

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 11, Section 558.019, Line 125,
2 by inserting after all of said section and line the following:
3

4 "558.031. 1. A sentence of imprisonment shall commence when a person convicted of an
5 offense in this state is received into the custody of the department of corrections or other place of
6 confinement where the offender is sentenced.

7 2. Such person shall receive credit toward the service of a sentence of imprisonment for all
8 time in prison, jail or custody after ~~[conviction]~~ the offense occurred and before the commencement
9 of the sentence, when the time in custody was related to that offense~~[-, and the circuit court may,~~
10 ~~when pronouncing sentence, award credit for time spent in prison, jail, or custody after the offense~~
11 ~~occurred and before conviction toward the service of the sentence of imprisonment, except:~~

12 ~~—— (1) Such credit shall only be applied once when sentences are consecutive;~~

13 ~~—— (2) Such credit shall only be applied if the person convicted was in custody in the state of~~
14 ~~Missouri, unless such custody was compelled exclusively by the state of Missouri's action; and~~

15 ~~—— (3) As provided in section 559.100].~~ This credit shall be based upon the certification of the
16 sheriff as provided in subdivision (3) of subsection 2 of section 217.305 and may be supplemented
17 by a certificate of a sheriff or other custodial officer from another jurisdiction having held the person
18 on the charge of the offense for which the sentence of imprisonment is ordered.

19 3. The officer required by law to deliver a person convicted of an offense in this state to the
20 department of corrections shall endorse upon the papers required by section 217.305 both the dates
21 the offender was in custody and the period of time to be credited toward the service of the sentence
22 of imprisonment, except as endorsed by such officer.

23 4. If a person convicted of an offense escapes from custody, such escape shall interrupt the
24 sentence. The interruption shall continue until such person is returned to the correctional center
25 where the sentence was being served, or in the case of a person committed to the custody of the
26 department of corrections, to any correctional center operated by the department of corrections. An
27 escape shall also interrupt the jail time credit to be applied to a sentence which had not commenced
28 when the escape occurred.

29 5. If a sentence of imprisonment is vacated and a new sentence imposed upon the offender
30 for that offense, all time served under the vacated sentence shall be credited against the new
31 sentence, unless the time has already been credited to another sentence as provided in subsection 1
32 of this section.

Action Taken _____ Date _____

6. If a person released from imprisonment on parole or serving a conditional release term violates any of the conditions of his or her parole or release, he or she may be treated as a parole violator. If the parole board revokes the parole or conditional release, the paroled person shall serve the remainder of the prison term and conditional release term, as an additional prison term, and the conditionally released person shall serve the remainder of the conditional release term as a prison term, unless released on parole.

7. Subsection 2 of this section shall be applicable to offenses ~~[occurring]~~ for which the offender was sentenced on or after August 28, ~~[2021]~~ 2023.

8. The total amount of credit given shall not exceed the number of days spent in prison, jail, or custody after the offense occurred and before the commencement of the sentence."; and

Further amend said bill, Page 28, Section 579.022, Line 10, by inserting after all of said section and line the following:

"579.065. 1. A person commits the offense of trafficking drugs in the first degree if, except as authorized by this chapter or chapter 195, such person knowingly distributes, delivers, manufactures, produces or attempts to distribute, deliver, manufacture or produce:

(1) More than thirty grams of a mixture or substance containing a detectable amount of heroin;

(2) More than one hundred fifty grams of a mixture or substance containing a detectable amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine, ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers, and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any of the foregoing substances;

(3) ~~[More than eight grams of a mixture or substance described in subdivision (2) of this subsection which contains cocaine base;~~

(4)] More than five hundred milligrams of a mixture or substance containing a detectable amount of lysergic acid diethylamide (LSD);

~~[(5)]~~ (4) More than thirty grams of a mixture or substance containing a detectable amount of phencyclidine (PCP);

~~[(6)]~~ (5) More than four grams of phencyclidine;

~~[(7)]~~ (6) More than thirty kilograms of a mixture or substance containing marijuana;

