

FIRST REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE NO. 2 FOR

HOUSE BILL NO. 352

100TH GENERAL ASSEMBLY

0667H.03P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to parole eligibility.

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

Section A. Chapter 217, RSMo, is amended by adding thereto one new section, to be known as section 217.697, to read as follows:

217.697. 1. Notwithstanding any other provision of law, any offender who:

(1) Is incarcerated in a correctional facility after being sentenced by a court of this state;

(2) Is serving a sentence of life without parole for a minimum of fifty years or more and who was sentenced under section 565.008 for an offense committed prior to October 1, 1984;

(3) Is sixty-five years of age or older;

(4) Has no felony conviction for a dangerous felony, as defined under section 556.061, prior to the conviction for which he or she is currently incarcerated; and

(5) Is not a convicted sex offender

shall receive a parole hearing upon serving thirty years or more of his or her sentence.

2. During the parole hearing required under subsection 1 of this section, the parole board shall determine whether there is a reasonable probability the offender shall live and remain at liberty without violating the law upon release. If the board determines a reasonable probability exists, the offender shall be eligible for release upon a finding that the offender has:

(1) A record of good conduct while incarcerated;

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.

- 19 **(2) Demonstrated self-rehabilitation while incarcerated;**
- 20 **(3) A workable parole plan, including community and family support;**
- 21 **(4) An institutional risk factor score no higher than one; and**
- 22 **(5) A mental health score of one, two, or three.**
- 23 **3. Any offender granted parole under this section shall be subject to a minimum**
- 24 **of five years of supervision by the board of probation and parole upon release.**
- 25 **4. Nothing in this section shall diminish the consideration of parole under any other**
- 26 **provision of law applicable to the offender or the responsibility and authority of the**
- 27 **governor to grant clemency, including pardons and commutation of sentences if necessary**
- 28 **or desirable.**

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