

# HOUSE BILL NO. 1534

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WASHINGTON.

3858H.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  
2 known as section 217.696, to read as follows:

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

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

4 **(2) Is sixty-five years of age or older; and**

5 **(3) Has no felony conviction for the offense of murder in the first degree under**  
6 **section 565.020**

7  
8 **shall receive a parole hearing upon serving thirty years or more of his or her sentence.**

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

14 **(1) A record of good conduct while incarcerated;**

15 **(2) Demonstrated self-rehabilitation while incarcerated;**

16 **(3) A workable parole plan, including community and family support;**

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

18 **(5) A mental health score of one, two, or three.**

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

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

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

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