

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1220
96TH GENERAL ASSEMBLY

5026L.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to a pilot project for increasing children's access to incarcerated mothers.

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

Section A. Chapter 217, RSMo, is amended by adding thereto one new section, to be
2 known as section 217.145, to read as follows:

**217.145. 1. Beginning January 1, 2013, the department of corrections, with the
2 cooperation of the children's division within the department of social services, shall
3 establish a two-year pilot project to increase the access children, ages newborn to
4 seventeen, have to incarcerated mothers who still have parental rights.**

5 2. The project shall include the following:

**6 (1) It shall cover two prison facilities which house women. One shall be located in
7 Vandalia and one shall be located in Chillicothe;**

**8 (2) The department of corrections and the children's division within the
9 department of social services shall collaborate to develop and implement the project to
10 increase the access children have to incarcerated mothers who still have parental rights by:**

**11 (a) Providing transportation for a child or children and their caretaker for visits
12 with the mother once a month. The caretaker shall be required to attend the visit; or**

**13 (b) Any other means available to increase visitation between children and
14 incarcerated mothers;**

**15 (3) The project shall focus on, but shall not be limited to, children who live fifty or
16 more miles from the facility where their mothers are incarcerated.**

**17 3. The department of corrections and the department of social services may
18 promulgate rules to implement the provisions of this section. Any rule or portion of a rule,**

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.

19 as that term is defined in section 536.010 that is created under the authority delegated in
20 this section shall become effective only if it complies with and is subject to all of the
21 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536
22 are nonseverable and if any of the powers vested with the general assembly pursuant to
23 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are
24 subsequently held unconstitutional, then the grant of rulemaking authority and any rule
25 proposed or adopted after August 28, 2012, shall be invalid and void.

26 4. The pilot project shall be funded from existing appropriations or with any
27 moneys specifically appropriated for this pilot project.

28 5. At the end of the two-year pilot, the director of the department of corrections and
29 the director of the children's division shall submit a joint report to the governor and the
30 general assembly by February 1, 2016, on the efficacy of this pilot on both the children and
31 the incarcerated mothers as well as the cost of the program and shall make
32 recommendation as to whether this project should be expanded to every prison facility
33 which houses women and if so any changes which should be made to the program.

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