

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By \_\_\_\_\_

1 AMEND House Committee Substitute for House Bill No. 549, Pages 12-13, Section 217.690, Lines  
2 39-90 by deleting said lines and inserting in lieu thereof the following the following:

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4 "6. Any offender sentenced to a term of imprisonment amounting to fifteen years or more or  
5 multiple terms of imprisonment that, taken together, amount to fifteen or more years who was under  
6 eighteen years of age at the time of the commission of the offense or offenses may be eligible for  
7 parole after serving fifteen years of incarceration, regardless of whether the case is final for the  
8 purposes of appeal, and may be eligible for reconsideration hearings in accordance with regulations  
9 promulgated by the parole board.

10 7. The provisions of subsection 6 shall not apply to an offender found guilty of murder in  
11 the first degree or capital murder who was under eighteen years of age when the offender committed  
12 the offense or offenses who may be found ineligible for parole or whose parole eligibility may be  
13 controlled by section 558.047 or 565.033.

14 8. Any offender under a sentence for first degree murder who has been denied release on  
15 parole after a parole hearing shall not be eligible for another parole hearing until at least three years  
16 from the month of the parole denial; however, this subsection shall not prevent a release pursuant to  
17 subsection 4 of section 558.011.

18 ~~[7-]~~ 9. A victim who has requested an opportunity to be heard shall receive notice that the  
19 parole board is conducting an assessment of the offender's risk and readiness for release and that the  
20 victim's input will be particularly helpful when it pertains to safety concerns and specific protective  
21 measures that may be beneficial to the victim should the offender be granted release.

22 ~~[8-]~~ 10. Parole hearings shall, at a minimum, contain the following procedures:

23 (1) The victim or person representing the victim who attends a hearing may be accompanied  
24 by one other person;

25 (2) The victim or person representing the victim who attends a hearing shall have the option  
26 of giving testimony in the presence of the inmate or to the hearing panel without the inmate being  
27 present;

28 (3) The victim or person representing the victim may call or write the parole board rather  
29 than attend the hearing;

30 (4) The victim or person representing the victim may have a personal meeting with a parole  
31 board member at the parole board's central office;

32 (5) The judge, prosecuting attorney or circuit attorney and a representative of the local law  
33 enforcement agency investigating the crime shall be allowed to attend the hearing or provide  
34 information to the hearing panel in regard to the parole consideration; and

35 (6) The parole board shall evaluate information listed in the juvenile sex offender registry  
36 pursuant to section 211.425, provided the offender is between the ages of seventeen and twenty-one,

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 as it impacts the safety of the community.

2 ~~[9.]~~ 11. The parole board shall notify any person of the results of a parole eligibility hearing  
3 if the person indicates to the parole board a desire to be notified.

4 ~~[10.]~~ 12. The parole board may, at its discretion, require any offender seeking parole to meet  
5 certain conditions during the term of that parole so long as said conditions are not illegal or  
6 impossible for the offender to perform. These conditions may include an amount of restitution to  
7 the state for the cost of that offender's incarceration.

8 ~~[11.]~~ 13. Special parole conditions shall be responsive to the assessed risk and needs of the  
9 offender or the need for extraordinary supervision, such as electronic monitoring. The parole board  
10 shall adopt rules to minimize the conditions placed on low-risk cases, to frontload conditions upon  
11 release, and to require the modification and reduction of conditions based on the person's continuing  
12 stability in the community. Parole board rules shall permit parole conditions to be modified by  
13 parole officers with review and approval by supervisors.

14 ~~[12.]~~ 14. Nothing contained in this section shall be construed to require the release of an  
15 offender on parole nor to reduce the sentence of an offender heretofore committed.

16 ~~[13.]~~ 15. Beginning January 1, 2001, the parole board shall not order a parole unless the  
17 offender has obtained a high school diploma or its equivalent, or unless the parole board is satisfied  
18 that the offender, while committed to the custody of the department, has made an honest good-faith  
19 effort to obtain a high school diploma or its equivalent; provided that the director may waive this  
20 requirement by certifying in writing to the parole board that the offender has actively participated in  
21 mandatory education programs or is academically unable to obtain a high school diploma or its  
22 equivalent.

23 ~~[14.]~~ 16. Any rule or portion of a rule, as that term is defined in section 536.010, that is  
24 created under the authority delegated in this section shall become effective only if it complies with  
25 and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section  
26 and chapter 536 are nonseverable and if any of the powers vested with the general assembly  
27 pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are  
28 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
29 adopted after August 28, 2005, shall be invalid and void."; and  
30

31 Further amend said bill, Page 14, Section 217.692, Line 33, by deleting the number "8" and  
32 inserting in lieu thereof the numbers "[&] 10"; and  
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34 Further amend said bill by amending the title, enacting clause, and intersectional references  
35 accordingly.