

**Introduced by Senator Polanco**

December 22, 1998

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An act to add Section 2933.7 to the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

SB 127, as introduced, Polanco. Prisoners: education.

Existing law provides for credit on a prisoner's term of imprisonment for good behavior and participation in work and education programs.

This bill would provide that a person shall not be eligible to earn credit on his or her term of imprisonment if the person does not have a high school diploma or General Education Development equivalent unless that person is actively participating in an education program that will lead to a high school diploma or General Education Development equivalent. However, this provision would not apply to any inmate who is determined to be incapable of obtaining a high school diploma or equivalent based on testing of intellectual ability.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 2933.7 is added to the Penal
- 2 Code, to read:
- 3 2933.7. Notwithstanding any other provision of law, a
- 4 person shall not be eligible to earn credit on his or her

1 term of imprisonment pursuant to this chapter if the  
2 person does not have a high school diploma or General  
3 Education Development (GED) equivalent unless that  
4 person is actively participating in an education program  
5 that will lead to a high school diploma or General  
6 Education Development (GED) equivalent.

7 This section shall not apply to any inmate who is  
8 determined to be incapable of obtaining a high school  
9 diploma or equivalent based on testing of intellectual  
10 ability.

