

SECOND REGULAR SESSION

HOUSE BILL NO. 2331

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PRICE.

4751H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 558.041, RSMo, and to enact in lieu thereof one new section relating to good time credit.

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

Section A. Section 558.041, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 558.041, to read as follows:

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 Good time credit may be rescinded **and restored** by the director or his or her designee pursuant to the divisional policy issued pursuant to subsection 3 of this section.

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

3. **(1)** The director of the department of corrections shall issue a policy for awarding credit. The policy ~~may~~ **shall** reward an ~~inmate~~ **offender** who has served his or her sentence in an orderly and peaceable manner and has taken advantage of the **work and** rehabilitation programs available to him or her **with ten days for each month served in which the offender meets the requirements to receive credit**. Any violation of **major** institutional rules ~~or~~, the laws of this state, **or the accumulation of minor misconduct violations exceeding six within a calendar year** may result in the loss of all or a portion of any credit earned by the ~~inmate~~

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 offender pursuant to this section. Any loss of credit may be restored as provided under the
18 department's policy.

19 (2) An offender may receive credit under subdivision (1) of this subsection for
20 participating in rehabilitation programs or activities that occurred on or after January 1,
21 2005, if the director of the department of corrections determines that the offender has a
22 history of serving his or her sentence in an orderly and peaceable manner. The total time
23 credit an offender may earn under this subdivision shall not exceed four months for any
24 calendar year.

25 4. The department shall cause the policy to be published in the code of state regulations.

26 5. No rule or portion of a rule promulgated under the authority of this chapter shall
27 become effective unless it has been promulgated pursuant to the provisions of section 536.024.

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