

# SENATE BILL NO. 650

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR TRENT.

2513S.01H

KRISTINA MARTIN, Secretary

## AN ACT

To repeal section 558.031, RSMo, and to enact in lieu thereof one new section relating to credit for time served in prison.

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

Section A. Section 558.031, RSMo, is repealed and one new  
2 section enacted in lieu thereof, to be known as section 558.031,  
3 to read as follows:

558.031. 1. A sentence of imprisonment shall commence  
2 when a person convicted of an offense in this state is  
3 received into the custody of the department of corrections  
4 or other place of confinement where the offender is  
5 sentenced.

6 2. Such person shall receive credit toward the service  
7 of a sentence of imprisonment for all time in prison, jail  
8 or custody after **[conviction] the offense occurred** and  
9 before the commencement of the sentence, when the time in  
10 custody was related to that offense**[, and]**. **This credit**  
11 **shall be based upon the certification of the sheriff as**  
12 **provided in subdivision (3) of subsection 2 of section**  
13 **217.305 and may be supplemented by a certificate of a**  
14 **sheriff from another jurisdiction having held the person on**  
15 **the charge of the offense for which the sentence of**  
16 **imprisonment is ordered.** The circuit court may, when  
17 pronouncing sentence, award **additional** credit for time spent  
18 in prison, jail, or custody after the offense occurred and

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

19 before [conviction] **the commencement of the sentence** toward  
20 the service of the sentence of imprisonment **for those**  
21 **offenses for which the person was incarcerated but for whom**  
22 **no detainer or warrant was served**, except:

23 (1) Such credit shall only be applied once when  
24 sentences are consecutive;

25 (2) Such credit shall only be applied if the person  
26 convicted was in custody in the state of Missouri, unless  
27 such custody was compelled exclusively by the state of  
28 Missouri's action; and

29 (3) As provided in section 559.100.

30 3. The officer required by law to deliver a person  
31 convicted of an offense in this state to the department of  
32 corrections shall endorse upon the papers required by  
33 section 217.305 both the dates the offender was in custody  
34 and the period of time to be credited toward the service of  
35 the sentence of imprisonment, except as endorsed by such  
36 officer.

37 4. If a person convicted of an offense escapes from  
38 custody, such escape shall interrupt the sentence. The  
39 interruption shall continue until such person is returned to  
40 the correctional center where the sentence was being served,  
41 or in the case of a person committed to the custody of the  
42 department of corrections, to any correctional center  
43 operated by the department of corrections. An escape shall  
44 also interrupt the jail time credit to be applied to a  
45 sentence which had not commenced when the escape occurred.

46 5. If a sentence of imprisonment is vacated and a new  
47 sentence imposed upon the offender for that offense, all  
48 time served under the vacated sentence shall be credited  
49 against the new sentence, unless the time has already been

50 credited to another sentence as provided in subsection 1 of  
51 this section.

52         6. If a person released from imprisonment on parole or  
53 serving a conditional release term violates any of the  
54 conditions of his or her parole or release, he or she may be  
55 treated as a parole violator. If the parole board revokes  
56 the parole or conditional release, the paroled person shall  
57 serve the remainder of the prison term and conditional  
58 release term, as an additional prison term, and the  
59 conditionally released person shall serve the remainder of  
60 the conditional release term as a prison term, unless  
61 released on parole.

62         7. Subsection 2 of this section shall be applicable to  
63 offenses occurring on or after August 28, 2021.

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