

1 STATE OF OKLAHOMA

2 1st Session of the 55th Legislature (2015)

3 COMMITTEE SUBSTITUTE

4 FOR

5 HOUSE BILL NO. 1687

6 By: Denney

7  
8 COMMITTEE SUBSTITUTE

9 An Act relating to adult education; amending 70 O.S.  
10 2011, Section 3-110.1, as amended by Section 1,  
11 Chapter 164, O.S.L. 2014 (70 O.S. Supp. 2014, Section  
12 3-110.1), which relates to the allocation of funds  
13 for adult education; modifying name of certain  
14 diploma; amending Section 5, Chapter 164, O.S.L. 2014  
15 (70 O.S. Supp. 2014, Section 14-132), which relates  
16 to certain contracts; authorizing contracts for  
17 certain assessment; updating statutory language;  
18 amending Section 6, Chapter 164, O.S.L. 2014 (70 O.S.  
19 Supp. 2014, Section 14-133), which relates to the  
20 Adult Education Revolving Fund; providing fund to  
21 consist of fee for certain purpose; updating  
22 statutory language; amending 57 O.S. 2011, Sections  
23 138, as amended by Section 6, Chapter 228, O.S.L.  
24 2012, 510.7 and 510.8 (57 O.S. Supp. 2014, Section  
138), which relate to education programs for inmates;  
updating statutory language; providing an effective  
date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 70 O.S. 2011, Section 3-110.1, as  
amended by Section 1, Chapter 164, O.S.L. 2014 (70 O.S. Supp. 2014,  
Section 3-110.1), is amended to read as follows:

1 Section 3-110.1 Funds appropriated to the State Board of Career  
2 and Technology Education for Adult Education Matching Funds shall be  
3 provided to school districts which offer courses leading to ~~the~~  
4 ~~General Education Diploma~~ a high school equivalency diploma. The  
5 State Board of Career and Technology Education shall promulgate  
6 rules for the distribution of the funds.

7 SECTION 2. AMENDATORY Section 5, Chapter 164, O.S.L.  
8 2014 (70 O.S. Supp. 2014, Section 14-132), is amended to read as  
9 follows:

10 Section 14-132. A. The State Board of Career and Technology  
11 Education is hereby authorized and directed to enter into agreements  
12 and to contract for the provision of adult education, assessment and  
13 other services ~~that are needed~~ for courses leading to ~~the General~~  
14 ~~Education Diploma (GED)~~ a high school equivalency diploma. Any  
15 adult education program providing services pursuant to a contract or  
16 subcontract with the State Board of Career and Technology Education  
17 and receiving funds from the State Board of Career and Technology  
18 Education or any contractor with the State Board of Career and  
19 Technology Education shall be subject to the provisions of the  
20 administrative rules of the State Board of Career and Technology  
21 Education.

22 B. The Department of Education shall retain the responsibility  
23 for issuing diplomas to those who successfully complete ~~the General~~  
24

1 ~~Education Development~~ a high school equivalency test, pursuant to  
2 criteria established by the State Board of Education.

3 SECTION 3. AMENDATORY Section 6, Chapter 164, O.S.L.  
4 2014 (70 O.S. Supp. 2014, Section 14-133), is amended to read as  
5 follows:

6 Section 14-133. There is hereby created in the State Treasury a  
7 revolving fund for the State Board of Career and Technology  
8 Education, to be designated the "Adult Education Revolving Fund".  
9 The fund shall consist of fees paid to the Board for the ~~scoring of~~  
10 ~~the writing component portion of the General Education Development~~  
11 oversight and management of the high school equivalency test as  
12 administered by the Board pursuant to law. The revolving fund shall  
13 be a continuing fund, not subject to fiscal year limitations, and  
14 shall be under the control and management of the administrative  
15 authority of the State Board of Career and Technology Education.  
16 Expenditures from the fund shall be made to maintain the ~~General~~  
17 ~~Education Development~~ high school equivalency testing process and  
18 ~~for the scoring of the writing component of the test~~. Warrants for  
19 expenditure shall be drawn by the State Treasurer on claims by an  
20 authorized employee of the State Board of Career and Technology  
21 Education and approved by the Director of the Office of Management  
22 and Enterprise Services.

