

FIRST REGULAR SESSION

HOUSE BILL NO. 1343

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROWLAND.

1735H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 558.026, RSMo, and to enact in lieu thereof one new section relating to terms of imprisonment.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 558.026, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 558.026, to read as follows:

558.026. 1. Multiple sentences of imprisonment shall run concurrently unless the court specifies that they shall run consecutively; except in the case of multiple sentences of imprisonment imposed for any offense committed during or at the same time as, or multiple offenses of, the following felonies:

(1) **Murder in the first degree;**

(2) **Murder in the second degree;**

(3) Rape in the first degree, forcible rape, or rape;

~~(4)~~ (4) Statutory rape in the first degree;

~~(5)~~ (5) Sodomy in the first degree, forcible sodomy, or sodomy;

~~(6)~~ (6) Statutory sodomy in the first degree; or

~~(7)~~ (7) An attempt to commit any of the felonies listed in this subsection.

12

In such case, the sentence of imprisonment imposed for any felony listed in this subsection or an attempt to commit any of the aforesaid shall run consecutively to the other sentences. The sentences imposed for any other offense may run concurrently.

2. If a person who is on probation, parole or conditional release is sentenced to a term of imprisonment for an offense committed after the granting of probation or parole or after the

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 start of his conditional release term, the court shall direct the manner in which the sentence or
19 sentences imposed by the court shall run with respect to any resulting probation, parole or
20 conditional release revocation term or terms. If the subsequent sentence to imprisonment is in
21 another jurisdiction, the court shall specify how any resulting probation, parole or conditional
22 release revocation term or terms shall run with respect to the foreign sentence of imprisonment.

23 3. A court may cause any sentence it imposes to run concurrently with a sentence an
24 individual is serving or is to serve in another state or in a federal correctional center. If the
25 Missouri sentence is served in another state or in a federal correctional center, subsection 4 of
26 section 558.011 and section 217.690 shall apply as if the individual were serving his sentence
27 within the department of corrections of the state of Missouri, except that a personal hearing
28 before the board of probation and parole shall not be required for parole consideration.

✓