

FIRST REGULAR SESSION

SENATE BILL NO. 234

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR MCCREERY.

0268S.01I

KRISTINA MARTIN, Secretary

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
2 one new section, to be known as section 217.697, to read as
3 follows:

217.697. 1. Notwithstanding any other provision of
2 law to the contrary, any offender who:

3 (1) Is incarcerated in a correctional facility after
4 being sentenced by a court of this state;

5 (2) Is serving a sentence of life without parole for a
6 minimum of fifty years or more and who was sentenced under
7 section 565.008 for an offense committed prior to October 1,
8 1984;

9 (3) Is sixty years of age or older;

10 (4) Has no felony conviction for a dangerous felony,
11 as defined under section 556.061, prior to the conviction
12 for which he or she is currently incarcerated; and

13 (5) Is not a convicted sex offender;

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

16 2. During the parole hearing required under subsection
17 1 of this section, the parole board shall determine whether
18 there is a reasonable probability the offender shall live

19 and remain at liberty without violating the law upon
20 release. If the board determines a reasonable probability
21 exists, the offender shall be eligible for release upon a
22 finding that the offender has:

- 23 (1) A record of good conduct while incarcerated;
- 24 (2) Demonstrated self-rehabilitation while
25 incarcerated;
- 26 (3) A workable parole plan, including community and
27 family support; and
- 28 (4) An institutional risk factor score and a mental
29 health score determined to be appropriate by the parole
30 board.

31 3. Any offender granted parole under this section
32 shall be subject to a minimum of five years of supervision
33 by the division of probation and parole upon release.

34 4. Nothing in this section shall diminish the
35 consideration of parole under any other provision of law
36 applicable to the offender or the responsibility and
37 authority of the governor to grant clemency, including
38 pardons and commutation of sentences if necessary or
39 desirable.

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