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1 SECTION 4. AMENDATORY 57 O.S. 2011, Section 138, as  
2 amended by Section 6, Chapter 228, O.S.L. 2012 (57 O.S. Supp. 2014,  
3 Section 138), is amended to read as follows:

4 Section 138. A. Except as otherwise provided by law, every  
5 inmate of a state correctional institution shall have their term of  
6 imprisonment reduced monthly, based upon the class level to which  
7 they are assigned. Earned credits may be subtracted from the total  
8 credits accumulated by an inmate, upon recommendation of the  
9 institution's disciplinary committee, following due process, and  
10 upon approval of the warden or superintendent. Each earned credit  
11 is equivalent to one (1) day of incarceration. Lost credits may be  
12 restored by the warden or superintendent upon approval of the  
13 classification committee. If a maximum and minimum term of  
14 imprisonment is imposed, the provisions of this subsection shall  
15 apply only to the maximum term. No deductions shall be credited to  
16 any inmate serving a sentence of life imprisonment; however, a  
17 complete record of the inmate's participation in work, school,  
18 vocational training, or other approved program shall be maintained  
19 by the Department for consideration by the paroling authority. No  
20 earned credit deductions shall be credited or recorded for any  
21 inmate serving any sentence for a criminal act which resulted in the  
22 death of a police officer, a law enforcement officer, an employee of  
23 the Department of Corrections, or an employee of a private prison  
24 contractor and the death occurred while the police officer, law

1 enforcement officer, employee of the Department of Corrections, or  
2 employee of a private prison contractor was acting within the scope  
3 of their employment. No earned credit deductions shall be credited  
4 or recorded for any person who is referred to an intermediate  
5 revocation facility for violating any of the terms and conditions of  
6 probation.

7 B. The Department of Corrections is directed to develop a  
8 written policy and procedure whereby inmates shall be assigned to  
9 one of four class levels determined by an adjustment review  
10 committee of the facility to which the inmate is assigned. The  
11 policies and procedures developed by the Department shall include,  
12 but not be limited to, written guidelines pertaining to awarding  
13 credits for rehabilitation, obtaining job skills and educational  
14 enhancement, participation in and completion of alcohol/chemical  
15 abuse programs, incentives for inmates to accept work assignments  
16 and jobs, work attendance and productivity, conduct record,  
17 participation in programs, cooperative general behavior, and  
18 appearance. When assigning inmates to a class level the adjustment  
19 review committee shall consider all aspects of the policy and  
20 procedure developed by the Department including but not limited to,  
21 the criteria for awarding credits required by this subsection.

22 C. If an inmate is subject to misconduct, nonperformance or  
23 disciplinary action, earned credits may be removed according to the  
24 policies and procedures developed by the Department. Earned credits

1 removed for misconduct, nonperformance or disciplinary action may be  
2 restored as provided by Department policy, if any.

3 D. 1. Class levels shall be as follows:

4 a. Class level 1 shall include inmates not eligible to  
5 participate in class levels 2 through 4, and shall  
6 include, but not be limited to, inmates on escape  
7 status.

8 b. Class level 2 shall include an inmate who has been  
9 given a work, education, or program assignment, has  
10 received a good evaluation for participation in the  
11 work, education, or program assignment, and has  
12 received a good evaluation for personal hygiene and  
13 maintenance of living area.

14 c. Class level 3 shall include an inmate who has been  
15 incarcerated at least three (3) months, has received  
16 an excellent work, education, or program evaluation,  
17 and has received an excellent evaluation for personal  
18 hygiene and maintenance of living area.

19 d. Class level 4 shall include an inmate who has been  
20 incarcerated at least eight (8) months, has received  
21 an outstanding work, education, or program evaluation,  
22 and has received an outstanding evaluation for  
23 personal hygiene and maintenance of living area.  
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1           2.    a.    Until November 1, 2001, class level corresponding  
2                   credits are as follows:

3                         Class 1 - 0 Credits per month;

4                         Class 2 - 22 Credits per month;

5                         Class 3 - 33 Credits per month;

6                         Class 4 - 44 Credits per month.

7           b.    Class level corresponding credits beginning November  
8                   1, 2001, for inmates who have ever been convicted as  
9                   an adult or a youthful offender or adjudicated  
10                   delinquent as a juvenile for a felony offense  
11                   enumerated in subsection E of this section are as  
12                   follows:

