

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 373, Page 2, Section  
2 311.735, Line 13, by inserting immediately after said section and line the following:

3  
4 "558.046. The sentencing court may, upon petition, reduce any term of sentence or probation  
5 pronounced by the court or a term of conditional release or parole pronounced by the state board of  
6 probation and parole if the court determines that:

7 (1) The convicted person was:

8 (a) Convicted of an offense that did not involve violence or the threat of violence; [and]

9 (b) Convicted of an offense that involved alcohol or illegal drugs; and

10 (c) Convicted of an offense that did not result in the death of one or more persons;

11 (2) Since the commission of such offense, the convicted person has successfully completed a  
12 detoxification and rehabilitation program; and

13 (3) The convicted person is not:

14 (a) A prior offender, a persistent offender, a dangerous offender or a persistent misdemeanor  
15 offender as defined by section 558.016; [or]

16 (b) A persistent sexual offender as defined in section 566.125; or

17 (c) A prior offender[,] or a persistent offender [or a class X offender as defined in section  
18 558.019].

19 558.046. The sentencing court may, upon petition, reduce any term of sentence or probation  
20 pronounced by the court or a term of conditional release or parole pronounced by the state board of  
21 probation and parole if the court determines that:

22 (1) The convicted person was:

23 (a) Convicted of a crime that did not involve violence or the threat of violence; [and]

24 (b) Convicted of a crime that involved alcohol or illegal drugs; and

25 (c) Convicted of a crime that did not result in the death of one or more persons;

26 (2) Since the commission of such crime, the convicted person has successfully completed a  
27 detoxification and rehabilitation program; and

28 (3) The convicted person is not:

29 (a) A prior offender, a persistent offender, a dangerous offender or a persistent misdemeanor  
30 offender as defined by section 558.016; [or]

31 (b) A persistent sexual offender as defined in section 558.018; or

32 (c) A prior offender[,] or a persistent offender [or a class X offender as defined in section  
33 558.019]."; and

34  
35 Further amend said bill and page, Section 1, Line 8, by inserting immediately after said section and  
36 line the following:

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1           "Section B. Because of the need to ensure that offenders convicted of a crime resulting in the  
2 death of any person are not released prematurely, the repeal and reenactment of section 558.046 as  
3 enacted by senate bill no. 167, eighty-seventh general assembly, first regular session is deemed  
4 necessary for the immediate preservation of the public health, welfare, peace and safety, and is  
5 hereby declared to be an emergency act within the meaning of the constitution, and the repeal and  
6 reenactment of section 558.046 as enacted by senate bill no. 167, eighty-seventh general assembly,  
7 first regular session shall be in full force and effect upon its passage and approval."; and  
8  
9 Further amend said bill by amending the title, enacting clause, and intersectional references  
10 accordingly.