

SENTENCING CREDIT FOR GOOD BEHAVIOR

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: Katherine Bryson

AN ACT RELATING TO THE CRIMINAL CODE; PROVIDING CREDIT FOR GOOD BEHAVIOR AGAINST A SENTENCE FOR FELONY OFFENSES WHERE IMPRISONMENT IN A COUNTY JAIL IS PART OF A PROBATION AGREEMENT.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

76-3-403, as last amended by Chapter 249, Laws of Utah 1995

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **76-3-403** is amended to read:

76-3-403. Credit for good behavior against jail sentence for misdemeanors and certain felonies.

In any commitment [~~to imprisonment~~] for incarceration in a county jail or detention facility, other than the Utah State Prison, [~~for a misdemeanor offense,~~] the custodial authority may in its discretion and upon good behavior of the inmate allow up to ten days credit against the sentence to be served for every 30 days served or up to two days credit for every ten days served when the period to be served is less than 30 days[~~;~~] if:

(1) the incarceration is for a misdemeanor offense, and the sentencing judge has not entered an order to the contrary; or

(2) the incarceration is part of a probation agreement for a felony offense, and the sentencing district judge has not entered an order to the contrary.