

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]~~. This credit shall be
10 based upon the certification of the sheriff as provided in subdivision (3) of subsection 2 of section
11 217.305 and may be supplemented by a certificate of a sheriff or other custodial officer from another
12 jurisdiction having held the person on the charge of the offense for which the sentence of
13 imprisonment is ordered. The circuit court may, when pronouncing sentence, award additional
14 credit for time spent in prison, jail, or custody after the offense occurred and before ~~[conviction]~~ the
15 commencement of the sentence toward the service of the sentence of imprisonment for those
16 offenses for which the person was incarcerated but for whom no detainer or warrant was served,
17 except:

18 (1) Such credit shall only be applied once when sentences are consecutive;

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

21 (3) As provided in section 559.100.

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

26 4. If a person convicted of an offense escapes from custody, such escape shall interrupt the
27 sentence. The interruption shall continue until such person is returned to the correctional center
28 where the sentence was being served, or in the case of a person committed to the custody of the
29 department of corrections, to any correctional center operated by the department of corrections. An

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1 escape shall also interrupt the jail time credit to be applied to a sentence which had not commenced
2 when the escape occurred.

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

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

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

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

17
18 Further amend said bill, Page 28, Section 579.022, Line 10, by inserting after all of said section and
19 line the following:

20
21 "579.065. 1. A person commits the offense of trafficking drugs in the first degree if, except
22 as authorized by this chapter or chapter 195, such person knowingly distributes, delivers,
23 manufactures, produces or attempts to distribute, deliver, manufacture or produce:

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;

8 ~~[(10)]~~ (9) One gram or more of flunitrazepam for the first offense;

9 ~~[(11)]~~ (10) Any amount of gamma-hydroxybutyric acid for the first offense; or

10 ~~[(12)]~~ (11) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof, or
 11 any combination thereof, or any compound, mixture, or substance containing a detectable amount of
 12 fentanyl or carfentanil, or their optical isomers or analogues.

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

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

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

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

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

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

28 ~~[(5)]~~ (4) Ninety grams or more of a mixture or substance containing a detectable amount of
 29 phencyclidine (PCP); or

30 ~~[(6)]~~ (5) Twelve grams or more of phencyclidine; or

31 ~~[(7)]~~ (6) One hundred kilograms or more of a mixture or substance containing marijuana; or

32 ~~[(8)]~~ (7) Ninety grams or more 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; or

37 ~~[(9)]~~ (8) More than thirty grams of any material, compound, mixture, or preparation
 38 containing any quantity of the following substances having a stimulant effect on the central nervous
 39 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, and the location of the offense was within two thousand feet of real property comprising a public or private elementary, vocational, or secondary school, college, community college, university, or any school bus, in or on the real property comprising public housing or any other governmental assisted housing, or within a motor vehicle, or in any structure or building which contains rooms furnished for the accommodation or lodging of guests, and kept, used, maintained, advertised, or held out to the public as a place where sleeping accommodations are sought for pay or compensation to transient guests or permanent guests; or

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

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

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

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

or

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

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

(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;~~

1 (4)] More than five hundred milligrams of a mixture or substance containing a detectable
 2 amount of lysergic acid diethylamide (LSD);
 3 [(5)] (4) More than thirty grams of a mixture or substance containing a detectable amount of
 4 phencyclidine (PCP);
 5 [(6)] (5) More than four grams of phencyclidine;
 6 [(7)] (6) More than thirty kilograms of a mixture or substance containing marijuana;
 7 [(8)] (7) More than thirty grams of any material, compound, mixture, or preparation
 8 containing any quantity of the following substances having a stimulant effect on the central nervous
 9 system: amphetamine, its salts, optical isomers and salts of its optical isomers; methamphetamine,
 10 its salts, optical isomers and salts of its optical isomers; phenmetrazine and its salts; or
 11 methylphenidate;
 12 [(9)] (8) More than thirty grams of any material, compound, mixture, or preparation which
 13 contains any quantity of 3,4-methylenedioxymethamphetamine; or
 14 [(10)] (9) More than ten milligrams of fentanyl or carfentanil, or any derivative thereof, or
 15 any combination thereof, or any compound, mixture, or substance containing a detectable amount of
 16 fentanyl or carfentanil, or their optical isomers or analogues.
 17 2. The offense of trafficking drugs in the second degree is a class C felony.
 18 3. The offense of trafficking drugs in the second degree is a class B felony if the quantity
 19 involved is:
 20 (1) Ninety grams or more of a mixture or substance containing a detectable amount of
 21 heroin; or
 22 (2) Four hundred fifty grams or more of a mixture or substance containing a detectable
 23 amount of coca leaves, except coca leaves and extracts of coca leaves from which cocaine,
 24 ecgonine, and derivatives of ecgonine or their salts have been removed; cocaine salts and their
 25 optical and geometric isomers, and salts of isomers; ecgonine, its derivatives, their salts, isomers,
 26 and salts of isomers; or any compound, mixture, or preparation which contains any quantity of any
 27 of the foregoing substances; or
 28 (3) ~~Twenty-four grams or more of a mixture or substance described in subdivision (2) of~~
 29 ~~this subsection which contains cocaine base; or~~
 30 (4)] One gram or more of a mixture or substance containing a detectable amount of lysergic
 31 acid diethylamide (LSD); or
 32 [(5)] (4) Ninety grams or more of a mixture or substance containing a detectable amount of
 33 phencyclidine (PCP); or
 34 [(6)] (5) Twelve grams or more of phencyclidine; or
 35 [(7)] (6) One hundred kilograms or more of a mixture or substance containing marijuana; or
 36 [(8)] (7) More than five hundred marijuana plants; or
 37 [(9)] (8) Ninety grams or more but less than four hundred fifty grams of any material,
 38 compound, mixture, or preparation containing any quantity of the following substances having a
 39 stimulant effect on the central nervous system: amphetamine, its salts, optical isomers and salts of

1 its optical isomers; methamphetamine, its salts, optical isomers and salts of its optical isomers;
2 phenmetrazine and its salts; or methylphenidate; or

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

6 ~~[(11)]~~ (10) Twenty milligrams or more of fentanyl or carfentanil, or any derivative thereof,
7 or any combination thereof, or any compound, mixture, or substance containing a detectable amount
8 of fentanyl or carfentanil, or their optical isomers or analogues.

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

12 (1) Any quantity of the following substances having a stimulant effect on the central
13 nervous system: amphetamine, its salts, optical isomers and salts of its optical isomers;
14 methamphetamine, its salts, isomers and salts of its isomers; phenmetrazine and its salts; or
15 methylphenidate; or

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

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

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