

HOUSE AMENDMENT NO. _____
TO
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Offered By

AMEND House Amendment No. _____ to House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 1, Line 1, by inserting after the number "198," the following:

"Page 32, Section 211.221, Line 7, by inserting after all of said section and line the following:

"217.035. The director shall have the authority to:

(1) Establish, with approval of the governor, the internal organization of the department and file the plan thereof with the secretary of state in the manner in which administrative rules are filed, the commissioner of administration and the revisor of statutes;

(2) Exclusively prepare the budgets of the department and each division within the department in the form and manner set out by statute or by the commissioner of administration;

(3) Designate by written order filed with the governor, the president pro tem of the senate, and the chairman of the joint committee on corrections, a deputy director of the department to act for and exercise the powers of the director during the director's absence for official business, vacation, illness or incapacity. The deputy director shall serve as acting director no longer than six months; however, after the deputy director has acted as director for longer than thirty days the deputy director shall receive compensation equal to that of the director;

(4) Procure, either through the division of purchasing or by other means authorized by law, supplies, material, equipment or contractual services for the department and each of its divisions;

(5) Establish policy for the department and each of its divisions;

(6) Designate any responsibilities, duties and powers given by sections 217.010, ~~217.810,~~ 558.011, and 558.026 to the department or the department director to any division or division director.

217.147. 1. There is hereby created the "Sentencing and Corrections Oversight Commission". The commission shall be composed of thirteen members as follows:

(1) A circuit court judge to be appointed by the chief justice of the Missouri supreme court;

(2) Three members to be appointed by the governor with the advice and consent of the senate, one of whom shall be a victim's advocate, one of whom shall be a representative from the

Action Taken _____ Date _____

1 Missouri Sheriffs' Association, and one of whom shall be a representative of the Missouri
2 Association of Counties;

3 (3) The following shall be ex officio, voting members:

4 (a) The chair of the senate judiciary committee, or any successor committee that reviews
5 legislation involving crime and criminal procedure, who shall serve as co-chair of the commission
6 and the ranking minority member of such senate committee;

7 (b) The chair of the appropriations-public safety and corrections committee of the house of
8 representatives, or any successor committee that reviews similar legislation, who shall serve as co-
9 chair and the ranking minority member of such house committee;

10 (c) The director of the Missouri state public defender system, or his or her designee who is a
11 practicing public defender;

12 (d) The executive director of the Missouri office of prosecution services, or his or her
13 designee who is a practicing prosecutor;

14 (e) The director of the department of corrections, or his or her designee;

15 (f) The chairman of the board of probation and parole, or his or her designee;

16 (g) The chief justice of the Missouri supreme court, or his or her designee.

17 2. Beginning with the appointments made after August 28, 2012, the circuit court judge
18 member shall be appointed for four years, two of the members appointed by the governor shall be
19 appointed for three years, and one member appointed by the governor shall be appointed for two
20 years. Thereafter, the members shall be appointed to serve four-year terms and shall serve until a
21 successor is appointed. A vacancy in the office of a member shall be filled by appointment for the
22 remainder of the unexpired term.

23 3. The co-chairs are responsible for establishing and enforcing attendance and voting rules,
24 bylaws, and the frequency, location, and time of meetings, and distributing meeting notices, except
25 that the commission's first meeting shall occur by February 28, 2013, and the commission shall meet
26 at least twice each calendar year.

27 4. The duties of the commission shall include:

28 (1) Monitoring and assisting the implementation of ~~[sections 217.703,]~~ section 217.718[;]
29 and subsection 4 of section 559.036, and evaluating recidivism reductions, cost savings, and other
30 effects resulting from the implementation;

31 (2) Determining ways to reinvest any cost savings to pay for the continued implementation
32 of the sections listed in subdivision (1) of this subsection and other evidence-based practices for
33 reducing recidivism; and

34 (3) Examining the issue of restitution for crime victims, including the amount ordered and
35 collected annually, methods and costs of collection, and restitution's order of priority in official
36 procedures and documents.

37 5. The department, board, and office of state courts administrator shall collect and report
38 any data requested by the commission in a timely fashion.

6. The commission shall issue a report to the speaker of the house of representatives, senate president pro tempore, chief justice of the Missouri supreme court, and governor on December 31, 2013, and annually thereafter, detailing the effects of the sections listed in subdivision (1) of subsection 4 of this section and providing the data and analysis demonstrating those effects. The report may also recommend ways to reinvest any cost savings into evidence-based practices to reduce recidivism and possible changes to sentencing and corrections policies and statutes.

7. The department of corrections shall provide administrative support to the commission to carry out the duties of this section.

8. No member shall receive any compensation for the performance of official duties, but the members who are not otherwise reimbursed by their agency shall be reimbursed for travel and other expenses actually and necessarily incurred in the performance of their duties.

9. The provisions of this section shall automatically expire on August 28, 2018.

217.451. 1. Correctional centers shall provide offenders with reasonable access to phone services during an offender's term of confinement.

2. No correctional center or other party shall charge an offender in a correctional center a total amount for a domestic phone call, including fees and any per-minute rate, that exceeds the equivalent of twelve cents per minute.

217.650. As used in sections 217.650 to ~~[217.810]~~ 217.805, unless the context clearly indicates otherwise, the following terms mean:

(1) "Chairperson", chairperson of the parole board who shall be appointed by the governor;

(2) "Diversionary program", a program designed to utilize alternatives to incarceration undertaken under the supervision of the division of probation and parole after commitment of an offense and prior to arraignment;

(3) "Parole", the release of an offender to the community by the court or the state parole board prior to the expiration of his term, subject to conditions imposed by the court or the parole board and to its supervision by the division of probation and parole;

(4) "Parole board", the state board of parole;

(5) "Prerelease program", a program relating to an offender's preparation for, or orientation to, supervision by the division of probation and parole immediately prior to or immediately after assignment of the offender to the division of probation and parole for supervision;

(6) "Pretrial program", a program relating to the investigation or supervision of persons referred or assigned to the division of probation and parole prior to their conviction;

(7) "Probation", a procedure under which a defendant found guilty of a crime upon verdict or plea is released by the court without imprisonment, subject to conditions imposed by the court and subject to the supervision of the division of probation and parole;

(8) "Recognizance program", a program relating to the release of an individual from detention who is under arrest for an offense for which he or she may be released as provided in section 544.455.