~~[(8)]~~ (7) More than thirty grams of any material, compound, mixture, or preparation containing any quantity of the following substances having a stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or methylphenidate;

1 ~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation which
 2 contains any quantity of 3,4-methylenedioxymethamphetamine;
 3 ~~[(10)]~~ (9) One gram or more of flunitrazepam for the first offense;
 4 ~~[(11)]~~ (10) Any amount of gamma-hydroxybutyric acid for the first offense; or
 5 ~~[(12)]~~ (11) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof, or
 6 any combination thereof, or any compound, mixture, or substance containing a detectable amount of
 7 fentanyl or carfentanil, or their optical isomers or analogues.

8 2. The offense of trafficking drugs in the first degree is a class B felony.

9 3. The offense of trafficking drugs in the first degree is a class A felony if the quantity
 10 involved is:

11 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
 12 heroin; or

13 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
 14 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
 15 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
 16 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
 17 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
 18 of the foregoing substances; or

19 (3) ~~[Twenty-four grams or more of a mixture or substance described in subdivision (2) of~~
 20 ~~this subsection which contains cocaine base; or~~

21 (4) One gram or more of a mixture or substance containing a detectable amount of lysergic
 22 acid diethylamide (LSD); or

23 ~~[(5)]~~ (4) Ninety grams or more of a mixture or substance containing a detectable amount of
 24 phencyclidine (PCP); or

25 ~~[(6)]~~ (5) Twelve grams or more of phencyclidine; or

26 ~~[(7)]~~ (6) One hundred kilograms or more of a mixture or substance containing marijuana; or

27 ~~[(8)]~~ (7) Ninety grams or more of any material, compound, mixture, or preparation
 28 containing any quantity of the following substances having a stimulant effect on the central nervous
 29 system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine,
 30 its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
 31 methylphenidate; or

32 ~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation
 33 containing any quantity of the following substances having a stimulant effect on the central nervous
 34 system: amphetamine, its salts, optical isomers, and salts of its optical isomers; methamphetamine,
 35 its salts, optical isomers, and salts of its optical isomers; phenmetrazine and its salts; or
 36 methylphenidate, and the location of the offense was within two thousand feet of real property
 37 comprising a public or private elementary, vocational, or secondary school, college, community
 38 college, university, or any school bus, in or on the real property comprising public housing or any
 39 other governmental assisted housing, or within a motor vehicle, or in any structure or building

1 which contains rooms furnished for the accommodation or lodging of guests, and kept, used,
 2 maintained, advertised, or held out to the public as a place where sleeping accommodations are
 3 sought for pay or compensation to transient guests or permanent guests; or

4 ~~[(10)]~~ (9) Ninety grams or more of any material, compound, mixture or preparation which
 5 contains any quantity of 3,4-methylenedioxymethamphetamine; or

6 ~~[(11)]~~ (10) More than thirty grams of any material, compound, mixture, or preparation
 7 which contains any quantity of 3,4-methylenedioxymethamphetamine and the location of the
 8 offense was within two thousand feet of real property comprising a public or private elementary,
 9 vocational, or secondary school, college, community college, university, or any school bus, in or on
 10 the real property comprising public housing or any other governmental assisted housing, within a
 11 motor vehicle, or in any structure or building which contains rooms furnished for the
 12 accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the
 13 public as a place where sleeping accommodations are sought for pay or compensation to transient
 14 guests or permanent guests; or

15 ~~[(12)]~~ (11) One gram or more of flunitrazepam for a second or subsequent offense; or

16 ~~[(13)]~~ (12) Any amount of gamma-hydroxybutyric acid for a second or subsequent offense;
 17 or

18 ~~[(14)]~~ (13) Twenty milligrams or more of fentanyl or carfentanil, or any derivative thereof,
 19 or any combination thereof, or any compound, mixture, or substance containing a detectable amount
 20 of fentanyl or carfentanil, or their optical isomers or analogues.

