**5848-S AMS ZEIG S2502.1 - NOT FOR FLOOR USE**

**SSB 5848** - S AMD **162**

By Senator Zeiger

**NOT CONSIDERED 12/23/2019**

Beginning on page 7, line 27, after "(d)" strike all material through "(e)" on page 8, line 12 and insert "((~~An offender is qualified to earn up to fifty percent of aggregate earned release time if he or she:~~

~~(i) Is not classified as an offender who is at a high risk to reoffend as provided in subsection (4) of this section;~~

~~(ii) Is not confined pursuant to a sentence for:~~

~~(A) A sex offense;~~

~~(B) A violent offense;~~

~~(C) A crime against persons as defined in RCW 9.94A.411;~~

~~(D) A felony that is domestic violence as defined in RCW 10.99.020;~~

~~(E) A violation of RCW 9A.52.025 (residential burglary);~~

~~(F) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.401 by manufacture or delivery or possession with intent to deliver methamphetamine; or~~

~~(G) A violation of, or an attempt, solicitation, or conspiracy to violate, RCW 69.50.406 (delivery of a controlled substance to a minor);~~

~~(iii) Has no prior conviction for the offenses listed in (d)(ii) of this subsection;~~

~~(iv) Participates in programming or activities as directed by the offender's individual reentry plan as provided under RCW 72.09.270 to the extent that such programming or activities are made available by the department; and~~

~~(v) Has not committed a new felony after July 22, 2007, while under community custody.~~

~~(e)~~))"

Reletter the remaining subsection consecutively and correct any internal references accordingly.

On page 8, line 13, after "exceed" strike "fifty" and insert "forty"

On page 8, beginning on line 21, after "(4)" strike all material through "(5)" on line 27 and insert "((~~The department shall perform a risk assessment of each offender who may qualify for earned early release under subsection (3)(d) of this section utilizing the risk assessment tool recommended by the Washington state institute for public policy. Subsection (3)(d) of this section does not apply to offenders convicted after July 1, 2010.~~

~~(5)~~))"

Renumber the remaining subsection consecutively and correct any internal references accordingly.

EFFECT: Changes maximum allowable earned release time from fifty percent to forty percent of sentence.