

# HOUSE BILL NO. 2204

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COLLINS.

4537H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

To amend chapter 558, RSMo, by adding thereto one new section relating to eligibility for probation or parole.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 558, RSMo, is amended by adding thereto one new section, to be known as section 558.503, to read as follows:

**558.503. 1. Notwithstanding any other provision of law, the parole board may grant parole with lifetime supervision as provided under this section to an offender serving a sentence of life without eligibility for probation or parole if the parole board determines that:**

**(1) The offender has served at least thirty years in the department of corrections;**

**(2) The offender was under twenty years of age at the time the offense was committed;**

**(3) The offender has not been previously convicted of a dangerous felony as defined under section 556.061;**

**(4) The victim or the victim's family has been given an opportunity to provide comment on, or make a recommendation with respect to, the offender's supervised release; and**

**(5) Since the commission of the offense, the offender has made reasonable efforts toward rehabilitation.**

**2. Prior to the granting of parole with lifetime supervision under subsection 1 of this section, the department of corrections shall conduct and submit to the parole board**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

18 a prerelease assessment of the offender that includes recommendations for terms and  
19 conditions of release and a written personalized discharge plan. Such prerelease  
20 assessment shall include consideration of the following:

21 (1) The offender's criminal risk based on the offender's pre-incarceration risk  
22 factors including, but not limited to, his or her arrest and incarceration history,  
23 revocation history, and age of first recorded criminal activity;

24 (2) The offender's pre-incarceration drug use severity, if applicable;

25 (3) Whether the offender plans to enter a drug treatment program after leaving  
26 prison and, if so, which treatment modality is preferred;

27 (4) The number of major disciplinary acts the offender committed prior to and  
28 during his or her incarceration;

29 (5) The offender's primary counselor's opinion as to whether the offender, while  
30 incarcerated, was easy to talk to, honest and sincere, cooperative, hostile or aggressive,  
31 manipulative, motivated to recover, able to get along with other inmates, liked by staff,  
32 and making acceptable progress;

33 (6) Character references from five department of corrections employees,  
34 submitted by the offender; and

35 (7) Signed statements from at least twenty residents of the community in which  
36 the offender intends to reside upon release, submitted by the offender.

37 3. Notwithstanding any other provision of law, the division of probation and  
38 parole shall supervise each person paroled with lifetime supervision under subsection 1  
39 of this section for the duration of such person's natural life, which shall include lifetime  
40 electronic monitoring. Electronic monitoring shall be based on a global positioning  
41 system or other technology that identifies and records the offender's location at all  
42 times. The offender shall be required to attend weekly supervision meetings with a  
43 parole officer for the three-year period following the initial reduction in sentence;  
44 beginning in year four, and every three years thereafter, such person's supervision terms  
45 shall be reviewed by the parole board and may be reduced to biweekly or monthly  
46 supervision meetings if determined appropriate.

47 4. In accordance with section 217.040, the parole board shall adopt rules relating  
48 to supervision and electronic monitoring of offenders under this section. Any rule or  
49 portion of a rule, as that term is defined in section 536.010, that is created under the  
50 authority delegated in this section shall become effective only if it complies with and is  
51 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This  
52 section and chapter 536 are nonseverable and if any of the powers vested with the  
53 general assembly pursuant to chapter 536 to review, to delay the effective date, or to  
54 disapprove and annul a rule are subsequently held unconstitutional, then the grant of

55 **rulemaking authority and any rule proposed or adopted after August 28, 2024, shall be**  
56 **invalid and void.**

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