

FIRST REGULAR SESSION

# HOUSE BILL NO. 817

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE TERRY.

1206H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To amend chapters 217 and 557, RSMo, by adding thereto two new sections relating to confinement in a motivational boot camp.

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

Section A. Chapters 217 and 557, RSMo, are amended by adding thereto two new sections, to be known as sections 217.1250 and 557.530, to read as follows:

217.1250. 1. **The department of corrections shall establish a boot camp incarceration program for persons sentenced under section 557.530, to be known as the "Motivational Boot Camp Incarceration Program".**

2. **For purposes of this section, the following terms mean:**

(1) **"Department"**, the department of corrections;

(2) **"Eligible inmate"**, a person seventeen years of age or older and younger than twenty-two years of age who is sentenced to the program as provided under section 557.530;

(3) **"Motivational boot camp"**, an incarceration program in which eligible inmates participate for a period of two years in a humane program that provides for rigorous physical activity and intensive regimentation and discipline;

(4) **"Program"**, the motivational boot camp incarceration program established under this section.

3. **The program shall include:**

(1) **As a major component, a strong emphasis on work, physical activity, physical conditioning, and good health practices;**

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.

17           **(2) A strong emphasis on intensive counseling and treatment programming**  
18 **designed to correct criminal and other maladaptive thought processes and behavior**  
19 **patterns and to instill self-discipline and self-motivation;**

20           **(3) A detailed, clearly written explanation of program goals, objectives, rules,**  
21 **and criteria that shall be provided to, read by, and signed by all enrollees; and**

22           **(4) An enrollment period of two years.**

23           **4. The department of corrections shall promulgate all necessary rules and**  
24 **regulations for the implementation and administration of the program. Any rule or**  
25 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
26 **authority delegated in this section shall become effective only if it complies with and is**  
27 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
28 **section and chapter 536 are nonseverable and if any of the powers vested with the**  
29 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
30 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
31 **rulemaking authority and any rule proposed or adopted after August 28, 2025, shall be**  
32 **invalid and void.**

**557.530. 1. Any person who is seventeen years of age or older and under twenty-**  
2 **two years of age and who has had two prior convictions for nonviolent criminal offenses**  
3 **may upon a third conviction involving a nonviolent criminal offense be sentenced to the**  
4 **motivational boot camp incarceration program established under section 217.1250 in**  
5 **lieu of a jail or prison sentence.**

6           **2. A person sentenced to the motivational boot camp incarceration program**  
7 **under subsection 1 of this section shall be enrolled in the motivational boot camp**  
8 **incarceration program for a period of two years. The time shall begin upon the initial**  
9 **confinement in the program.**

10           **3. Before a court may place a person in the motivational boot camp**  
11 **incarceration program, an initial investigation shall be completed by an officer**  
12 **indicating that the:**

13           **(1) Person is qualified for placement in the motivational boot camp**  
14 **incarceration program and the person does not appear to be physically or mentally**  
15 **disabled in a way that would prevent the person from performing strenuous physical**  
16 **activity;**

17           **(2) Person has no obvious contagious diseases;**

18           **(3) Person is not under seventeen years of age or is not twenty-two years of age**  
19 **or older at the time of sentencing; and**

20           **(4) Department of corrections has granted provisional approval of the placement**  
21 **of the person in the motivational boot camp incarceration program.**

22           **4. The court shall direct the department of corrections to arrange with the**  
23 **sheriff's department in the county of incarceration to have the person delivered to the**  
24 **boot camp within a specific date that is not more than fifteen days after the issuance of**  
25 **the order for placement in the motivational boot camp incarceration program.**

26           **5. At any time during the person's confinement in the motivational boot camp**  
27 **incarceration program, but at least five days prior to the person's expected date of**  
28 **release, the department of corrections shall certify to the court as to whether the person**  
29 **has satisfactorily completed the motivational boot camp incarceration program.**

30           **6. Upon receipt of a satisfactory report of performance in the motivational boot**  
31 **camp incarceration program from the department of corrections, the court shall release**  
32 **the person from confinement, and, notwithstanding any provision of law, the offense for**  
33 **which the person was sentenced to the boot camp may be expunged from the person's**  
34 **criminal record.**

35           **7. Receipt of an unsatisfactory report shall be grounds for the court to impose**  
36 **the jail or prison sentence for the offense in which the person was convicted.**

37           **8. If the person convicted indicates that he or she does not want to be sentenced**  
38 **to the motivational boot camp incarceration program or the person is not eligible to be**  
39 **sentenced to the motivational boot camp incarceration program, the court may sentence**  
40 **the person to jail or prison time as provided by law.**

41           **9. As used in this section, "nonviolent criminal offense" means any offense that**  
42 **is not murder in the first or second degree, involuntary manslaughter, involuntary**  
43 **manslaughter in the first or second degree, kidnapping, kidnapping in the first degree,**  
44 **rape in the first degree, forcible rape, sodomy in the first degree, forcible sodomy,**  
45 **robbery in the first degree, or assault in the first degree.**

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