

HOUSE AMENDMENT NO. \_\_\_\_  
TO  
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Offered By

1 AMEND House Amendment No. \_\_\_\_ to House Bill No. 2088, Page 2, Line 47, by inserting  
2 immediately after said line the following:

3  
4 "558.041. 1. Any offender committed to the department of corrections, except those persons  
5 committed pursuant to subsection 7 of section 558.016, or subsection 3 of section 566.125, ~~[may]~~  
6 shall receive additional credit in terms of days spent in confinement ~~[upon recommendation for such~~  
7 ~~credit by the offender's institutional superintendent when]~~ if the offender meets the requirements for  
8 such credit as provided in subsections 3 ~~[and]~~, 4, 6, and 8 of this section. Good time credit may be  
9 rescinded by the director or his or her designee pursuant to the divisional policy issued pursuant to  
10 subsection 3 of this section.

11 2. Any credit extended to an offender shall only apply to the sentence which the offender is  
12 currently serving.

13 3. (1) The director of the department of corrections shall issue a policy for awarding credit.  
14 The policy ~~[may]~~ shall reward an ~~[inmate]~~ offender who has served his or her sentence in an orderly  
15 and peaceable manner and has taken advantage of the rehabilitation programs available to him or  
16 her. Any violation of major institutional rules ~~[or]~~, the laws of this state, or the accumulation of  
17 minor violations exceeding six within a calendar year may result in the loss of all or a portion of any  
18 credit earned by the ~~[inmate]~~ offender pursuant to this section.

19 (2) Earned credits lost for a violation of institutional rules or laws of this state may be  
20 restored as provided under the department's policy.

21 (3) Earned credits from previous years shall not be lost.

22 4. (1) The department shall cause the policy to be published in the code of state regulations.

23 (2) Subject to the provisions of subsection 6 of this section, the department shall adopt rules  
24 that specify the programs or activities for which credit may be earned under this section; the criteria  
25 for determining productive participation in, or completion of, the programs or activities; the criteria  
26 for awarding credit, including criteria for awarding additional credit for successful program or  
27 activity completion; and the criteria for withdrawing previously earned credit as a result of a  
28 violation of institutional rules or laws of this state.

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

1           5. ~~[No rule or portion of a rule promulgated under the authority of this chapter shall become~~  
2 ~~effective unless it has been promulgated pursuant to the provisions of section 536.024.]~~ (1) No  
3 person committed to the department who is sentenced to death shall be eligible for good time credit.

4           (2) Notwithstanding any provision of law:

5           (a) Offenders serving life without parole under section 565.020 shall be calculated as fifty  
6 years and credit earned shall be deducted from such term under this section;

7           (b) Offenders serving life without parole on or after August 28, 1994, and under section  
8 565.020 shall be calculated as thirty years.

9           6. (1) Each offender shall receive a deduction from his or her sentence by being awarded  
10 the following specified monthly credits:

11           (a) For the offender's participation in any work program, credit earned shall be fifteen days  
12 for every month's work performed by such offender;

13           (b) For the offender's successful completion of high school, or for the offender who has  
14 obtained his or her diploma or equivalent general education diploma, credit earned shall be ninety  
15 days;

16           (c) For the offender's successful completion of an alcohol or drug abuse treatment program,  
17 credit earned shall be ninety days;

18           (d) For the offender's successful completion of each restorative justice program, credit  
19 earned shall be ninety days;

20           (e) For the offender's successful completion of each mental health or rehabilitation program  
21 not specified in this section, credit earned shall be ninety days;

22           (f) For the offender's successful completion of vocational training, credit earned shall be  
23 ninety days; and

24           (g) For the offender's successful completion of other educational accomplishments or other  
25 programs not specified in this section, credit earned shall be ninety days.

26           (2) For purposes of this subsection, "credit earned" means good time credit awarded to an  
27 offender and each credit shall be calculated to be a period of one day.

28           (3) An offender who has successfully completed any of the programs under subdivision (1)  
29 of this subsection prior to August 28, 2022, shall be awarded credit or credits as outlined under this  
30 subsection and upon proper verification of programs completed.

31           7. The accumulated credit of every offender shall be tallied monthly and maintained by the  
32 institution where the term of imprisonment is being served. A record of such credit accumulated  
33 shall be:

34           (1) Sent to the records office of the department on a quarterly basis;

35           (2) Forwarded to the division of probation and parole; and

36           (3) Provided to the offender.

37           8. The provisions of this section shall apply only to offenses occurring after January 1, 1979.

38           9. The department of corrections shall promulgate rules to implement the provisions of this  
39 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created

1 under the authority delegated in this section shall become effective only if it complies with and is  
2 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
3 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to  
4 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
5 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
6 August 28, 2022, shall be invalid and void."; and

7  
8 Further amend said bill by amending the title, enacting clause, and intersectional references  
9 accordingly.

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11 THIS AMENDS AMENDMENT 3895H02.02H.