

FIRST REGULAR SESSION

SENATE BILL NO. 400

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HEGEMAN.

Read 1st time February 7, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1776S.011

AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to the duties of the board of probation and parole.

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 incarcerated in a correctional facility after being sentenced by a court of this state who is serving a sentence of life without parole or life without parole for a minimum of fifty years or more, is sixty-five years of age or older, has no prior felony conviction for a violent crime, and 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 board of probation and parole shall determine whether there is a reasonable probability that the offender will live and remain at liberty without violation of law upon release and therefore, is eligible for release upon a finding that the offender has:

- (1) A record of good conduct while incarcerated;**
- (2) Demonstrated self-rehabilitation while incarcerated;**
- (3) A workable parole plan, including community and family support;**
- (4) An institutional risk factor score of no higher than one; and**
- (5) A mental health score of one or two.**

3. Any offender granted parole under this section shall be subject to a minimum of five years of supervision by the board of probation and parole upon release.

22 4. If the board does not grant parole to an offender who qualifies
23 for parole under this section, the offender shall be eligible for a
24 reconsideration parole hearing every two years until a presumptive
25 release date is established.

26 5. Nothing in this section shall diminish the consideration of
27 parole under any other provision of law applicable to the offender or
28 the responsibility and authority of the governor to grant clemency,
29 including pardons and commutation of sentences when necessary or
30 desirable.

Unofficial ✓

Bill

Copy