

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill
2 No. 834, Page 12, Section 548.241, Line 10, by inserting after said section and line the following:
3

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 Good time credit may be rescinded by the director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

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

12 3. (1) The director of the department of corrections shall issue a policy for awarding credit. The
13 policy ~~[may]~~ shall reward an ~~[inmate]~~ offender who has served his or her sentence in an orderly and
14 peaceable manner and has taken advantage of the rehabilitation programs available to him or her. Any
15 violation of major institutional rules ~~[or]~~ the laws of this state, or the accumulation of minor violations
16 exceeding six within a calendar year may result in the loss of all or a portion of any credit earned by the
17 ~~[inmate]~~ offender pursuant to this section.

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

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

21 4. (1) The department shall cause the policy to be published in the code of state regulations.

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

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

Action Taken _____ Date _____

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

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

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

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

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

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

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

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

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

19 (3) An offender who has successfully completed any of the programs under subdivision (1) of this
20 subsection prior to August 28, 2022, shall be awarded credit or credits as outlined under this subsection and
21 upon proper verification of programs completed.

22 7. The accumulated credit of every offender shall be tallied monthly and maintained by the
23 institution where the term of imprisonment is being served. A record of such credit accumulated shall be:

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

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

26 (3) Provided to the offender.

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

28 9. The department of corrections shall promulgate rules to implement the provisions of this section.
29 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority
30 delegated in this section shall become effective only if it complies with and is subject to all of the provisions
31 of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and if any
32 of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date,
33 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking
34 authority and any rule proposed or adopted after August 28, 2022, shall be invalid and void."; and

35
36 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.