1 217.670. 1. The board shall adopt an official seal of which the courts shall take official
2 notice.

3 2. Decisions of the board regarding granting of paroles, extensions of a conditional release
4 date or revocations of a parole or conditional release shall be by a majority vote of the hearing panel
5 members. The hearing panel shall consist of one member of the board and two hearing officers
6 appointed by the board. A member of the board may remove the case from the jurisdiction of the
7 hearing panel and refer it to the full board for a decision. Within thirty days of entry of the decision
8 of the hearing panel to deny parole or to revoke a parole or conditional release, the offender may
9 appeal the decision of the hearing panel to the board. The board shall consider the appeal within
10 thirty days of receipt of the appeal. The decision of the board shall be by majority vote of the board
11 members and shall be final.

12 3. The orders of the board shall not be reviewable except as to compliance with the terms of
13 sections 217.650 to ~~[217.810]~~ 217.805 or any rules promulgated pursuant to such section.

14 4. The board shall keep a record of its acts and shall notify each correctional center of its
15 decisions relating to persons who are or have been confined in such correctional center.

16 5. Notwithstanding any other provision of law, any meeting, record, or vote, of proceedings
17 involving probation, parole, or pardon, may be a closed meeting, closed record, or closed vote.

18 6. Notwithstanding any other provision of law, when the appearance or presence of an
19 offender before the board or a hearing panel is required for the purpose of deciding whether to grant
20 conditional release or parole, extend the date of conditional release, revoke parole or conditional
21 release, or for any other purpose, such appearance or presence may occur by means of a
22 videoconference at the discretion of the board. Victims having a right to attend parole hearings may
23 testify either at the site where the board is conducting the videoconference or at the institution where
24 the offender is located. The use of videoconferencing in this section shall be at the discretion of the
25 board, and shall not be utilized if either the victim or the victim's family objects to it.

26 217.690. 1. All releases or paroles shall issue upon order of the parole board, duly adopted.

27 2. Before ordering the parole of any offender, the parole board shall conduct a validated risk
28 and needs assessment and evaluate the case under the rules governing parole that are promulgated
29 by the parole board. The parole board shall then have the offender appear before a hearing panel
30 and shall conduct a personal interview with him or her, unless waived by the offender, or if the
31 guidelines indicate the offender may be paroled without need for an interview. The guidelines and
32 rules shall not allow for the waiver of a hearing if a victim requests a hearing. The appearance or
33 presence may occur by means of a videoconference at the discretion of the parole board. A parole
34 may be ordered for the best interest of society when there is a reasonable probability, based on the
35 risk assessment and indicators of release readiness, that the person can be supervised under parole
36 supervision and successfully reintegrated into the community, not as an award of clemency; it shall
37 not be considered a reduction of sentence or a pardon. Every offender while on parole shall remain
38 in the legal custody of the department but shall be subject to the orders of the parole board.

1 3. The division of probation and parole has discretionary authority to require the payment of
2 a fee, not to exceed sixty dollars per month, from every offender placed under division supervision
3 on probation, parole, or conditional release, to waive all or part of any fee, to sanction offenders for
4 willful nonpayment of fees, and to contract with a private entity for fee collections services. No
5 such fee shall be levied or accrue for the first sixty days the offender is on parole or conditional
6 release. All fees collected shall be deposited in the inmate fund established in section 217.430.
7 Fees collected may be used to pay the costs of contracted collections services. The fees collected
8 may otherwise be used to provide community corrections and intervention services for offenders.
9 Such services include substance abuse assessment and treatment, mental health assessment and
10 treatment, electronic monitoring services, residential facilities services, employment placement
11 services, and other offender community corrections or intervention services designated by the
12 division of probation and parole to assist offenders to successfully complete probation, parole, or
13 conditional release. The division of probation and parole shall adopt rules not inconsistent with law,
14 in accordance with section 217.040, with respect to sanctioning offenders and with respect to
15 establishing, waiving, collecting, and using fees.

16 4. The parole board shall adopt rules not inconsistent with law, in accordance with section
17 217.040, with respect to the eligibility of offenders for parole, the conduct of parole hearings or
18 conditions to be imposed upon paroled offenders. Whenever an order for parole is issued it shall
19 recite the conditions of such parole.

20 5. When considering parole for an offender with consecutive sentences, the minimum term
21 for eligibility for parole shall be calculated by adding the minimum terms for parole eligibility for
22 each of the consecutive sentences, except the minimum term for parole eligibility shall not exceed
23 the minimum term for parole eligibility for an ordinary life sentence.

24 6. Any offender sentenced to a term of imprisonment amounting to fifteen years or more or
25 multiple terms of imprisonment that, taken together, amount to fifteen or more years who was under
26 eighteen years of age at the time of the commission of the offense or offenses may be eligible for
27 parole after serving fifteen years of incarceration, regardless of whether the case is final for the
28 purposes of appeal, and may be eligible for reconsideration hearings in accordance with regulations
29 promulgated by the parole board.

30 7. The provisions of subsection 6 of this section shall not apply to an offender found guilty
31 of murder in the first degree or capital murder who was under eighteen years of age when the
32 offender committed the offense or offenses who may be found ineligible for parole or whose parole
33 eligibility may be controlled by section 558.047 or 565.033.

34 8. Any offender under a sentence for first degree murder who has been denied release on
35 parole after a parole hearing shall not be eligible for another parole hearing until at least three years
36 from the month of the parole denial; however, this subsection shall not prevent a release pursuant to
37 subsection 4 of section 558.011.

38 9. A victim who has requested an opportunity to be heard shall receive notice that the parole
39 board is conducting an assessment of the offender's risk and readiness for release and that the

1 victim's input will be particularly helpful when it pertains to safety concerns and specific protective
2 measures that may be beneficial to the victim should the offender be granted release.

