

FIRST REGULAR SESSION

# HOUSE BILL NO. 1127

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE JOHNSON.

2523H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To repeal section 558.031, RSMo, and to enact in lieu thereof one new section relating to credit for time served.

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

Section A. Section 558.031, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 558.031, to read as follows:

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 the offense occurred and before the commencement of the sentence, when the time in custody was related to that offense. 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.

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

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 to the custody of the department of corrections, to any correctional center operated by the  
19 department of corrections. An escape shall also interrupt the jail time credit to be applied to a  
20 sentence which had not commenced when the escape occurred.

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

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

31 7. ~~[Subsection 2 of this section shall be applicable to offenses for which the offender~~  
32 ~~was sentenced on or after August 28, 2023.]~~ **Notwithstanding any other provision of law to**  
33 **the contrary, credit for time served shall be awarded as provided under subsection 2 of**  
34 **this section regardless of when an offense occurred. Back credit shall be awarded to any**  
35 **offender who was in custody prior to August 28, 2023, who did not receive credit toward**  
36 **the service of a sentence of imprisonment for all time in prison, jail, or custody after an**  
37 **offense occurred and before the commencement of the sentence, when the time in**  
38 **custody was related to that offense.**

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

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