility requirements for the State intermediate punishment program making a defendant eligible who would otherwise have been ineligible. The amendment retains current law requiring district attorneys to approve a defendant's referral to the state intermediate punishment program.

### **Next steps**

This amendment reflects the discussions which have taken place at a stakeholders meeting and subsequent discussions. Further discussions need to take place on the recidivism risk reduction incentive, pre-release, and reentry programs. Those discussions will continue over the summer.