21 579.068. 1. A person commits the offense of trafficking drugs in the second degree if,
 22 except as authorized by this chapter or chapter 195, such person knowingly possesses or has under
 23 his or her control, purchases or attempts to purchase, or brings into this state:

24 (1) More than thirty grams of a mixture or substance containing a detectable amount of
 25 heroin;

26 (2) More than one hundred fifty grams of a mixture or substance containing a detectable
 27 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
 28 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
 29 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
 30 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
 31 of the foregoing substances;

32 (3) ~~More than eight grams of a mixture or substance described in subdivision (2) of this~~
 33 ~~subsection which contains cocaine base;~~

34 (4) More than five hundred milligrams of a mixture or substance containing a detectable
 35 amount of lysergic acid diethylamide (LSD);

36 ~~[(5)]~~ (4) More than thirty grams of a mixture or substance containing a detectable amount of
 37 phencyclidine (PCP);

38 ~~[(6)]~~ (5) More than four grams of phencyclidine;

39 ~~[(7)]~~ (6) More than thirty kilograms of a mixture or substance containing marijuana;

1 ~~[(8)]~~ (7) More than thirty grams of any material, compound, mixture, or preparation
 2 containing any quantity of the following substances having a stimulant effect on the central nervous
 3 system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine,
 4 its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
 5 methylphenidate;

6 ~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation which
 7 contains any quantity of 3,4-methylenedioxymethamphetamine; or

8 ~~[(10)]~~ (9) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof, or
 9 any combination thereof, or any compound, mixture, or substance containing a detectable amount of
 10 fentanyl or carfentanil, or their optical isomers or analogues.

11 2. The offense of trafficking drugs in the second degree is a class C felony.

12 3. The offense of trafficking drugs in the second degree is a class B felony if the quantity
 13 involved is:

14 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
 15 heroin; or

16 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
 17 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
 18 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
 19 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
 20 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
 21 of the foregoing substances; or

22 ~~(3) [Twenty-four grams or more of a mixture or substance described in subdivision (2) of~~
 23 ~~this subsection which contains cocaine base; or~~

24 ~~[(4)]~~ (4) One gram or more of a mixture or substance containing a detectable amount of lysergic
 25 acid diethylamide (LSD); or

26 ~~[(5)]~~ (4) Ninety grams or more of a mixture or substance containing a detectable amount of
 27 phencyclidine (PCP); or

28 ~~[(6)]~~ (5) Twelve grams or more of phencyclidine; or

29 ~~[(7)]~~ (6) One hundred kilograms or more of a mixture or substance containing marijuana; or

30 ~~[(8)]~~ (7) More than five hundred marijuana plants; or

31 ~~[(9)]~~ (8) Ninety grams or more but less than four hundred fifty grams of any material,
 32 compound, mixture, or preparation containing any quantity of the following substances having a
 33 stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of
 34 its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
 35 phenmetrazine and its salts; or methylphenidate; or

36 ~~[(10)]~~ (9) Ninety grams or more but less than four hundred fifty grams of any material,
 37 compound, mixture, or preparation which contains any quantity of 3,4-
 38 methylenedioxymethamphetamine; or

1 ~~[(11)]~~ (10) Twenty milligrams or more of fentanyl or carfentanil, or any derivative thereof,
2 or any combination thereof, or any compound, mixture, or substance containing a detectable amount
3 of fentanyl or carfentanil, or their optical isomers or analogues.

4 4. The offense of trafficking drugs in the second degree is a class A felony if the quantity
5 involved is four hundred fifty grams or more of any material, compound, mixture or preparation
6 which contains:

7 (1) Any quantity of the following substances having a stimulant effect on the central
8 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
9 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
10 methylphenidate; or

11 (2) Any quantity of 3,4-methylenedioxymethamphetamine.

12 5. The offense of drug trafficking in the second degree is a class C felony for the first
13 offense and a class B felony for any second or subsequent offense for the trafficking of less than one
14 gram of flunitrazepam."; and

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references
17 accordingly.