

FIRST REGULAR SESSION

HOUSE BILL NO. 956

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES SHIVELY (Sponsor), LAIR,
SIFTON AND ANDERS (Co-sponsors).

2092L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 558.031, RSMo, and to enact in lieu thereof one new section relating to credit for imprisonment.

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

Section A. Section 558.031, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 558.031, to read as follows:

558.031. 1. A sentence of imprisonment shall commence when a person convicted of a crime in this state is received into the custody of the department of corrections or other place of confinement where the offender is sentenced. Such person shall receive credit toward the service of a sentence of imprisonment for all time in prison, jail or custody after the offense occurred and before the commencement of the sentence, when the time in custody was related to that offense, except:

(1) Such credit shall only be applied once when sentences are consecutive;

(2) Such credit shall only be applied if the person convicted was in custody in the state of Missouri, unless such custody was compelled exclusively by the state of Missouri's action; [and]

(3) As provided in section 559.100; and

(4) **Time spent in jail, prison or custody for a subsequent offense because of a detainer for such offense shall not be credited toward service of a sentence of imprisonment for the original offense.**

2. The officer required by law to deliver a person convicted of a crime in this state to the department of corrections shall endorse upon the papers required by section 217.305 both 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.

17 dates the offender was in custody and the period of time to be credited toward the service of the
18 sentence of imprisonment, except as endorsed by such officer.

19 3. If a person convicted of a crime escapes from custody, such escape shall interrupt the
20 sentence. The interruption shall continue until such person is returned to the correctional center
21 where the sentence was being served, or in the case of a person committed to the custody of the
22 department of corrections, to any correctional center operated by the department of corrections.
23 An escape shall also interrupt the jail time credit to be applied to a sentence which had not
24 commenced when the escape occurred.

25 4. If a sentence of imprisonment is vacated and a new sentence imposed upon the
26 offender for that offense, all time served under the vacated sentence shall be credited against the
27 new sentence, unless the time has already been credited to another sentence as provided in
28 subsection 1 of this section.

29 5. If a person released from imprisonment on parole or serving a conditional release term
30 violates any of the conditions of his **or her** parole or release, he **or she** may be treated as a parole
31 violator. If the board of probation and parole revokes the parole or conditional release, the
32 paroled person shall serve the remainder of the prison term and conditional release term, as an
33 additional prison term, and the conditionally released person shall serve the remainder of the
34 conditional release term as a prison term, unless released on parole.