13                         Class 1 - 0 Credits per month;

14                         Class 2 - 22 Credits per month;

15                         Class 3 - 33 Credits per month;

16                         Class 4 - 44 Credits per month.

17           c.    Class level corresponding credits beginning November  
18                   1, 2001, for inmates who have never been convicted as  
19                   an adult or a youthful offender or adjudicated  
20                   delinquent as a juvenile for a felony offense  
21                   enumerated in subsection E of this section are as  
22                   follows:

23                         Class 1 - 0 Credits per month;

24                         Class 2 - 22 Credits per month;

1                   Class 3 - 45 Credits per month;

2                   Class 4 - 60 Credits per month.

3           Each inmate shall receive the above specified monthly credits  
4 for the class to which he or she is assigned. In determining the  
5 prior criminal history of the inmate, the Department of Corrections  
6 shall review criminal history records available through the Oklahoma  
7 State Bureau of Investigation, Federal Bureau of Investigation, and  
8 National Crime Information Center to determine the reported felony  
9 convictions of all inmates. The Department of Corrections shall  
10 also review the Office of Juvenile Affairs Juvenile On-line Tracking  
11 System for inmates who were adjudicated delinquent or convicted as a  
12 youthful offender for a crime that would be an offense enumerated in  
13 subsection E of this section.

14           3. In addition to the criteria established for each class in  
15 paragraph 1 of this subsection, the following requirements shall  
16 apply to each of levels 2 through 4:

- 17           a. satisfactory participation in the work, education, or  
18           program assignment at the standard required for the  
19           particular class level;
- 20           b. maintenance of a clean and orderly living area and  
21           personal hygiene at the standard required for the  
22           particular class level;
- 23           c. cooperative behavior toward facility staff and other  
24           inmates;



1 d. satisfactory participation in the requirements of the  
2 previous class level.

3 4. The evaluation scale for assessing performance shall be as  
4 follows:

5 a. Outstanding - For inmates who display consistently  
6 exceptional initiative, motivation, and work habits,

7 b. Excellent - For inmates who display above-average work  
8 habits with only minor errors and rarely perform below  
9 expectations.

10 c. Good - For inmates who perform in a satisfactory  
11 manner and complete tasks as required, doing what is  
12 expected, with only occasional performance above or  
13 below expectations.

14 d. Fair - For inmates who may perform satisfactorily for  
15 some periods of time, but whose performance is marked  
16 by obviously deficient and weak areas and could be  
17 improved.

18 e. Poor - For inmates whose performance is unsatisfactory  
19 and falls below expected and acceptable standards.

20 E. No person ever convicted as an adult or a youthful offender  
21 or adjudicated delinquent as a juvenile in this state for any felony  
22 offense enumerated in this subsection or a similar felony offense  
23 pursuant to the provisions of another state, the United States, or a  
24 military court shall be eligible for the credits provided by the

1 provisions of subparagraph c of paragraph 2 of subsection D of this  
2 section.

3 1. Assault, battery, or assault and battery with a dangerous  
4 weapon as defined by Section 645, or subsection C of Section 652 of  
5 Title 21 or Section 2-219 of Title 43A of the Oklahoma Statutes;

6 2. Aggravated assault and battery on a police officer, sheriff,  
7 highway patrolman, or any other officer of the law as defined by  
8 Section 650, subsection C of Section 650.2, 650.5, subsection B of  
9 Section 650.6, or subsection C of Section 650.7 of Title 21 of the  
10 Oklahoma Statutes;

11 3. Poisoning with intent to kill as defined by Section 651 of  
12 Title 21 of the Oklahoma Statutes;

13 4. Shooting with intent to kill as defined by Section 652 of  
14 Title 21 of the Oklahoma Statutes;

15 5. Assault with intent to kill as defined by Section 653 of  
16 Title 21 of the Oklahoma Statutes;

17 6. Assault with intent to commit a felony as defined by Section  
18 681 of Title 21 of the Oklahoma Statutes;

19 7. Assaults while masked or disguised as defined by Section  
20 1303 of Title 21 of the Oklahoma Statutes;

21 8. Entering premises of another while masked as defined by  
22 Section 1302 of Title 21 of the Oklahoma Statutes;

23 9. Murder in the first degree as defined by Section 701.7 of  
24 Title 21 of the Oklahoma Statutes;