3 10. Parole hearings shall, at a minimum, contain the following procedures:

4 (1) The victim or person representing the victim who attends a hearing may be accompanied
5 by one other person;

6 (2) The victim or person representing the victim who attends a hearing shall have the option
7 of giving testimony in the presence of the inmate or to the hearing panel without the inmate being
8 present;

9 (3) The victim or person representing the victim may call or write the parole board rather
10 than attend the hearing;

11 (4) The victim or person representing the victim may have a personal meeting with a parole
12 board member at the parole board's central office;

13 (5) The judge, prosecuting attorney or circuit attorney and a representative of the local law
14 enforcement agency investigating the crime shall be allowed to attend the hearing or provide
15 information to the hearing panel in regard to the parole consideration; and

16 (6) The parole board shall evaluate information listed in the juvenile sex offender registry
17 pursuant to section 211.425, provided the offender is between the ages of seventeen and twenty-one,
18 as it impacts the safety of the community.

19 11. The parole board shall notify any person of the results of a parole eligibility hearing if
20 the person indicates to the parole board a desire to be notified.

21 12. The parole board may, at its discretion, require any offender seeking parole to meet
22 certain conditions during the term of that parole so long as said conditions are not illegal or
23 impossible for the offender to perform. These conditions may include an amount of restitution to
24 the state for the cost of that offender's incarceration.

25 13. Special parole conditions shall be responsive to the assessed risk and needs of the
26 offender or the need for extraordinary supervision, such as electronic monitoring. The parole board
27 shall adopt rules to minimize the conditions placed on low-risk cases, to frontload conditions upon
28 release, and to require the modification and reduction of conditions based on the person's continuing
29 stability in the community. Parole board rules shall permit parole conditions to be modified by
30 parole officers with review and approval by supervisors.

31 14. Nothing contained in this section shall be construed to require the release of an offender
32 on parole nor to reduce the sentence of an offender heretofore committed.

33 15. Beginning January 1, 2001, the parole board shall not order a parole unless the offender
34 has obtained a high school diploma or its equivalent, or unless the parole board is satisfied that the
35 offender, while committed to the custody of the department, has made an honest good-faith effort to
36 obtain a high school diploma or its equivalent; provided that the director may waive this
37 requirement by certifying in writing to the parole board that the offender has actively participated in
38 mandatory education programs or is academically unable to obtain a high school diploma or its
39 equivalent.

1 16. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
2 under the authority delegated in this section shall become effective only if it complies with and is
3 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
4 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to
5 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently
6 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
7 August 28, 2005, shall be invalid and void.

8 217.710. 1. Probation and parole officers, supervisors and members of the parole board,
9 who are certified pursuant to the requirements of subsection 2 of this section shall have the authority
10 to carry their firearms at all times. The department of corrections shall promulgate policies and
11 operating regulations which govern the use of firearms by probation and parole officers, supervisors,
12 and members of the parole board when carrying out the provisions of sections 217.650 to ~~[217.810]~~
13 217.805. Mere possession of a firearm shall not constitute an employment activity for the purpose
14 of calculating compensatory time or overtime.

15 2. The department shall determine the content of the required firearms safety training and
16 provide firearms certification and recertification training for probation and parole officers,
17 supervisors, and members of the parole board. A minimum of sixteen hours of firearms safety
18 training shall be required. In no event shall firearms certification or recertification training for
19 probation and parole officers and supervisors exceed the training required for officers of the state
20 highway patrol.

21 3. The department shall determine the type of firearm to be carried by the officers,
22 supervisors, and members of the parole board.

23 4. Any officer, supervisor, or member of the parole board ~~[that]~~ who chooses to carry a
24 firearm in the performance of such officer's, supervisor's, or member's duties shall purchase the
25 firearm and holster.

26 5. The department shall furnish such ammunition as is necessary for the performance of the
27 officer's, supervisor's, and member's duties.

28 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is
29 promulgated under the authority of this chapter, shall become effective only if the agency has fully
30 complied with all of the requirements of chapter 536 including but not limited to, section 536.028, if
31 applicable, after August 28, 1998. All rulemaking authority delegated prior to August 28, 1998, is
32 of no force and effect and repealed as of August 28, 1998, however nothing in section 571.030 or
33 this section shall be interpreted to repeal or affect the validity of any rule adopted and promulgated
34 prior to August 28, 1998. If the provisions of section 536.028 apply, the provisions of this section
35 are nonseverable and if any of the powers vested with the general assembly pursuant to section
36 536.028 to review, to delay the effective date, or to disapprove and annul a rule or portion of a rule
37 are held unconstitutional or invalid, the purported grant of rulemaking authority and any rule so
38 proposed and contained in the order of rulemaking shall be invalid and void, except that nothing in

1 section 571.030 or this section shall affect the validity of any rule adopted and promulgated prior to
2 August 28, 1998.

3 217.720. 1. At any time during release on parole or conditional release the division of
4 probation and parole may issue a warrant for the arrest of a released offender for violation of any of
5 the conditions of parole or conditional release. The warrant shall authorize any law enforcement
6 officer to return the offender to the actual custody of the correctional center from which the offender
7 was released, or to any other suitable facility designated by the division. If any parole or probation
8 officer has probable cause to believe that such offender has violated a condition of parole or
9 conditional release, the probation or parole officer may issue a warrant for the arrest of the offender.
10 The probation or parole officer may effect the arrest or may deputize any officer with the power of
11 arrest to do so by giving the officer a copy of the warrant which shall outline the circumstances of
12 the alleged violation and contain the statement that the offender has, in the judgment of the
13 probation or parole officer, violated conditions of parole or conditional release. The warrant
14 delivered with the offender by the arresting officer to the official in charge of any facility designated
15 by the division to which the offender is brought shall be sufficient legal authority for detaining the
16 offender. After the arrest the parole or probation officer shall present to the detaining authorities a
17 similar statement of the circumstances of violation. Pending hearing as hereinafter provided, upon
18 any charge of violation, the offender shall remain in custody or incarcerated without consideration
19 of bail.

