

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

HOUSE BILL NO. 1432

93RD GENERAL ASSEMBLY

Reported from the Committee on Corrections and Public Institutions March 1, 2006 with recommendation that House Committee Substitute for House Bill No. 1432 Do Pass by Consent. Referred to the Committee on Rules pursuant to Rule 25(26)(f).

Reported from the Committee on Rules March 7, 2006 with recommendation that House Committee Substitute for House Bill No. 1432 Do Pass by Consent.

Perfectured by Consent March 14, 2006.

STEPHEN S. DAVIS, Chief Clerk

4518L.02P

AN ACT

To repeal section 217.670, RSMo, and to enact in lieu thereof one new section relating to the state board of probation and parole.

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

Section A. Section 217.670, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 217.670, to read as follows:

217.670. 1. The board shall adopt an official seal of which the courts shall take official notice.

2. Decisions of the board regarding granting of paroles, extensions of a conditional release date or revocations of a parole or conditional release shall be by a majority vote of the hearing panel members. The hearing panel shall consist of one member of the board and two hearing officers appointed by the board. A member of the board may remove the case from the jurisdiction of the hearing panel and refer it to the full board for a decision. Within thirty days of entry of the decision of the hearing panel to deny parole or to revoke a parole or conditional release, the offender may appeal the decision of the hearing panel to the board. The board shall consider the appeal within thirty days of receipt of the appeal. The decision of the board shall be by majority vote of the board members and shall be final.

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.

12 3. The orders of the board shall not be reviewable except as to compliance with the terms
13 of sections 217.650 to 217.810 or any rules promulgated pursuant to such section.

14 4. The board shall keep a record of its acts and shall notify each correctional center of
15 its decisions relating to persons who are or have been confined in such correctional center.

16 5. Notwithstanding any other provision of law, any meeting, record, or vote, of
17 proceedings involving probation, parole, or pardon, may be a closed meeting, closed record, or
18 closed vote.

19 **6. Notwithstanding any other provision of law to the contrary, when the**
20 **appearance or presence of an offender before the board or a hearing panel is required for**
21 **the purpose of deciding whether to grant conditional release or parole, extend the date of**
22 **conditional release, revoke parole or conditional release, or for any other purpose, such**
23 **appearance or presence may occur by means of videoconferencing at the discretion of the**
24 **board. Victims having a right to attend such hearings may testify either at the location**
25 **where the board is conducting the videoconference or at the institution where the offender**
26 **is located.**

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