- 1        10. Solicitation for Murder in the first degree as defined by  
2 Section 701.16 of Title 21 of the Oklahoma Statutes;
- 3        11. Murder in the second degree as defined by Section 701.8 of  
4 Title 21 of the Oklahoma Statutes;
- 5        12. Manslaughter in the first degree as defined by Section 711,  
6 712 or 714 of Title 21 of the Oklahoma Statutes;
- 7        13. Manslaughter in the second degree as defined by Section 716  
8 or 717 of Title 21 of the Oklahoma Statutes;
- 9        14. Kidnapping as defined by Section 741 of Title 21 of the  
10 Oklahoma Statutes;
- 11       15. Burglary in the first degree as defined by Section 1431 of  
12 Title 21 of the Oklahoma Statutes;
- 13       16. Burglary with explosives as defined by Section 1441 of  
14 Title 21 of the Oklahoma Statutes;
- 15       17. Kidnapping for extortion as defined by Section 745 of Title  
16 21 of the Oklahoma Statutes;
- 17       18. Maiming as defined by Section 751 of Title 21 of the  
18 Oklahoma Statutes;
- 19       19. Robbery as defined by Section 791 of Title 21 of the  
20 Oklahoma Statutes;
- 21       20. Robbery in the first degree as defined by Section 797 of  
22 Title 21 of the Oklahoma Statutes;
- 23       21. Robbery in the second degree as defined by Section 797 of  
24 Title 21 of the Oklahoma Statutes;

1        22. Armed robbery as defined by Section 801 of Title 21 of the  
2 Oklahoma Statutes;

3        23. Robbery by two (2) or more persons as defined by Section  
4 800 of Title 21 of the Oklahoma Statutes;

5        24. Robbery with dangerous weapon or imitation firearm as  
6 defined by Section 801 of Title 21 of the Oklahoma Statutes;

7        25. Any crime against a child provided for in Section 843.5 of  
8 Title 21 of the Oklahoma Statutes;

9        26. Wiring any equipment, vehicle or structure with explosives  
10 as defined by Section 849 of Title 21 of the Oklahoma Statutes;

11       27. Forcible sodomy as defined by Section 888 of Title 21 of  
12 the Oklahoma Statutes;

13       28. Rape in the first degree as defined by Sections 1111 and  
14 1114 of Title 21 of the Oklahoma Statutes;

15       29. Rape in the second degree as defined by Sections 1111 and  
16 1114 of Title 21 of the Oklahoma Statutes;

17       30. Rape by instrumentation as defined by Section 1111.1 of  
18 Title 21 of the Oklahoma Statutes;

19       31. Lewd or indecent proposition or lewd or indecent act with a  
20 child as defined by Section 1123 of Title 21 of the Oklahoma  
21 Statutes;

22       32. Sexual battery of a person over 16 as defined by Section  
23 1123 of Title 21 of the Oklahoma Statutes;

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1           33. Use of a firearm or offensive weapon to commit or attempt  
2 to commit a felony as defined by Section 1287 of Title 21 of the  
3 Oklahoma Statutes;

4           34. Pointing firearms as defined by Section 1289.16 of Title 21  
5 of the Oklahoma Statutes;

6           35. Rioting as defined by Section 1311 or 1321.8 of Title 21 of  
7 the Oklahoma Statutes;

8           36. Inciting to riot as defined by Section 1320.2 of Title 21  
9 of the Oklahoma Statutes;

10          37. Arson in the first degree as defined by Section 1401 of  
11 Title 21 of the Oklahoma Statutes;

12          38. Endangering human life during arson as defined by Section  
13 1405 of Title 21 of the Oklahoma Statutes;

14          39. Injuring or burning public buildings as defined by Section  
15 349 of Title 21 of the Oklahoma Statutes;

16          40. Sabotage as defined by Section 1262, 1265.4 or 1265.5 of  
17 Title 21 of the Oklahoma Statutes;

18          41. Extortion as defined by Section 1481 or 1486 of Title 21 of  
19 the Oklahoma Statutes;

20          42. Obtaining signature by extortion as defined by Section 1485  
21 of Title 21 of the Oklahoma Statutes;

22          43. Seizure of a bus, discharging firearm or hurling missile at  
23 bus as defined by Section 1903 of Title 21 of the Oklahoma Statutes;

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1 44. Mistreatment of a vulnerable adult as defined by Section  
2 843.1 of Title 21 of the Oklahoma Statutes;

3 45. Sex offender providing services to a child as defined by  
4 Section 404.1 of Title 10 of the Oklahoma Statutes;

5 46. A felony offense of domestic abuse as defined by subsection  
6 C of Section 644 of Title 21 of the Oklahoma Statutes;