20 2. If the offender is arrested under the authority granted in subsection 1 of this section, the
21 offender shall have the right to a preliminary hearing on the violation charged unless the offender
22 waives such hearing. Upon such arrest and detention, the parole or probation officer shall
23 immediately notify the board and shall submit in writing a report showing in what manner the
24 offender has violated the conditions of his parole or conditional release. The board shall order the
25 offender discharged from such facility, require as a condition of parole or conditional release the
26 placement of the offender in a treatment center operated by the department of corrections, or shall
27 cause the offender to be brought before it for a hearing on the violation charged, under such rules
28 and regulations as the board may adopt. If the violation is established and found, the board may
29 continue or revoke the parole or conditional release, or enter such other order as it may see fit. If no
30 violation is established and found, then the parole or conditional release shall continue. If at any
31 time during release on parole or conditional release the offender is arrested for a crime which later
32 leads to conviction, and sentence is then served outside the Missouri department of corrections, the
33 board shall determine what part, if any, of the time from the date of arrest until completion of the
34 sentence imposed is counted as time served under the sentence from which the offender was paroled
35 or conditionally released.

36 3. An offender for whose return a warrant has been issued by the division shall, if it is found
37 that the warrant cannot be served, be deemed to be a fugitive from justice or to have fled from
38 justice. If it shall appear that the offender has violated the provisions and conditions of his parole or
39 conditional release, the board shall determine whether the time from the issuing date of the warrant

1 to the date of his arrest on the warrant, or continuance on parole or conditional release shall be
 2 counted as time served under the sentence. In all other cases, time served on parole or conditional
 3 release shall be counted as time served under the sentence.

4 4. At any time during parole or probation, the division may issue a warrant for the arrest of
 5 any person from another jurisdiction~~[, the visitation and supervision of whom the division has~~
 6 ~~undertaken pursuant to the provisions of the interstate compact for the supervision of parolees and~~
 7 ~~probationers authorized in section 217.810,]~~ for violation of any of the conditions of release~~;~~ or a
 8 notice to appear to answer a charge of violation. The notice shall be served personally upon the
 9 person. The warrant shall authorize any law enforcement officer to return the offender to any
 10 suitable detention facility designated by the division. Any parole or probation officer may arrest
 11 such person without a warrant, or may deputize any other officer with power of arrest to do so by
 12 issuing a written statement setting forth that the defendant has, in the judgment of the parole or
 13 probation officer, violated the conditions of his release. The written statement delivered with the
 14 person by the arresting officer to the official in charge of the detention facility to which the person is
 15 brought shall be sufficient legal authority for detaining him. After making an arrest the parole or
 16 probation officer shall present to the detaining authorities a similar statement of the circumstances of
 17 violation.

18 221.108. 1. Jails shall provide inmates with reasonable access to phone services during an
 19 inmate's term of confinement.

20 2. No jail or other party shall charge an inmate in a jail a total amount for a domestic phone
 21 call, including fees and any per-minute rate, that exceeds the equivalent of:

22 (1) Fourteen cents per minute for any jail with an average daily population of one thousand
 23 or more inmates; or

24 (2) Twenty-one cents per minute for any jail with an average daily population of fewer than
 25 one thousand inmates."; and

26
 27 Further amend said bill, Page 39, Section 302.181, Line 113, by inserting after all of said section
 28 and line the following:

29
 30 "334.104. 1. A physician may enter into collaborative practice arrangements with registered
 31 professional nurses. Collaborative practice arrangements shall be in the form of written agreements,
 32 jointly agreed-upon protocols, or standing orders for the delivery of health care services.
 33 Collaborative practice arrangements, which shall be in writing, may delegate to a registered
 34 professional nurse the authority to administer or dispense drugs and provide treatment as long as the
 35 delivery of such health care services is within the scope of practice of the registered professional
 36 nurse and is consistent with that nurse's skill, training and competence.

37 2. Collaborative practice arrangements, which shall be in writing, may delegate to a
 38 registered professional nurse the authority to administer, dispense or prescribe drugs and provide
 39 treatment if the registered professional nurse is an advanced practice registered nurse as defined in

subdivision (2) of section 335.016. Collaborative practice arrangements may delegate to an advanced practice registered nurse, as defined in section 335.016, the authority to administer, dispense, or prescribe controlled substances listed in Schedules III, IV, and V of section 195.017, and Schedule II - hydrocodone; except that, the collaborative practice arrangement shall not delegate the authority to administer any controlled substances listed in Schedules III, IV, and V of section 195.017, or Schedule II - hydrocodone for the purpose of inducing sedation or general anesthesia for therapeutic, diagnostic, or surgical procedures. Schedule III narcotic controlled substance and Schedule II - hydrocodone prescriptions shall be limited to a one hundred twenty-hour supply without refill. Such collaborative practice arrangements shall be in the form of written agreements, jointly agreed-upon protocols or standing orders for the delivery of health care services. An advanced practice registered nurse may prescribe buprenorphine for up to a thirty-day supply without refill for patients receiving medication-assisted treatment for substance use disorders under the direction of the collaborating physician.

3. The written collaborative practice arrangement shall contain at least the following provisions:

(1) Complete names, home and business addresses, zip codes, and telephone numbers of the collaborating physician and the advanced practice registered nurse;

(2) A list of all other offices or locations besides those listed in subdivision (1) of this subsection where the collaborating physician authorized the advanced practice registered nurse to prescribe;

(3) A requirement that there shall be posted at every office where the advanced practice registered nurse is authorized to prescribe, in collaboration with a physician, a prominently displayed disclosure statement informing patients that they may be seen by an advanced practice registered nurse and have the right to see the collaborating physician;

(4) All specialty or board certifications of the collaborating physician and all certifications of the advanced practice registered nurse;

(5) The manner of collaboration between the collaborating physician and the advanced practice registered nurse, including how the collaborating physician and the advanced practice registered nurse will:

(a) Engage in collaborative practice consistent with each professional's skill, training, education, and competence;

(b) Maintain geographic proximity, except as specified in this paragraph. The following provisions shall apply with respect to this requirement:

a. Until August 28, 2025, an advanced practice registered nurse providing services in a correctional center, as defined in section 217.010, and his or her collaborating physician shall satisfy the geographic proximity requirement if they practice within two hundred miles by road of one another;

b. The collaborative practice arrangement may allow for geographic proximity to be waived for a maximum of twenty-eight days per calendar year for rural health clinics as defined by P.L. 95-

210 (42 U.S.C. Section 1395x, as amended), as long as the collaborative practice arrangement includes alternative plans as required in paragraph (c) of this subdivision. This exception to geographic proximity shall apply only to independent rural health clinics, provider-based rural health clinics where the provider is a critical access hospital as provided in 42 U.S.C. Section 1395i-4, and provider-based rural health clinics where the main location of the hospital sponsor is greater than fifty miles from the clinic[-]; and

c. The collaborating physician is required to maintain documentation related to this requirement and to present it to the state board of registration for the healing arts when requested; and

