

SECOND REGULAR SESSION

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NOS. 2751, 2831 & 2695

103RD GENERAL ASSEMBLY

6221H.07C

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 115.133, 208.247, and 558.041, RSMo, and to enact in lieu thereof five new sections relating to public safety.

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

Section A. Sections 115.133, 208.247, and 558.041, RSMo, are repealed and five new sections enacted in lieu thereof, to be known as sections 115.133, 208.247, 217.443, 558.041, and 589.710, to read as follows:

115.133. 1. Except as provided in subsection 2 of this section, any citizen of the United States who is a resident of the state of Missouri and seventeen years and six months of age or older shall be entitled to register and to vote in any election which is held on or after his **or her** eighteenth birthday.

2. No person who is adjudged incapacitated shall be entitled to register or vote. No person shall be entitled to vote:

(1) While confined under a sentence of imprisonment; **or**

(2) ~~While on probation or parole after conviction of a felony, until finally discharged from such probation or parole; or~~

~~(3)~~ After conviction of a felony or misdemeanor connected with the right of suffrage.

3. Except as provided in federal law or federal elections and in section 115.277, no person shall be entitled to vote if the person has not registered to vote in the jurisdiction of his or her residence prior to the deadline to register to vote.

208.247. ~~[1. Pursuant to the option granted the state by 21 U.S.C. Section 862a(d), an individual who has pled guilty or nolo contendere to or is found guilty under federal or state law of a felony involving possession or use of a controlled substance shall be exempt from the~~

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.

4 ~~prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for food stamp program~~
5 ~~benefits for such convictions, if such person, as determined by the department:~~

6 ~~(1) Meets one of the following criteria:~~

7 ~~(a) Is currently successfully participating in a substance abuse treatment program~~
8 ~~approved by the division of alcohol and drug abuse within the department of mental health; or~~

9 ~~(b) Is currently accepted for treatment in and participating in a substance abuse~~
10 ~~treatment program approved by the division of alcohol and drug abuse, but is subject to a~~
11 ~~waiting list to receive available treatment, and the individual remains enrolled in the treatment~~
12 ~~program and enters the treatment program at the first available opportunity; or~~

13 ~~(c) Has satisfactorily completed a substance abuse treatment program approved by~~
14 ~~the division of alcohol and drug abuse; or~~

15 ~~(d) Is determined by a division of alcohol and drug abuse certified treatment provider~~
16 ~~not to need substance abuse treatment; and~~

17 ~~(2) Is successfully complying with, or has already complied with, all obligations~~
18 ~~imposed by the court, the division of alcohol and drug abuse, and the division of probation~~
19 ~~and parole; and~~

20 ~~(3) Does not plead guilty or nolo contendere to or is not found guilty of an additional~~
21 ~~controlled substance misdemeanor or felony offense after release from custody or, if not~~
22 ~~committed to custody, such person does not plead guilty or nolo contendere to or is not found~~
23 ~~guilty of an additional controlled substance misdemeanor or felony offense, within one year~~
24 ~~after the date of conviction. Such a plea or conviction within the first year after conviction~~
25 ~~shall immediately disqualify the person for the exemption; and~~

26 ~~(4) Has demonstrated sobriety through voluntary urinalysis testing paid for by the~~
27 ~~participant.~~

28 ~~2. Eligibility based upon the factors in subsection 1 of this section shall be based upon~~
29 ~~documentary or other evidence satisfactory to the department of social services, and the~~
30 ~~applicant shall meet all other factors for program eligibility.~~

31 ~~3. The department of social services, in consultation with the division of alcohol and~~
32 ~~drug abuse, shall promulgate rules to carry out the provisions of this section including~~
33 ~~specifying criteria for determining active participation in and completion of a substance abuse~~
34 ~~treatment program.~~

35 ~~4. The exemption under this section shall not apply to an individual who has pled~~
36 ~~guilty or nolo contendere to or is found guilty of two subsequent felony offenses involving~~
37 ~~possession or use of a controlled substance after the date of the first controlled substance~~
38 ~~felony conviction.] Pursuant to the option granted to the state under 21 U.S.C. Section~~
39 **862a(d)(1), an individual convicted under federal or state law of a felony offense**
40 **involving possession, distribution, or use of a controlled substance shall be exempt from**

41 the prohibition contained in 21 U.S.C. Section 862a(a) against eligibility for the
42 supplemental nutrition assistance program for such convictions.