7 47. Prisoner placing body fluid on government employee as  
8 defined by Section 650.9 of Title 21 of the Oklahoma Statutes;

9 48. Poisoning food or water supply as defined by Section 832 of  
10 Title 21 of the Oklahoma Statutes;

11 49. Trafficking in children as defined by Section 866 of Title  
12 21 of the Oklahoma Statutes;

13 50. Incest as defined by Section 885 of Title 21 of the  
14 Oklahoma Statutes;

15 51. Procure, produce, distribute, or possess juvenile  
16 pornography as defined by Section 1021.2 of Title 21 of the Oklahoma  
17 Statutes;

18 52. Parental consent to juvenile pornography as defined by  
19 Section 1021.3 of Title 21 of the Oklahoma Statutes;

20 53. Soliciting minor for indecent exposure as defined by  
21 Section 1021 of Title 21 of the Oklahoma Statutes;

22 54. Distributing obscene material or child pornography as  
23 defined by Section 1040.13 of Title 21 of the Oklahoma Statutes;

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1        55. Child prostitution as defined by Section 1030 of Title 21  
2 of the Oklahoma Statutes;

3        56. Procuring a minor for prostitution or other lewd acts as  
4 defined by Section 1087 of Title 21 of the Oklahoma Statutes;

5        57. Transporting a child under 18 for purposes of prostitution  
6 as defined by Section 1087 of Title 21 of the Oklahoma Statutes;

7        58. Inducing a minor to engage in prostitution as defined by  
8 Section 1088 of Title 21 of the Oklahoma Statutes;

9        59. A felony offense of stalking as defined by subsection D of  
10 Section 1173 of Title 21 of the Oklahoma Statutes;

11       60. Spread of infectious diseases as defined by Section 1192 of  
12 Title 21 of the Oklahoma Statutes;

13       61. Advocate overthrow of government by force, commit or  
14 attempt to commit acts to overthrow the government, organize or  
15 provide assistance to groups to overthrow the government as defined  
16 by Section 1266, 1266.4 or 1267.1 of Title 21 of the Oklahoma  
17 Statutes;

18       62. Feloniously discharging a firearm as defined by Section  
19 1289.17A of Title 21 of the Oklahoma Statutes;

20       63. Possession, use, manufacture, or threat of incendiary  
21 device as defined by Section 1767.1 of Title 21 of the Oklahoma  
22 Statutes;

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1       64. Causing a personal injury accident while driving under the  
2 influence as defined by Section 11-904 of Title 47 of the Oklahoma  
3 Statutes; or

4       65. Using a motor vehicle to facilitate the discharge of a  
5 firearm as defined by Section 652 of Title 21 of the Oklahoma  
6 Statutes.

7       F. The policy and procedure developed by the Department of  
8 Corrections shall include provisions for adjustment review  
9 committees of not less than three members for each such committee.  
10 Each committee shall consist of a classification team supervisor who  
11 shall act as chairman, the case manager for the inmate being  
12 reviewed or classified, a correctional officer or inmate counselor,  
13 and not more than two other members, if deemed necessary, determined  
14 pursuant to policy and procedure to be appropriate for the specific  
15 adjustment review committee or committees to which they are  
16 assigned. At least once every four (4) months the adjustment review  
17 committee for each inmate shall evaluate the class level status and  
18 performance of the inmate and determine whether or not the class  
19 level for the inmate should be changed.

20       Any inmate who feels aggrieved by a decision made by an  
21 adjustment review committee may utilize normal grievance procedures  
22 in effect with the Department of Corrections and in effect at the  
23 facility in which the inmate is incarcerated.



1 G. Inmates granted medical leaves for treatment that cannot be  
2 furnished at the penal institution where incarcerated shall be  
3 allowed the time spent on medical leave as time served. Any inmate  
4 placed into administrative segregation for nondisciplinary reasons  
5 by the institution's administration may be placed in Class 2. The  
6 length of any jail term served by an inmate before being transported  
7 to a state correctional institution pursuant to a judgment and  
8 sentence of incarceration shall be deducted from the term of  
9 imprisonment at the state correctional institution. Inmates  
10 sentenced to the Department of Corrections and detained in a county  
11 jail as a result of the Department's reception scheduling procedure  
12 shall be awarded earned credits as provided for in subparagraph b of  
13 paragraph 1 of subsection D of this section, beginning on the date  
14 of the judgment and sentence, unless the inmate is convicted of a  
15 misdemeanor or felony committed in the jail while the inmate is  
16 awaiting transport to the Lexington Assessment and Reception Center  
17 or other assessment and reception location determined by the  
18 Director of the Department of Corrections.