(c) Provide coverage during absence, incapacity, infirmity, or emergency by the collaborating physician;

(6) A description of the advanced practice registered nurse's controlled substance prescriptive authority in collaboration with the physician, including a list of the controlled substances the physician authorizes the nurse to prescribe and documentation that it is consistent with each professional's education, knowledge, skill, and competence;

(7) A list of all other written practice agreements of the collaborating physician and the advanced practice registered nurse;

(8) The duration of the written practice agreement between the collaborating physician and the advanced practice registered nurse;

(9) A description of the time and manner of the collaborating physician's review of the advanced practice registered nurse's delivery of health care services. The description shall include provisions that the advanced practice registered nurse shall submit a minimum of ten percent of the charts documenting the advanced practice registered nurse's delivery of health care services to the collaborating physician for review by the collaborating physician, or any other physician designated in the collaborative practice arrangement, every fourteen days; and

(10) The collaborating physician, or any other physician designated in the collaborative practice arrangement, shall review every fourteen days a minimum of twenty percent of the charts in which the advanced practice registered nurse prescribes controlled substances. The charts reviewed under this subdivision may be counted in the number of charts required to be reviewed under subdivision (9) of this subsection.

4. The state board of registration for the healing arts pursuant to section 334.125 and the board of nursing pursuant to section 335.036 may jointly promulgate rules regulating the use of collaborative practice arrangements. Such rules shall be limited to specifying geographic areas to be covered, the methods of treatment that may be covered by collaborative practice arrangements and the requirements for review of services provided pursuant to collaborative practice arrangements including delegating authority to prescribe controlled substances. Any rules relating to geographic proximity shall allow a collaborating physician and a collaborating advanced practice registered nurse to practice within two hundred miles by road of one another until August 28, 2025, if the nurse is providing services in a correctional center, as defined in section 217.010. Any rules relating

1 to dispensing or distribution of medications or devices by prescription or prescription drug orders
2 under this section shall be subject to the approval of the state board of pharmacy. Any rules relating
3 to dispensing or distribution of controlled substances by prescription or prescription drug orders
4 under this section shall be subject to the approval of the department of health and senior services
5 and the state board of pharmacy. In order to take effect, such rules shall be approved by a majority
6 vote of a quorum of each board. Neither the state board of registration for the healing arts nor the
7 board of nursing may separately promulgate rules relating to collaborative practice arrangements.
8 Such jointly promulgated rules shall be consistent with guidelines for federally funded clinics. The
9 rulemaking authority granted in this subsection shall not extend to collaborative practice
10 arrangements of hospital employees providing inpatient care within hospitals as defined pursuant to
11 chapter 197 or population-based public health services as defined by 20 CSR 2150-5.100 as of April
12 30, 2008.

13 5. The state board of registration for the healing arts shall not deny, revoke, suspend or
14 otherwise take disciplinary action against a physician for health care services delegated to a
15 registered professional nurse provided the provisions of this section and the rules promulgated
16 thereunder are satisfied. Upon the written request of a physician subject to a disciplinary action
17 imposed as a result of an agreement between a physician and a registered professional nurse or
18 registered physician assistant, whether written or not, prior to August 28, 1993, all records of such
19 disciplinary licensure action and all records pertaining to the filing, investigation or review of an
20 alleged violation of this chapter incurred as a result of such an agreement shall be removed from the
21 records of the state board of registration for the healing arts and the division of professional
22 registration and shall not be disclosed to any public or private entity seeking such information from
23 the board or the division. The state board of registration for the healing arts shall take action to
24 correct reports of alleged violations and disciplinary actions as described in this section which have
25 been submitted to the National Practitioner Data Bank. In subsequent applications or
26 representations relating to his or her medical practice, a physician completing forms or documents
27 shall not be required to report any actions of the state board of registration for the healing arts for
28 which the records are subject to removal under this section.

29 6. Within thirty days of any change and on each renewal, the state board of registration for
30 the healing arts shall require every physician to identify whether the physician is engaged in any
31 collaborative practice agreement, including collaborative practice agreements delegating the
32 authority to prescribe controlled substances, or physician assistant agreement and also report to the
33 board the name of each licensed professional with whom the physician has entered into such
34 agreement. The board may make this information available to the public. The board shall track the
35 reported information and may routinely conduct random reviews of such agreements to ensure that
36 agreements are carried out for compliance under this chapter.

37 7. Notwithstanding any law to the contrary, a certified registered nurse anesthetist as defined
38 in subdivision (8) of section 335.016 shall be permitted to provide anesthesia services without a
39 collaborative practice arrangement provided that he or she is under the supervision of an

1 anesthesiologist or other physician, dentist, or podiatrist who is immediately available if needed.
2 Nothing in this subsection shall be construed to prohibit or prevent a certified registered nurse
3 anesthetist as defined in subdivision (8) of section 335.016 from entering into a collaborative
4 practice arrangement under this section, except that the collaborative practice arrangement may not
5 delegate the authority to prescribe any controlled substances listed in Schedules III, IV, and V of
6 section 195.017, or Schedule II - hydrocodone.

7 8. A collaborating physician shall not enter into a collaborative practice arrangement with
8 more than six full-time equivalent advanced practice registered nurses, full-time equivalent licensed
9 physician assistants, or full-time equivalent assistant physicians, or any combination thereof. This
10 limitation shall not apply to collaborative arrangements of hospital employees providing inpatient
11 care service in hospitals as defined in chapter 197 or population-based public health services as
12 defined by 20 CSR 2150-5.100 as of April 30, 2008, or to a certified registered nurse anesthetist
13 providing anesthesia services under the supervision of an anesthesiologist or other physician,
14 dentist, or podiatrist who is immediately available if needed as set out in subsection 7 of this section.

15 9. It is the responsibility of the collaborating physician to determine and document the
16 completion of at least a one-month period of time during which the advanced practice registered
17 nurse shall practice with the collaborating physician continuously present before practicing in a
18 setting where the collaborating physician is not continuously present. This limitation shall not apply
19 to collaborative arrangements of providers of population-based public health services as defined by
20 20 CSR 2150-5.100 as of April 30, 2008.

