

FIRST REGULAR SESSION

# HOUSE BILL NO. 80

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HILL.

0424H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 559.600, RSMo, and to enact in lieu thereof one new section relating to probation supervision by private entities.

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

Section A. Section 559.600, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 559.600, to read as follows:

559.600. 1. In cases where the board of probation and parole is not required under section 217.750 to provide probation supervision and rehabilitation services for misdemeanor offenders, the circuit and associate circuit judges in a circuit may contract with one or more private entities or other court-approved entity to provide such services. The court-approved entity, including private or other entities, shall act as a misdemeanor probation office in that circuit and shall, pursuant to the terms of the contract, supervise persons placed on probation by the judges for class A, B, C, and D misdemeanor offenses, specifically including persons placed on probation for violations of section 577.023. Nothing in sections 559.600 to 559.615 shall be construed to prohibit the board of probation and parole, or the court, from supervising misdemeanor offenders in a circuit where the judges have entered into a contract with a probation entity.

2. In all cases, the entity providing such private probation service shall utilize the cutoff concentrations utilized by the department of corrections with regard to drug and alcohol screening for clients assigned to such entity. A drug test is positive if drug presence is at or above the cutoff concentration or negative if no drug is detected or if drug presence is below the cutoff concentration. **No client shall be required to submit to an alcohol or drug test unless**

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.

17 **the client is on probation for an offense that involved either alcohol or a controlled**  
18 **substance.**

19         3. In all cases, the entity providing such private probation service shall not require the  
20 clients assigned to such entity to travel in excess of fifty miles in order to attend their regular  
21 probation meetings.

22         4. In all cases, the entity providing private probation service shall award earned  
23 compliance credits to clients for each month of compliance with the terms of probation.  
24 Earned compliance credits shall reduce the term of probation by thirty days for each full  
25 calendar month of compliance with the terms of supervision. The requirements and  
26 procedures for earned compliance credits shall be the same as provided under section  
27 217.703. Credits shall begin to accrue for eligible offenders after the first full calendar  
28 month of supervision or, if the offender began a term of probation before September 1,  
29 2019, on October 1, 2019.

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