

SECOND REGULAR SESSION

HOUSE BILL NO. 2831

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COLLINS.

5836H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 558.041, RSMo, and to enact in lieu thereof one new section relating to good time credit.

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

Section A. Section 558.041, RSMo, is repealed and one new section enacted in lieu
2 thereof, to be known as section 558.041, to read as follows:

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 Good time credit may be rescinded by the director or his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

9 2. Any credit extended to an offender shall only apply to the sentence which the
10 offender is currently serving.

11 3. (1) The director of the department of corrections shall issue a policy for awarding
12 credit.

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

16 (3) Any **major conduct** violation of institutional rules ~~[or]~~, **violation of** the laws of
17 this state ~~[may]~~, **parole revocation, or the accumulation of minor conduct violations**

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 **exceeding six within a calendar year shall** result in the loss of all [or a portion of any] prior
19 credit earned by the [inmate] offender pursuant to this section.

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

23 (5) The department shall award credit between five and three hundred sixty
24 days, as determined by the department based on the length of the program, to any
25 qualifying offender who successfully:

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

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

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

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

33 (6) An offender may earn a maximum of ninety days of credit in any twelve-
34 month period.

35 (7) Offenders sentenced under subsections 2 and 3 of section 558.019 shall be
36 eligible for good time credit. Any good time credit earned shall be subtracted from the
37 offender's entire sentence of imprisonment.

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

41 4. [The department shall cause the policy to be published in the code of state
42 regulations] Eligible offenders may petition the department to receive credit for
43 programs or activities completed prior to August 28, 2026, as specified below:

44 (1) Eligible offenders can submit a petition from January 1, 2027, to December
45 31, 2027; and

46 (2) Offenders shall have completed the qualifying program or activity between
47 January 1, 2010, and August 28, 2026.

48

49 All other provisions outlined in this section shall apply retroactively to offenses
50 committed after December 31, 2009.

51 5. [No rule or portion of a rule promulgated under the authority of this chapter shall
52 become effective unless it has been promulgated pursuant to the provisions of section
53 536.024] No offender committed to the department who is sentenced to death or

54 **sentenced to life without probation or parole shall be eligible for good time credit under**
55 **this section.**

✓