21 10. No agreement made under this section shall supersede current hospital licensing
22 regulations governing hospital medication orders under protocols or standing orders for the purpose
23 of delivering inpatient or emergency care within a hospital as defined in section 197.020 if such
24 protocols or standing orders have been approved by the hospital's medical staff and pharmaceutical
25 therapeutics committee.

26 11. No contract or other agreement shall require a physician to act as a collaborating
27 physician for an advanced practice registered nurse against the physician's will. A physician shall
28 have the right to refuse to act as a collaborating physician, without penalty, for a particular advanced
29 practice registered nurse. No contract or other agreement shall limit the collaborating physician's
30 ultimate authority over any protocols or standing orders or in the delegation of the physician's
31 authority to any advanced practice registered nurse, but this requirement shall not authorize a
32 physician in implementing such protocols, standing orders, or delegation to violate applicable
33 standards for safe medical practice established by hospital's medical staff.

34 12. No contract or other agreement shall require any advanced practice registered nurse to
35 serve as a collaborating advanced practice registered nurse for any collaborating physician against
36 the advanced practice registered nurse's will. An advanced practice registered nurse shall have the
37 right to refuse to collaborate, without penalty, with a particular physician."; and
38

Further amend said bill, Page 48, Section 487.110, Line 3, by inserting after all of said section and line the following:

"506.400. 1. As used in this section, "claimant" means a person convicted and subsequently imprisoned for one or more offenses that such person did not commit.

2. (1) The claimant shall establish the following by a preponderance of evidence:

(a) The claimant was convicted of a felony offense and subsequently imprisoned;

(b) The claimant's judgment of conviction was reversed or vacated and either the charges were dismissed or on retrial the claimant was found to be not guilty;

(c) The claimant did not commit the offense or offenses for which the claimant was convicted and was not an accessory or accomplice to the acts that were the basis of the conviction and resulted in a reversal or vacation of the judgment of conviction, dismissal of the charges, or finding of not guilty on retrial; and

(d) The claimant did not commit or suborn perjury, fabricate evidence, or by the claimant's own conduct cause or bring about the conviction. Neither a confession or admission later found to be false nor a guilty plea shall constitute committing or suborning perjury, fabricating evidence, or causing or bringing about the conviction under this subsection.

(2) The court, in exercising its discretion as permitted by law regarding the weight and admissibility of evidence submitted under this section, may, in the interest of justice, give due consideration to difficulties of proof caused by the passage of time, the death or unavailability of witnesses, the destruction of evidence, or other factors not caused by such persons or those acting on their behalf.

3. If the court finds that the claimant is wrongfully convicted, it shall enter a certificate of innocence finding that the claimant was innocent of all offenses for which the claimant was mistakenly convicted. The clerk of the court shall send a certified copy of the certificate of innocence and the judgment entry to the attorney general for payment under section 105.711.

4. Upon entry of a certificate of innocence, the claimant shall automatically be granted an order of expungement from the court in which he or she pled guilty or was sentenced to expunge from all official records or recordations of his or her arrest, plea, trial, or conviction. Upon granting of the order of expungement, the records and files maintained in any administrative or court proceeding in an associate or circuit division of the court shall be confidential and only available to the parties or by order of the court for good cause shown. The effect of such order shall be to restore such person to the status he or she occupied prior to such arrest, plea, or conviction and as if such event had never taken place. No person as to whom such order has been entered shall be held thereafter under any provision of any law to be guilty of perjury or otherwise giving a false statement by reason of his or her failure to recite or acknowledge such arrest, plea, trial, conviction, or expungement in response to any inquiry made of him or her for any purpose whatsoever, and no such inquiry shall be made for information relating to an expungement under this subsection.

5. Upon entry of a certificate of innocence, the court shall order the expungement and destruction of the associated biological samples authorized by and given to the Missouri state highway patrol. The order shall state the information required to be stated in a petition to expunge and destroy the samples and profile record and shall direct the Missouri state highway patrol to expunge and destroy such samples and profile record. The clerk of the court shall send a certified copy of the order to the Missouri state highway patrol, which shall carry out the order and provide confirmation of such action to the court. Nothing in this subsection shall require the Missouri state highway patrol to expunge and destroy any sample or profile record associated with the claimant that must be retained by state statute.

6. The decision to grant or deny a certificate of innocence shall not have a res judicata effect on any other proceedings.

548.241. 1. All necessary and proper expenses accruing under section 548.221, upon being ascertained to the satisfaction of the governor, shall be allowed on his certificate and paid out of the state treasury as other demands against the state.

2. All necessary and proper expenses accruing as a result of a person being returned to this state pursuant to the provisions of section 548.243 ~~[or 217.810]~~ shall be allowed and paid out of the state treasury as if the person were being returned to this state pursuant to section 548.221.

3. Any necessary and proper expenses accruing as a result of a person being returned to this state under the provisions of chapter 589 may be paid either out of the Missouri interstate compact fund established in chapter 589 or out of the state treasury.

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

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

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

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

(3) As provided in section 559.100.

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

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

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

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 is sentenced on or after August 28, ~~[2021]~~ 2023.

8. The total amount of credit given shall not exceed the number of days between the date of offense and commencement of sentence.

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

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

3. (1) The director of the department of corrections shall issue a policy for awarding credit.

(2) The policy ~~[may]~~ shall reward an ~~[inmate]~~ offender who has served his or her sentence in an orderly and peaceable manner and has taken advantage of the rehabilitation programs available to him or her.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(3) The provisions of this subsection shall apply retroactively to offenses committed after December 31, 2009.

5. No offender committed to the department who is sentenced to death or sentenced to life without probation or parole shall be eligible for good time credit under this section.

559.016. 1. Unless terminated as provided in section 559.036 [or modified under section 217.703], the terms during which each probation shall remain conditional and be subject to revocation are:

1 (1) A term of years not less than one year and not to exceed five years for a felony;

2 (2) A term not less than six months and not to exceed two years for a misdemeanor;

3 (3) A term not less than six months and not to exceed one year for an infraction.

