

HB 2256 -- MINIMUM PRISON TERMS

SPONSOR: Hovis

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Judiciary by a vote of 9 to 4.

Currently, if an offender convicted of one of the offenses specified in statute has one previous prison commitment to the Department of Corrections for a felony offense, the minimum prison term is 40% of the sentence. If an offender has two previous prison commitments to the Department of Corrections for felony offenses, the minimum prison term is 50% of the sentence. If an offender has three or more previous prison commitments to the Department of Corrections, the minimum prison term is 80% of the sentence. If an offender who was convicted of or pled guilty to a felony offense other than one of the specified offenses in statute prior to August 28, 2019, the offender is no longer subject to the minimum prison term in these provisions and is eligible for parole, conditional release, or other early release, as specified.

This bill repeals these provisions, requiring any offender with one or two prior felony convictions to serve 50% of the sentence imposed by the court and any offender with three or more prior felony convictions to serve 80% of the sentence.

The provisions of this bill will go into effect on July 1, 2027.

This bill is similar to HB 862 (2025).

PROPOSERS: Supporters say that one of the issues law enforcement runs into is arresting someone and sending the person to a prosecutor and not having a good idea of what sentence a person will receive. Sometimes the person gets a probation for the offense but the problem is these people get convicted over and over but never serve a term; they don't have to serve any mandatory minimum. A person could get convicted multiple times and never serve a day and, when the offender finally gets sentenced, there is no minimum prison term because the offender has no prior commitments to the Department of Corrections. If someone is a prior offender and does not want to keep promises to the court and he or she keeps making poor choices, he or she will have to serve at a minimum 50% for C, D, and E felonies. They do not want to take away from victims and they want to ensure that people who are repeat offenders are held responsible.

Testifying in person for the bill were Representative Hovis; Missouri Fraternal Order of Police; and Arnie Dienoff.

OPPONENTS: Those who oppose the bill say that the costs for this bill are estimated to be over \$800 million to build a new prison and the fiscal note predicts that this could require as many as five new prisons. People who commit violent crimes in Missouri are already serving lengthy prison sentences and there is no evidence that nonviolent offenders serving longer sentences reduces crime. This delays rehabilitation. Longer mandatory minimums don't stop people from going back to their communities; they just delay it and then send people home with fewer contacts and options and less support.

Testifying in person against the bill were FWD.US, Inc.; Clifton Davis, Missouri Justice; Khanika Harper, Justice For All; American Civil Liberties Union - Missouri; and Gwen Smith, Empower Missouri.

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.