

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for  
2 Senate Bill No. 966, Page 35, Section 513.653, Line 19, by inserting immediately after said section  
3 and line the following:  
4

5 "558.041. 1. Any offender committed to the department of corrections, except those  
6 persons committed pursuant to subsection 7 of section 558.016, or subsection 3 of section 566.125,  
7 ~~[may] shall~~ receive additional credit in terms of days spent in confinement ~~[upon recommendation~~  
8 ~~for such credit by the offender's institutional superintendent when]~~ if the offender meets the  
9 requirements for such credit as provided in subsections 3 ~~[and]~~, 4, 6, and 8 of this section. Good  
10 time credit may be rescinded by the director or his or her designee pursuant to the divisional policy  
11 issued pursuant to subsection 3 of this section.

12 2. Any credit extended to an offender shall only apply to the sentence which the offender is  
13 currently serving.

14 3. (1) The director of the department of corrections shall issue a policy for awarding credit.  
15 The policy ~~[may] shall~~ reward an ~~[inmate] offender~~ who has served his or her sentence in an orderly  
16 and peaceable manner and has taken advantage of the work and rehabilitation programs available to  
17 him or her. Any violation of major institutional rules [or], the laws of this state, or the accumulation  
18 of minor violations exceeding six within a calendar year may result in the loss of all or a portion of  
19 any credit earned by the ~~[inmate] offender~~ pursuant to this section.

20 (2) Earned credits lost for a violation of institutional rules or laws of this state may be  
21 restored as provided under the department's policy.

22 (3) Earned credits from previous years shall not be lost.

23 4. (1) The department shall cause the policy to be published in the code of state regulations.

24 (2) Subject to the provisions of subsection 6 of this section, the department shall adopt rules  
25 that specify the programs or activities for which credit may be earned under this section; the criteria  
26 for determining productive participation in, or completion of, the programs or activities and the  
27 criteria for awarding credit, including criteria for awarding additional credit for successful program  
28 or activity completion; and the criteria for withdrawing previously earned credit as a result of a  
29 violation of institutional rules or laws of this state.

30 5. ~~[No rule or portion of a rule promulgated under the authority of this chapter shall become~~  
31 ~~effective unless it has been promulgated pursuant to the provisions of section 536.024.]~~ No person  
32 committed to the department who is sentenced to death shall be eligible for good time credit.

33 6. (1) Each offender shall receive a deduction from his or her sentence by being awarded  
34 the following specified monthly credits:

35 (a) For the offender's participation in any work program, credit earned shall be fifteen days  
36 for every month's work performed by such offender;

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1       **(b) For the offender's successful completion of high school, or for the offender who has**  
 2 **obtained his or her diploma or equivalent general education diploma, credit earned shall be ninety**  
 3 **days;**

4       **(c) For the offender's successful completion of an alcohol or drug abuse treatment program,**  
 5 **credit earned shall be ninety days;**

6       **(d) For the offender's successful completion of each restorative justice program, credit**  
 7 **earned shall be ninety days;**

8       **(e) For the offender's successful completion of each mental health or rehabilitation program**  
 9 **not specified in this section, credit earned shall be ninety days;**

10       **(f) For the offender's successful completion of vocational training, credit earned shall be**  
 11 **ninety days; and**

12       **(g) For the offender's successful completion of other educational accomplishments or other**  
 13 **programs not specified in this section, credit earned shall be ninety days.**

14       **(2) For purposes of this subsection, "credit earned" means good time credit awarded to an**  
 15 **offender and each credit shall be calculated to be a period of one day.**

16       **7. The accumulated credit of every offender shall be maintained by the institution where the**  
 17 **term of imprisonment is being served. A record of such credit accumulated shall be:**

18       **(1) Sent to the records office of the department on a quarterly basis;**

19       **(2) Forwarded to the division of probation and parole; and**

20       **(3) Provided to the offender.**

21       **8. The provisions of this section shall only apply to offenses occurring after January 1,**  
 22 **1979.**

23       **9. The department of corrections shall promulgate rules to implement the provisions of this**  
 24 **section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created**  
 25 **under the authority delegated in this section shall become effective only if it complies with and is**  
 26 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**  
 27 **chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to**  
 28 **chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently**  
 29 **held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after**  
 30 **January 1, 2019, shall be invalid and void."; and**

31  
 32 Further amend said bill by amending the title, enacting clause, and intersectional references  
 33 accordingly.