

SECOND REGULAR SESSION

# HOUSE BILL NO. 3292

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE COSTLOW.

7099H.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. Under section 23.253 of the Missouri sunset act:**

24           **(1) The provisions of the new program authorized under this section shall sunset**  
25 **six years after the effective date of this section unless reauthorized by an act of the**  
26 **general assembly; and**

27           **(2) This section shall terminate on September first of the calendar year**  
28 **immediately following the calendar year in which the program authorized under this**  
29 **section is sunset.**

30           **5. The department of corrections shall promulgate all necessary rules and**  
31 **regulations for the implementation and administration of the program. Any rule or**  
32 **portion of a rule, as that term is defined in section 536.010, that is created under the**  
33 **authority delegated in this section shall become effective only if it complies with and is**  
34 **subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This**  
35 **section and chapter 536 are nonseverable and if any of the powers vested with the**  
36 **general assembly pursuant to chapter 536 to review, to delay the effective date, or to**  
37 **disapprove and annul a rule are subsequently held unconstitutional, then the grant of**  
38 **rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be**  
39 **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 that is not a class A**  
4 **or class B felony be sentenced to the motivational boot camp incarceration program**  
5 **established under section 217.1250 in 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 is not under seventeen years of age and is not twenty-two years of age  
18 or older at the time of sentencing; and

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

21 4. A person exhibiting obvious signs of a contagious disease shall not be placed in  
22 a motivational boot camp incarceration program until he or she has been cleared by a  
23 medical professional for participation in a program.

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

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

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

37 8. Receipt of an unsatisfactory report shall be grounds for the court to impose  
38 the remainder of the jail or prison sentence for the offense of which the person was  
39 convicted.

40 9. If the person convicted indicates that he or she does not want to be sentenced  
41 to the motivational boot camp incarceration program or the person is not eligible to be  
42 sentenced to the motivational boot camp incarceration program, the court shall sentence  
43 the person to jail or prison time as provided by law.

44 10. As used in this section, "nonviolent criminal offense" means any offense that  
45 is not murder in the first or second degree, involuntary manslaughter, involuntary  
46 manslaughter in the first or second degree, kidnapping, kidnapping in the first degree,  
47 rape in the first degree, forcible rape, sodomy in the first degree, forcible sodomy,  
48 robbery in the first degree, or assault in the first degree.