

HCS HB 916 -- PROTECTION OF VULNERABLE PERSONS

SPONSOR: Perkins

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Corrections and Public Institutions by a vote of 14 to 0. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 8 to 0.

The following is a summary of the House Committee Substitute for HB 916.

SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (Section 208.247)

Currently, individuals convicted under federal or state law of a felony offense involving possession, distribution, or use of a controlled substance are prohibited from participation in the Supplemental Nutrition Assistance Program (SNAP). This bill repeals that prohibition, allowing those individuals to access SNAP benefits .

PROTECTION OF VULNERABLE PERSONS (Sections 221.520, 221.523, and 491.075)

The bill prohibits all county and city jails, except in extraordinary circumstances, from using restraints on a pregnant offender in her third trimester, including during transportation or labor, delivery, and 48 hours post-delivery.

In cases of extraordinary circumstances that require restraints to be used, the sheriff or jailer must document, in writing and within 48 hours of the incident, the reason for the restraints used, as specified in the bill. If restraints are used, they must be the least restrictive available and the most reasonable under the circumstances. No leg, ankle, or waist restraints, or mechanical restraints can be used; any wrist restraints used must be placed in front of the offender's body. If a doctor, nurse, or other health care provider treating the pregnant offender during this time requests that restraints not be used, the sheriff or jailer accompanying the offender must immediately remove all restraints.

Pregnant offenders are required to be transported in vehicles equipped with seatbelts. Jails must offer staff training on the provisions of this bill and inform offenders of the policies and practices for restraints on pregnant offenders.

By January 1, 2026, all county and city jails must develop specific procedures for intake and care of pregnant offenders, including the provision of maternal health evaluations; dietary supplements;

meals; substance abuse treatment; HIV treatment; Hepatitis C treatment; sleeping arrangements; mental health care; sanitary materials; and postpartum recovery.

Currently, a statement made by a child under 14 years of age may be admissible in criminal proceedings, under certain circumstances. This bill amends the age to a child under 18 years of age.

Additionally, the bill provides that visual or audio recordings of a child under 18 years of age or a vulnerable person, as defined in the bill, and relating to certain criminal offenses are admissible in criminal proceedings under certain circumstances, as specified in the bill.

GOOD TIME AND EARNED TIME CREDIT (Section 558.041)

Currently, an offender in a Department of Corrections institution may earn good time credit. This bill expands the credit-earning system to include both "good time credit" for displaying exemplary compliance with institutional disciplinary regulations and "earned time credit" for successfully participating in rehabilitative programming or productive activities. Major conduct violations or a total of six minor conduct violations will result in the loss of all good time and earned time credit. Good time credit will be earned at a rate of 54 days per year of the offender's sentence imposed by the courts and earned time credit will be earned at a rate of 10 days for 30 days of successful participation in rehabilitative programming or productive activities.

If the Department of Corrections determines the offender has not satisfactorily complied with institutional regulations, they will not receive good time credit.

Earned time credit will not be awarded for programs completed prior to an offender's sentence. The Department will specify the types of programs or activities for which earned time credit will be awarded, including but not limited to the following: receiving a high school diploma or equivalent, college diploma or professional certificate, or vocational training certificate, and participating in successful employment, parenting, and financial literacy courses, alcohol and drug abuse treatment programs, and restorative justice and faith-based programs.

From January 1, 2026, to December 31, 2026, eligible offenders may petition for earned time credit for programs completed between January 1, 2010 and August 28, 2025. The incarcerated population will be notified of the petition process.

Offenders sentenced to death or life sentences without probation will not be eligible for good time credits or earned time credits, but the Department will record their participation in the same manner as the eligible population.

The Department will submit an annual report to the General Assembly on good time credit and earned time credit including the number of offenders receiving credit under both programs.

This bill is similar to HB 1777 (2024).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that there is a double standard when it comes to SNAP benefit eligibility. Murderers and sex criminals are able to benefit from these programs after they have paid their debt to society, but people convicted on drug charges are not. Beyond being unfair, it is bad public policy to deny people SNAP benefits when they leave incarceration. When people can't support themselves and provide for basic necessities, we see increases in recidivism. These people end up relying on local food banks. Lack of SNAP benefits as a threat does not deter crime. It only serves to deepen the cycle of poverty. Supporters in favor of the provisions relating to shackling of pregnant offenders during the third trimester, say that this bill is good for unborn children. Law enforcement are still able to restrain offenders in extreme circumstances, so this doesn't increase risk. Strapping people down during pregnancy robs them of dignity and causes emotional harm to all involved. Supporters say that this bill also prevents additional trauma for children who are victims of crimes by increasing safeguards to protect those children during the legal proceedings that follow. It is very painful for children to relive events when testifying and when speaking to investigators.

Testifying in person for the bill were Representative Perkins; Missouri Catholic Conference; Campaign Life Missouri; Patrick Plein, American Conservative Union; Kim Buckman, Feeding Missouri; Jeff Smith, Missouri Apple Seed; Missouri Prosecutors Association; Keith Den Hollander, Christian Coalition of America; Action Now Initiative, LLC; National Association of Social Workers MO Chapter; St. Louis County; MO Network Against Child Abuse; and Arnie Dienoff.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.