

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1541, Page 1, in the Title, Lines 2-3, by deleting the words "a pilot project
2 for increasing children's access to incarcerated parents" and inserting in lieu thereof the words
3 "department of corrections"; and
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5 Further amend said bill, Page 2, Section 217.145, Line 37, by inserting immediately after said line
6 the following:
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8 "217.696. 1. Notwithstanding any other provision of law, any offender sentenced to or
9 incarcerated in a correctional institution for a term of five or more years who already is or becomes
10 physically or mentally disabled, infirm, incompetent, or incapacitated to such a degree that such
11 offender needs to be permanently placed in an infirmary, health, or mental care facility while serving
12 said sentence and who is eligible for federal medical, psychological, and financial benefits, may be
13 released on parole and placed in such medical, psychological, or other adult care treatment facility as
14 such offender is eligible to be placed in and receive federal medical, psychological, or financial
15 benefits provided that the board of probation and parole makes a determination that such offender is
16 incapable of inflicting violence on others and does not pose a danger to the health, welfare, or safety
17 of others.

18 2. The board shall consider, but not be limited to, the following criteria when making its
19 decision:

- 20 (1) Length of time served;
21 (2) Prison record and self-rehabilitation efforts;
22 (3) Whether the history of the case included evidence of abuse of the offender, including
23 physical, mental, emotional, or sexual;
24 (4) The offender's role in the perpetration of the crime and the degree of violence exhibited;
25 (5) If an offer of a plea bargain was made and if so, why the offender rejected or accepted the
26 offer;
27 (6) The severity of the sentence received considering the offender's role in the crime;
28 (7) The age and maturity of the offender at the time of the crime and any contributing
29 influence affecting the offender's judgment;
30 (8) Whether the offender has given substantial thought to a workable parole plan."; and
31

32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.

Action Taken _____ Date _____