4 2. The court shall designate a specific term of probation at the time of sentencing or at the
5 time of suspension of imposition of sentence. ~~[Such term may be modified by the division of
6 probation and parole under section 217.703.]~~

7 3. The court may extend a period of probation, however, no more than one extension of any
8 probation may be ordered except that the court may extend the total time on probation by one
9 additional year by order of the court if the defendant admits he or she has violated the conditions of
10 his or her probation or is found by the court to have violated the conditions of his or her probation.
11 Total time on any probation term, including any extension, shall not exceed the maximum term as
12 established in subsection 1 of this section plus one additional year if the defendant admits or the
13 court finds that the defendant has violated the conditions of his or her probation.

14 559.036. 1. A term of probation commences on the day it is imposed. Multiple terms of
15 Missouri probation, whether imposed at the same time or at different times, shall run concurrently.
16 Terms of probation shall also run concurrently with any federal or other state jail, prison, probation
17 or parole term for another offense to which the defendant is or becomes subject during the period.

18 2. (1) The court may terminate a period of probation and discharge the defendant at any
19 time before completion of the specific term fixed under section 559.016 if warranted by the conduct
20 of the defendant and the ends of justice. The court may extend the term of the probation, but no
21 more than one extension of any probation may be ordered except that the court may extend the term
22 of probation by one additional year by order of the court if the defendant admits he or she has
23 violated the conditions of probation or is found by the court to have violated the conditions of his or
24 her probation. Total time on any probation term, including any extension shall not exceed the
25 maximum term established in section 559.016. Total time on any probation term shall not include
26 time when the probation term is suspended under this section. Procedures for termination, discharge
27 and extension may be established by rule of court.

28 (2) The division of probation and parole shall file a notification of earned discharge from
29 probation with the court for any defendant who has completed at least twenty-four months of the
30 probation term and is compliant as determined by the policies of the division of probation and
31 parole with the terms of supervision as ordered by the court and division. The division shall not file
32 a notification of earned discharge for any defendant who has not paid ordered restitution in full, is
33 on a term of probation for any class A or class B felony, or is subject to lifetime supervision under
34 sections 217.735 and 559.106. The division shall notify the prosecuting or circuit attorney when a
35 notification of earned discharge is filed.

36 (3) The prosecuting or circuit attorney may request a hearing within thirty days of the filing
37 of the notification of earned discharge from probation. If the state opposes the discharge of the
38 defendant, the prosecuting or circuit attorney shall argue the earned discharge is not appropriate and
39 the offender should continue to serve the probation term.

(4) If a hearing is requested, the court shall hold the hearing and issue its order no later than sixty days after the filing of the notification of earned discharge from probation. If, after a hearing, the court finds by a preponderance of the evidence that the earned discharge is not appropriate, the court shall order the probation term continue, may modify the conditions of probation as appropriate, and may order the continued supervision of the defendant by either the division of probation and parole or the court. If, after a hearing, the court finds that the earned discharge is appropriate, the court shall order the defendant discharged from probation.

(5) If the prosecuting or circuit attorney does not request a hearing, and the court does not otherwise order a hearing, the court shall order the defendant discharged from probation within sixty days of the filing of the notification of earned discharge from probation but no earlier than thirty days from the filing of notification of earned discharge from probation.

3. If the defendant violates a condition of probation at any time prior to the expiration or termination of the probation term, the court may continue him or her on the existing conditions, with or without modifying or enlarging the conditions or extending the term.

4. (1) Unless the defendant consents to the revocation of probation, if a continuation, modification, enlargement or extension is not appropriate under this section, the court shall order placement of the offender in a department of corrections' one hundred twenty-day program so long as:

(a) The underlying offense for the probation is a class D or E felony or an offense listed in chapter 579 or an offense previously listed in chapter 195; except that, the court may, upon its own motion or a motion of the prosecuting or circuit attorney, make a finding that an offender is not eligible if the underlying offense is involuntary manslaughter in the second degree, stalking in the first degree, assault in the second degree, sexual assault, rape in the second degree, domestic assault in the second degree, assault in the third degree when the victim is a special victim, statutory rape in the second degree, statutory sodomy in the second degree, deviate sexual assault, sodomy in the second degree, sexual misconduct involving a child, incest, endangering the welfare of a child in the first degree under subdivision (1) or (2) of subsection 1 of section 568.045, abuse of a child, invasion of privacy, any case in which the defendant is found guilty of a felony offense under chapter 571, or an offense of aggravated stalking or assault of a law enforcement officer in the second degree as such offenses existed prior to January 1, 2017;

(b) The probation violation is not the result of the defendant being an absconder or being found guilty of, pleading guilty to, or being arrested on suspicion of any felony, misdemeanor, or infraction. For purposes of this subsection, "absconder" shall mean an offender under supervision who has left such offender's place of residency without the permission of the offender's supervising officer for the purpose of avoiding supervision;

(c) The defendant has not violated any conditions of probation involving the possession or use of weapons, or a stay-away condition prohibiting the defendant from contacting a certain individual; and

1 (d) The defendant has not already been placed in one of the programs by the court for the
2 same underlying offense or during the same probation term.

3 (2) Upon receiving the order, the department of corrections shall conduct an assessment of
4 the offender and place such offender in either the one hundred twenty-day structured cognitive
5 behavioral intervention program or the one hundred twenty-day institutional treatment program.
6 The placement of the offender in the structured cognitive behavioral intervention program or
7 institutional treatment program shall be at the sole discretion of the department based on the
8 assessment of the offender. The program shall begin upon receipt of the offender by the department.
9 The time between the court's order and receipt of the offender by the department shall not apply
10 toward the program.

11 (3) Upon successful completion of a program under this subsection, as determined by the
12 department, the division of probation and parole shall advise the sentencing court of the defendant's
13 probationary release date thirty days prior to release. Once the defendant has successfully
14 completed a program under this subsection, the court shall release the defendant to continue to serve
15 the term of probation, which shall not be modified, enlarged, or extended based on the same incident
16 of violation.

