

FIRST REGULAR SESSION

SENATE BILL NO. 46

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAEFER.

Pre-filed December 1, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

0529S.01I

AN ACT

To amend chapter 558, RSMo, by adding thereto one new section relating to the sentencing of felons.

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

Section A. Chapter 558, RSMo, is amended by adding thereto one new
2 section, to be known as section 558.012, to read as follows:

558.012. 1. Notwithstanding any other provision of law to the
2 contrary, any person who is found guilty of or pleads guilty or nolo
3 contendere to a felony under the laws of this state on or after August
4 28, 2009, shall serve a minimum prison term of eighty-five percent of his
5 or her sentence in the department of corrections. Such individuals
6 shall not be eligible for parole or any other reduction in the prison
7 term required to be served, including receiving credit for any time
8 served after the offense occurred and before the commencement of the
9 sentence or "good time" credit described under section 558.041, RSMo.

10 2. Nothing in this section shall prohibit the court from ordering
11 a defendant to participate and complete substance abuse or mental
12 health treatment as an alternative to serving a term of imprisonment
13 and, upon successful completion of the treatment program, from having
14 the defendant's charges, petition, or penalty dismissed, reduced, or
15 modified. However, if such defendant fails to complete the treatment
16 ordered by the court and the court requires such defendant to serve his
17 or her sentence, such person shall serve eighty-five percent of such
18 sentence.

19 3. Nothing in this section shall prohibit the court from making
20 an authorized disposition of the defendant under subsections 2 or 4 of
21 section 557.011, RSMo.

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