217.443. 1. When any inmate is discharged from a term of imprisonment for a
2 felony offense and the intended residence designated by the inmate is within this state,
3 the department of corrections shall provide the inmate with relevant documentation to
4 assist the inmate in obtaining post-release employment and shall coordinate with the
5 department of revenue to provide a state-issued identification card if the inmate does
6 not have a current state-issued identification card or driver's license.

7 2. Within nine months prior to the release of an inmate from custody, the
8 department of corrections, in coordination with the department of revenue, shall
9 identify whether the inmate has a current form of state-issued identification and, if not,
10 begin the process of gathering the documentation required for the issuance of a state-
11 issued identification card pursuant to the process provided by state law.

12 3. The department of corrections shall coordinate with the department of
13 revenue to provide state-issued identification cards to all eligible inmates who do not
14 have a current state-issued identification card or driver's license upon their release from
15 custody. The identification cards shall be issued, replaced, cancelled, and denied in the
16 same manner as driver's licenses in this state.

17 4. The department of revenue shall allow the use of a certified copy of a birth
18 certificate coupled with a department of corrections-issued record card to serve as a
19 valid form of identification documentation to obtain a state-issued identification card.

20 5. State-issued identification cards issued with a record card from the
21 department of corrections for inmates shall be valid for a period of six years from
22 the month of issuance for an allowable fee to be determined by the department of
23 revenue and are nonrenewable and nontransferable.

24 6. The department of corrections may utilize any funds available to cover the
25 costs associated with the implementation and administration of this section and the
26 purchase of state-issued identification cards including, but not limited to, inmate trust
27 funds, existing funds of the department of corrections, and donations.

28 7. The provisions of this section shall apply only to inmates who may receive a
29 state-issued identification card pursuant to the standards established by state law.

30 8. For purposes of assisting an inmate in obtaining post-release employment, the
31 department of corrections shall provide the inmate with the following documentation:

- 32 (1) A copy of the vocational training record of the inmate, if applicable;
33 (2) A copy of the work record of the inmate, if applicable;
34 (3) A certified copy of the birth certificate of the inmate, if obtainable;

35 (4) A Social Security card or a replacement Social Security card of the inmate, if
36 obtainable;

37 (5) A resume that includes any trade learned by the inmate and the proficiency
38 at that trade by the inmate; and

39 (6) Documentation that the inmate has completed a practice job interview.

40 9. For purposes of assisting an inmate in obtaining post-release employment, the
41 department of corrections shall notify the inmate if he or she is eligible to apply for a
42 license from a state entity charged with oversight of an occupational license or
43 certification.

44 10. A delay in obtaining the documents listed under subsection 8 of this section
45 shall not be cause for a delay in an inmate's release from custody.

46 11. The following categories of inmates are not required to complete resumes or
47 practice job interviews prior to their release from incarceration:

48 (1) Inmates sixty-five years of age or older;

49 (2) Inmates releasing to medical parole or discharging from a prison infirmary
50 setting;

51 (3) Inmates releasing to the custody of another jurisdiction on a warrant or
52 detainer; and

53 (4) Inmates that the department determines would be physically or mentally
54 unable to enter the workforce upon release from incarceration.

55 12. The department of revenue and the department of corrections may
56 promulgate all necessary rules and regulations for the administration of this section.
57 Any rule or portion of a rule, as that term is defined in section 536.010, that is created
58 under the authority delegated in this section shall become effective only if it complies
59 with and is subject to all of the provisions of chapter 536 and, if applicable, section
60 536.028. This section and chapter 536 are nonseverable and if any of the powers vested
61 with the general assembly pursuant to chapter 536 to review, to delay the effective date,
62 or to disapprove and annul a rule are subsequently held unconstitutional, then the grant
63 of rulemaking authority and any rule proposed or adopted after August 28, 2026, shall
64 be invalid and void.