17 (4) If the department determines the defendant has not successfully completed a one
18 hundred twenty-day program under this section, the division of probation and parole shall advise the
19 prosecuting attorney and the sentencing court of the defendant's unsuccessful program exit and the
20 defendant shall be removed from the program. The defendant shall be released from the department
21 within fifteen working days after the court is notified of the unsuccessful program exit, unless the
22 court has issued a warrant in response to the unsuccessful program exit to facilitate the return of the
23 defendant to the county of jurisdiction for further court proceedings. If a defendant is discharged as
24 unsuccessful from a one hundred twenty-day program, the sentencing court may modify, enlarge, or
25 revoke the defendant's probation based on the same incident of the violation.

26 (5) Time served in the program shall be credited as time served on any sentence imposed for
27 the underlying offense.

28 5. If the defendant consents to the revocation of probation or if the defendant is not eligible
29 under subsection 4 of this section for placement in a program and a continuation, modification,
30 enlargement, or extension of the term under this section is not appropriate, the court may revoke
31 probation and order that any sentence previously imposed be executed. If imposition of sentence
32 was suspended, the court may revoke probation and impose any sentence available under section
33 557.011. The court may mitigate any sentence of imprisonment by reducing the prison or jail term
34 by all or part of the time the defendant was on probation. The court may, upon revocation of
35 probation, place an offender on a second term of probation. Such probation shall be for a term of
36 probation as provided by section 559.016, notwithstanding any amount of time served by the
37 offender on the first term of probation.

38 6. Probation shall not be revoked without giving the probationer notice and an opportunity
39 to be heard on the issues of whether such probationer violated a condition of probation and, if a

1 condition was violated, whether revocation is warranted under all the circumstances. Not less than
2 five business days prior to the date set for a hearing on the violation, except for a good cause shown,
3 the judge shall inform the probationer that he or she may have the right to request the appointment
4 of counsel if the probationer is unable to retain counsel. If the probationer requests counsel, the
5 judge shall determine whether counsel is necessary to protect the probationer's due process rights. If
6 the judge determines that counsel is not necessary, the judge shall state the grounds for the decision
7 in the record.

8 7. The prosecuting or circuit attorney may file a motion to revoke probation or at any time
9 during the term of probation, the court may issue a notice to the probationer to appear to answer a
10 charge of a violation, and the court may issue a warrant of arrest for the violation. Such notice shall
11 be personally served upon the probationer. The warrant shall authorize the return of the probationer
12 to the custody of the court or to any suitable detention facility designated by the court. Upon the
13 filing of the prosecutor's or circuit attorney's motion or on the court's own motion, the court may
14 immediately enter an order suspending the period of probation and may order a warrant for the
15 defendant's arrest. The probation shall remain suspended until the court rules on the prosecutor's or
16 circuit attorney's motion, or until the court otherwise orders the probation reinstated.
17 Notwithstanding any other provision of the law to the contrary, the probation term shall be tolled
18 during the time period when the probation is suspended under this section. The court may grant the
19 probationer credit on the probation term for any of the tolled period when reinstating the probation
20 term.

21 8. The power of the court to revoke probation shall extend for the duration of the term of
22 probation designated by the court and for any further period which is reasonably necessary for the
23 adjudication of matters arising before its expiration, provided that some affirmative manifestation of
24 an intent to conduct a revocation hearing occurs prior to the expiration of the period and that every
25 reasonable effort is made to notify the probationer and to conduct the hearing prior to the expiration
26 of the period. If the delay of the hearing is attributable to the probationer's actions or the
27 probationer otherwise consents or acquiesces to the delay, the court shall have been found to have
28 made every reasonable effort to conduct the hearing within the probation term.

29 9. A defendant who was sentenced prior to January 1, 2017 to an offense that was eligible at
30 the time of sentencing under paragraph (a) of subdivision (1) of subsection 4 of this section for the
31 court ordered detention sanction shall continue to remain eligible for the sanction so long as the
32 defendant meets all the other requirements provided under subsection 4 of this section."; and

33
34 Further amend said bill,"; and

35
36 Further amend said amendment, Page 5, Line 11, by deleting all of said line and inserting in lieu
37 thereof the following:

38
39 "gram of flunitrazepam.

1 589.564. 1. Upon a petition from the state, a circuit court is authorized to add any condition
2 to a term of probation for an offender supervised in this state for a term of probation ordered by
3 another state, including shock incarceration; however, the court shall not reduce, extend, or revoke
4 such a term of probation. The circuit court for the jurisdiction in which a probationer is under
5 supervision shall serve as the authorizing court for the purposes of this section. The prosecuting
6 attorney or circuit attorney for the jurisdiction in which a probationer is under supervision shall
7 serve as the authorized person to petition the court to add a condition of probation. Notwithstanding
8 any provision of section 549.500 or 559.125, the division of probation and parole may submit
9 violation reports to the prosecuting attorney or circuit attorney with authority to petition the court to
10 add a condition to a term of probation under this section.

11 2. If supervision of a parolee in Missouri is administered pursuant to this compact, the
12 division of probation and parole shall have the authority to impose a sanction or additional
13 conditions in response to written violations of supervision; however, the division of probation and
14 parole shall not reduce, extend, or revoke such a term of parole.

15 589.565. A Missouri probationer or parolee seeking transfer of their supervision through
16 this compact shall pay a fee in the amount of one hundred seventy-five dollars for each transfer
17 application submitted. The transfer application fee shall be paid to the compact commissioner upon
18 submission of the transfer application. The commissioner or commissioner's designee may waive
19 the application fee if either the commissioner or the commissioner's designee finds that payment of
20 the fee would constitute an undue economic burden on the offender. All fees collected pursuant to
21 this section shall be paid and deposited to the credit of the "Missouri Interstate Compact Fund",
22 which is hereby established in the state treasury. The state treasurer shall be custodian of the fund.
23 In accordance with sections 30.170 and 30.180, the state treasurer may approve disbursements. The
24 fund shall be a dedicated fund and, upon appropriation, moneys in the fund shall be used for the sole
25 benefit of the department of corrections in support of administration of this section; expenses related
26 to assessment, retaking, staff development, and training; and implementation of evidence-based
27 practices in support of offenders under supervision. Notwithstanding the provisions of section
28 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert
29 to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the
30 same manner as other funds are invested. Any interest and moneys earned on such investments
31 shall be credited to the fund."; and"; and

32
33 Further amend said bill by amending the title, enacting clause, and intersectional references
34 accordingly.

35
36 THIS AMENDMENT AMENDS 0788H04.52H.