

HOUSE SUBSTITUTE AMENDMENT NO. _____

for

HOUSE _____ AMENDMENT NO. _____

Offered By

AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 34, Page 9, Section 167.117, Line 44, by inserting immediately after all of said section and line the following:

"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, is not currently incarcerated for murder in the first degree, 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.

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

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

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

THIS SUBSTITUTES 0089H04.21H.

Action Taken _____ Date _____