

HOUSE AMENDMENT NO. \_\_\_\_\_  
TO  
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Offered By \_\_\_\_\_

1 AMEND House Amendment No. \_\_\_\_\_ to Senate Substitute for Senate Committee Substitute for  
2 Senate Bill Nos. 189, 36 & 37, Page 30, Line 19, by deleting said line and inserting in lieu thereof  
3 the following:

4  
5 "or custody after the offense occurred and before the commencement of the sentence.

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 Good time credit may be rescinded by  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

13 2. Any credit extended to an offender shall only apply to the sentence which the offender is  
14 currently serving, but any program or activity, as described in subsection 3 of this section, that is  
15 completed by an offender prior to August 28, 2023, shall apply retroactively for good time credit.

16 3. (1) The director of the department of corrections shall issue a policy for awarding credit.  
17 (2) The policy ~~[may]~~ shall reward an ~~[inmate]~~ offender who has served his or her sentence  
18 in an orderly and peaceable manner and has taken advantage of the rehabilitation programs available  
19 to him or her.

20 (3) Any major conduct violation of institutional rules ~~[or]~~, violation of the laws of this state  
21 ~~[may]~~, parole revocation, or the accumulation of minor conduct violations exceeding six within a  
22 calendar year shall result in the loss of all ~~[or a portion of any]~~ prior credit earned by the ~~[inmate]~~  
23 offender pursuant to this section.

24 (4) The policy shall specify the programs or activities for which credit may be earned under  
25 this section; the criteria for determining productive participation in, or completion of, the programs  
26 or activities; and the criteria for awarding credit.

27 (5) No offender committed to the department who is sentenced to death or sentenced to life  
28 without probation or parole shall be eligible for good time credit.

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

1           (6) The department shall award credit of sixty days to any qualifying offender who  
2 successfully:

3           (a) Receives a high school diploma or equivalent, college diploma, or a vocational training  
4 certificate as provided under the department's policy;

5           (b) Completes an alcohol or drug abuse treatment program as provided under the  
6 department's policy, except that alcohol and drug abuse treatment programs ordered by the court or  
7 parole board shall not qualify;

8           (c) Completes one thousand hours of restorative justice; or

9           (d) Completes other programs as provided under the department's policy.

10          (7) Each qualifying program or activity successfully completed shall earn sixty days of  
11 credit.

12          (8) Offenders sentenced under subsections 2 and 3 of section 558.019 shall be eligible for  
13 good time credit. Any good time credit earned shall be subtracted from the offender's minimum  
14 eligibility-for-release date.

15          (9) Nothing in this section shall be construed to require that the offender be released as a  
16 result of good time credit. The parole board in its discretion shall determine the date of release.

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

18          ~~5. No rule or portion of a rule promulgated under the authority of this chapter shall become~~  
19 ~~effective unless it has been promulgated pursuant to the provisions of section 536.024]~~ Offenders  
20 may petition the department to receive credit for programs or activities completed prior to August  
21 28, 2023, as specified below:

22          (1) Offenders are eligible to submit petitions from January 1, 2024, to December 31, 2024;  
23 and

24          (2) Offenders must have completed the program or activity after December 31, 2009.";  
25 and"; and

26  
27 Further amend said bill by amending the title, enacting clause, and intersectional references  
28 accordingly.

29  
30 THIS AMENDMENT AMENDS 0077S05.08H.