

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 316, Page 5, Section 313.220, Line 19, by inserting after said section and
2 line the following:

3
4 "558.047. 1. ~~[(4)]~~ Any person sentenced to a term of imprisonment for life with or without
5 eligibility for parole [before August 28, 2016], a term of imprisonment amounting to fifteen years or
6 more, or multiple terms of imprisonment that, taken together, amount to fifteen or more years who
7 was under eighteen years of age at the time of the commission of the offense or offenses[;] may
8 submit to the parole board a petition for a review of his or her sentence, regardless of whether the
9 case is final for purposes of appeal, after serving ~~[twenty-five]~~ fifteen years of incarceration ~~[on the~~
10 ~~sentence of life without parole]~~ and shall thereafter be eligible for reconsideration hearings every
11 three years until a presumptive release date has been established by the parole board.

12 ~~[(2) Any person found guilty of murder in the first degree who was sentenced on or after~~
13 ~~August 28, 2016, to a term of life imprisonment with eligibility for parole or a term of imprisonment~~
14 ~~of not less than thirty years and not to exceed forty years, who was under eighteen years of age at~~
15 ~~the time of the commission of the offense or offenses may submit to the parole board a petition for a~~
16 ~~review of his or her sentence, regardless of whether the case is final for purposes of appeal, after~~
17 ~~serving twenty-five years of incarceration, and a subsequent petition after serving thirty-five years~~
18 ~~of incarceration.]~~

19 2. A copy of the petition shall be served on the office of the prosecutor in the judicial circuit
20 of original jurisdiction. The petition shall include the person's statement that he or she was under
21 eighteen years of age at the time of the offense, is eligible to petition under this section, and requests
22 that his or her sentence be reviewed.

23 3. If any of the information required in subsection 2 of this section is missing from the
24 petition, or if proof of service on the prosecuting or circuit attorney is not provided, the parole board
25 shall return the petition to the person and advise him or her that the matter cannot be considered
26 without the missing information.

27 4. The parole board shall hold a hearing and determine if the defendant shall be granted
28 parole. At such a hearing, the victim or victim's family members shall retain their rights under
29 section 595.209.

30 5. In a parole review hearing under this section, the board shall consider, in addition to the
31 factors listed in section 565.033:

32 (1) Efforts made toward rehabilitation since the offense or offenses occurred, including
33 participation in educational, vocational, or other programs during incarceration, when available;

34 (2) The subsequent growth and increased maturity of the person since the offense or
35 offenses occurred;

36 (3) Evidence that the person has accepted accountability for the offense or offenses, except

Action Taken _____ Date _____

- 1 in cases where the person has maintained his or her innocence;
- 2 (4) The person's institutional record during incarceration; and
- 3 (5) Whether the person remains the same risk to society as he or she did at the time of the
- 4 initial sentencing."; and
- 5
- 6 Further amend said bill by amending the title, enacting clause, and intersectional references
- 7 accordingly.