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~~] **described in subsection 5 of this section, shall** receive additional credit in
4 terms of days spent in confinement upon [~~recommendation for such credit by the offender's~~
5 ~~institutional superintendent~~] **calculation of such credit** when the offender meets the
6 requirements for such credit as provided in subsections 3 and 4 of this section. Good time

7 credit may be rescinded by the director or his or her designee pursuant to the divisional policy
8 issued pursuant to subsection 3 of this 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**
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)** Nothing in this section shall be construed to require that the offender be
36 released as a result of good time credit. The parole board in its discretion shall
37 determine the date of release.

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

41 **(1)** Eligible offenders can submit a petition from January 1, 2027, to December
42 **31, 2027; and**

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

45

46 **All other provisions outlined in this section shall apply retroactively to offenses**
47 **committed after December 31, 2009.**

48 5. ~~No rule or portion of a rule promulgated under the authority of this chapter shall~~
49 ~~become effective unless it has been promulgated pursuant to the provisions of section~~
50 ~~536.024]~~ **The following persons shall not be eligible to receive good time credit under**
51 **this section:**

52 **(1) Persons committed to the department who are sentenced to death or**
53 **sentenced to life without probation or parole;**

54 **(2) Persons committed to the department under subsection 7 of section 558.016**
55 **or under subsection 3 of section 566.125; and**

56 **(3) Persons committed to the department for the commission or attempt of any**
57 **of the following offenses:**

58 **(a) Arson in the first degree under section 569.040;**

59 **(b) Assault in the first degree under section 565.050;**

60 **(c) Assault in the second degree under section 565.052 if the victim is a special**
61 **victim as defined under section 565.002;**

62 **(d) Kidnapping in the first degree under section 565.110;**

63 **(e) Kidnapping in the second degree under section 565.120;**

64 **(f) Murder in the second degree under section 565.021;**

65 **(g) Domestic assault in the first degree under section 565.072;**

66 **(h) Abuse of an elderly person, a person with a disability, or a vulnerable person**
67 **under section 565.184;**

68 **(i) Robbery in the first degree under section 570.023;**

69 **(j) Armed criminal action under section 571.015;**

70 **(k) Conspiracy to commit an offense under 562.014 when the offense is a**
71 **dangerous felony;**

72 **(l) Vehicle hijacking under section 570.027 when punished as a class A felony;**

73 **(m) Abuse of a child under section 568.060 when the child dies as a result of**
74 **injuries sustained from conduct chargeable;**

75 **(n) Child kidnapping under section 565.115;**

76 **(o) Parental kidnapping under section 565.153 when punished as a class B**
77 **felony;**

78 **(p) Bus hijacking under section 577.703 when punished as a class A felony;**

- 79 **(q) Planting a bomb or explosive device in or near a bus or terminal under**
80 **section 577.706;**
- 81 **(r) Any intoxication-related traffic offense or intoxication-related boating**
82 **offense as defined under section 577.001 if the person is found to be a habitual offender**
83 **or a habitual boating offender;**
- 84 **(s) Rape in the first degree under section 566.030;**
- 85 **(t) Sodomy in the first degree under section 566.060;**
- 86 **(u) Statutory rape in the first degree under section 566.032;**
- 87 **(v) Statutory sodomy in the first degree under section 566.062;**
- 88 **(w) Child molestation in the first degree under section 566.067;**
- 89 **(x) Child molestation in the second degree under section 566.068;**
- 90 **(y) Child molestation in the third degree under section 566.069;**
- 91 **(z) Child molestation in the fourth degree under section 566.071;**
- 92 **(aa) Sexual misconduct involving a child under section 566.083;**
- 93 **(bb) Sexual abuse in the first degree under section 566.100;**
- 94 **(cc) Trafficking for the purpose of slavery under section 566.206;**
- 95 **(dd) Trafficking for the purpose of sexual exploitation under section 566.209;**
- 96 **(ee) Sexual trafficking of a child in the first degree under section 566.210; and**
- 97 **(ff) Sexual trafficking of a child in the second degree under section 566.211.**

589.710. 1. For the purposes of this section, the following terms mean:

