

# HOUSE BILL NO. 352

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HANNEGAN.

0667H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To amend chapter 217, RSMo, by adding thereto one new section relating to parole eligibility.

*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 known as section 217.697, to read as follows:

**217.697. 1. Notwithstanding any other provision of law, any offender who:**

- (1) Is incarcerated in a correctional facility after being sentenced by a court of this state;**
- (2) Is serving a sentence of life without parole for a minimum of fifty years or more;**
- (3) Is sixty-five years of age or older;**
- (4) Has no felony conviction for a violent crime prior to the conviction for which he or she is currently incarcerated; and**
- (5) Is not a convicted sex offender**

**shall receive a parole hearing upon serving thirty years or more of his or her sentence.**

**2. During the parole hearing required under subsection 1 of this section, the board of probation and parole shall determine whether there is a reasonable probability the offender shall live and remain at liberty without violating the law upon release. If the board determines a reasonable probability exists, the offender shall be eligible for release upon a finding that the offender has:**

- (1) A record of good conduct while incarcerated;**
- (2) Demonstrated self-rehabilitation while incarcerated;**
- (3) A workable parole plan, including community and family support;**

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           **(4) An institutional risk factor score no higher than one; and**

20           **(5) A mental health score of one or two.**

21           **3. Any offender granted parole under this section shall be subject to a minimum**  
22 **of five years of supervision by the board of probation and parole upon release.**

23           **4. If the board does not grant parole to an offender who qualifies for parole**  
24 **eligibility under subsection 1 of this section, the offender shall be eligible for a parole**  
25 **reconsideration hearing every two years until a presumptive release date is established.**

26           **5. Nothing in this section shall diminish the consideration of parole under any other**  
27 **provision of law applicable to the offender or the responsibility and authority of the**  
28 **governor to grant clemency, including pardons and commutation of sentences if necessary**  
29 **or desirable.**

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