

Kansas Administrative Regulations

Department of Corrections

Article 6.—Good Time Credits and Sentence Computation

44-6-134. Jail credit time.

(a) Jail credit shall not be used in the sentence computation unless an authorization appears in the journal entry of judgment form. If only the number of days of jail credit earned is contained in the journal entry, the records officer shall compute the sentence begins date by subtracting jail credit from the date of sentencing. The amount of jail credit shall not adjust the sentence begins date so that it falls before the date of commission of the offense.

(b) Jail credit shall be awarded for time spent in custody by an offender pending disposition of charges on the earlier sentence if consecutive sentences are imposed on different dates. The credits on the earlier sentence shall be computed so that the credits do not overlap into the latest imposed sentence. The credits for time spent previously in custody pending disposition of charges shall be recorded as jail credit, but the credit shall not exceed an amount equal to the previous minimum sentence less the maximum number of good time credits that could have been earned on the minimum sentence. The remainder of credits shall be recorded as sentence maximum credits to apply to the maximum date. If prison service credit was included as jail credit by the court, the credit shall be shown as jail credit.

(c) Jail credit shall be awarded for time spent in custody by an offender pending disposition of charges on an earlier sentence if consecutive guidelines sentences are imposed on different dates. The credits on an earlier sentence shall be computed so that the credits do not overlap into any sentence imposed after the earlier sentence was imposed.

(d) Jail credit shall be awarded for time spent in custody by an offender pending disposition of charges if consecutive guidelines sentences are imposed on the same date. However, the credits shall be computed so that they do not overlap from one sentence into any other sentence.

(Authorized by K.S.A. 2011 Supp. 75-5251; implementing K.S.A. 2011 Supp. 21-6606, as amended by L. 2012, Ch. 16, §4, K.S.A. 2011 Supp. 21-6615, K.S.A. 2011 Supp. 75-5251; effective, T-84-32, Nov. 23, 1983; effective May 1, 1984; amended Nov. 12, 1990; amended Sept. 30, 1991; amended Sept. 6, 2002; amended Feb. 1, 2013.)

***** Authenticated Kansas Administrative Regulation *****