- 2 **(1) "Bona fide researcher", any individual or organization who:**
- 3 **(a) Agrees that any personally identifiable information provided shall be used**
4 **only for research and statistical activities and shall not be transferred, revealed, or used**
5 **for purposes other than research or statistical activities and that reports or publications**
6 **derived from this information shall not identify specific individuals;**
- 7 **(b) Certifies that such individual or organization has secured approval by the**
8 **individual or organization's institutional review board for the research or statistical**
9 **project that is the basis of the data access request; and**
- 10 **(c) If the individual or organization is requesting access to any confidential,**
11 **personally identifiable data, certifies that the individual or organization has security**
12 **controls in place to prevent unauthorized access to any confidential, personally**
13 **identifiable data and that these controls have met the approval of the individual or**
14 **organization's institutional review board;**
- 15 **(2) "Criminal justice agency", any court with criminal jurisdiction and any**
16 **local, county, or state agency that performs any activity directly relating to the detection**
17 **or investigation of crime; the apprehension, pretrial release, post-trial release,**
18 **prosecution, correctional supervision, rehabilitation, evaluation, or treatment of**

19 **accused persons or criminal offenders; or criminal identification activities or the**
20 **collection, storage, or dissemination of arrest and criminal records information;**

21 **(3) "Criminal justice data", all data collected, created, received, maintained, or**
22 **disseminated by any criminal justice agency regardless of its physical form, storage**
23 **media, or conditions of use;**

24 **(4) "Institutional review board", any board, committee, or other group that**
25 **reviews, approves initiation of, and conducts periodic review of research and that has**
26 **received accreditation for this purpose or is part of an accredited institution of higher**
27 **learning;**

28 **(5) "Record", any information kept, held, filed, produced, or reproduced by,**
29 **with, or for a criminal justice agency, in any physical or digital form whatsoever**
30 **including, but not limited to, reports, statements, examinations, memoranda, opinions,**
31 **folders, files, books, manuals, pamphlets, forms, papers, designs, drawings, maps,**
32 **photos, letters, microfilms, computer tapes or discs, or rules, regulations, or codes.**

33 **2. (1) A criminal justice agency shall share with a bona fide researcher all**
34 **criminal justice data and records, including relevant personally identifying information**
35 **and demographic information, held by that agency relating to:**

36 **(a) A law enforcement stop, search, or seizure;**

37 **(b) A warrant, arrest, or citation;**

38 **(c) Participation in a pre-arrest or post-arrest diversion, specialty court, or other**
39 **alternative resolution program;**

40 **(d) A criminal charge, disposition, or sentence;**

41 **(e) Pretrial or post-trial release from custody, or any terms or conditions of**
42 **release;**

43 **(f) A grant, order, change in the terms of, or termination of pretrial supervised**
44 **release, probation, parole, or participation in correctional or rehabilitative programs;**
45 **or**

46 **(g) Formal discipline, reclassification, or relocation of any person under criminal**
47 **sentence or correctional control.**

48 **(2) A criminal justice agency shall share with a bona fide researcher all criminal**
49 **justice data and records, including relevant personally identifying information and**
50 **demographic information, held by that agency that is subject to mandatory or**
51 **discretionary disclosure to any member of the public and not otherwise closed pursuant**
52 **to chapter 610.**

53 **(3) A criminal justice agency may share with a bona fide researcher any other**
54 **criminal justice data, records, or information, including relevant personally identifying**

55 **information and demographic information, held by that agency that is responsive to a**
56 **bona fide researcher's request.**

57 **(4) A release of criminal justice data, records, or information under this section**
58 **is not considered a release of data, records, or information to the public for the purposes**
59 **of chapter 610 and does not waive the right to assert in the future that data, records, or**
60 **information may be closed under chapter 610.**

61 **(5) The provisions of this subsection requiring the sharing of data, records, and**
62 **information shall not apply to the department of mental health.**

63 **3. (1) Before February 28, 2027, the attorney general shall issue guidance to**
64 **assist criminal justice agencies in complying with the requirements of this section,**
65 **including a process for identifying bona fide researchers and sharing criminal justice**
66 **data, records, and information with bona fide researchers.**

67 **(2) A criminal justice agency may assess reasonable fees, not to exceed actual**
68 **costs, for the search, retrieval, and copying of criminal justice data, records, or**
69 **information requested pursuant to this section, and may waive fees at their discretion.**

70 **4. Nothing in this section shall be construed to limit any right of any member of**
71 **the public, including representatives of the media, to access public records under**
72 **chapter 610.**

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