19 H. Additional achievement earned credits for successful  
20 completion of departmentally approved programs or for attaining  
21 goals or standards set by the Department shall be awarded as  
22 follows:

- 23 Bachelor's degree.....200 credits;
- 24 Associate's degree.....100 credits;

1 High School Diploma or ~~Equivalent~~  
2 ~~General Education~~ High School  
3 Equivalency Diploma.....90 credits;  
4 Certification of Completion of  
5 Vocational Training.....80 credits;  
6 Successful completion of  
7 Alcohol/Chemical Abuse Treatment  
8 Program of not less than four (4)  
9 months continuous participation.....70 credits;  
10 Successful completion of other  
11 Educational Accomplishments or  
12 other programs not specified in  
13 this subsection.....10-30 credits;

14 Achievement earned credits are subject to loss and restoration in  
15 the same manner as earned credits.

16 I. The accumulated time of every inmate shall be tallied  
17 monthly and maintained by the institution where the term of  
18 imprisonment is being served. A record of said accumulated time  
19 shall be:

- 20 1. Sent to the administrative office of the Department of  
21 Corrections on a quarterly basis; and
- 22 2. Provided to the inmate.

23 SECTION 5. AMENDATORY 57 O.S. 2011, Section 510.7, is  
24 amended to read as follows:

1           Section 510.7 A. The Department of Corrections shall establish  
2 a program to ensure that inmates have an opportunity to achieve at  
3 least a ~~general educational~~ high school equivalency development  
4 level of proficiency in reading, writing and computation skills, to  
5 the extent resources are available. The provisions of this  
6 subsection shall apply to all inmates in the custody of the  
7 Department of Corrections, except those inmates identified and  
8 documented, through the testing requirements provided in subsection  
9 B of this section, to be incapable of benefiting from education  
10 programs, and except those inmates who have already achieved a  
11 general educational development level of proficiency in reading,  
12 writing and computation skills.

13           B. The Department of Corrections, in fulfilling its duty to  
14 assess the educational and training needs of an inmate as part of  
15 the assessment and reception process required by Section 530.1 of  
16 this title, shall administer an examination to determine the  
17 educational proficiency level of the inmate, the existence of any  
18 learning disabilities, and any other factors relevant to determining  
19 if the inmate is capable of achieving the educational proficiency  
20 level established in subsection A of this section and if so, to  
21 determine the type of education programs necessary to bring the  
22 inmate to the ~~general educational~~ high school equivalency  
23 development level of proficiency.

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1 SECTION 6. AMENDATORY 57 O.S. 2011, Section 510.8, is  
2 amended to read as follows:

3 Section 510.8 A. The Department of Corrections shall implement  
4 procedures to ensure that priority for placement of eligible inmates  
5 in education programs be given to inmates lacking basic literacy  
6 skills and to inmates closest to their projected release dates.

7 B. Any incarcerated inmate that refuses to participate in  
8 recommended education programs shall be ineligible for earned  
9 credits as provided in Section 138.1 of this title and shall  
10 jeopardize the eligibility of the inmate for parole or participation  
11 in the Preparole Conditional Supervision Program.

12 C. Any eligible inmate who has not achieved the educational  
13 proficiency level established in Section 510.7 of this title, prior  
14 to the date of eligibility for parole or preparole conditional  
15 supervision, shall be required by the Pardon and Parole Board to  
16 participate in education programs approved by the Board to achieve  
17 the proficiency level or, at the discretion of the Board, to obtain  
18 a ~~general education~~ high school equivalency diploma as a condition  
19 of parole or preparole conditional supervision. If education  
20 programs are not available in the community where the inmate  
21 resides, or if the Board finds that the educational requirements  
22 would be a financial hardship on the inmate or that the inmate is  
23 not physically able to participate, the Board may waive the  
24 educational requirement set forth in this section.

1 SECTION 7. This act shall become effective July 1, 2015.

2 SECTION 8. It being immediately necessary for the preservation  
3 of the public peace, health and safety, an emergency is hereby  
4 declared to exist, by reason whereof this act shall take effect and  
5 be in full force from and after its passage and approval.

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