

FIRST REGULAR SESSION

# HOUSE BILL NO. 344

## 98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LAIR.

0987L.011

D. ADAM CRUMBLISS, Chief Clerk

### AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to 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 twenty-five 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.**

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

21           **5. Nothing in this section shall diminish the consideration of parole under any other**  
22 **provision of law applicable to the offender or the responsibility and authority of the**  
23 **governor to grant clemency, including pardons and commutation of sentences when**  
24 **necessary or desirable.**

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