



New Law Summary: 2019 Missouri Minimum Prison Term Reform (HB 192, signed into law by Governor Parson on July 9, 2019)

Bill status: *HB 192 was signed by Governor Mike Parson and became law on July 9, 2019.* The bill was passed by the Missouri Senate on May 9 and by the Missouri House of Representatives on May 13. FAMM supported this bill.

Who HB 192 helps: HB 192 helps **some** people convicted of **state** crimes in **Missouri state courts**. It does not help anyone convicted of and sentenced for crimes in federal court or in another state court.

What HB 192 does NOT do:

- Change any federal laws that apply to people convicted in federal courts;
- Change any state laws in states other than Missouri;
- Change the minimum prison term required for people who committed “dangerous felonies” (listed in R.S. 556.061) in Missouri – these people must still serve at least 85 percent of their dangerous felony sentence before becoming eligible for parole;
- Release anyone from prison automatically – HB 192 makes about 500 Missouri state prisoners **eligible** for parole at an earlier date. The bill does not grant parole automatically, or guarantee that anyone will be released on parole early.

What HB 192 does: HB 192 reforms Missouri’s “minimum prison terms” required for habitual offenders (see Missouri R.S. section 558.019). Under the minimum prison terms statute, people with one, two, or three or more prior prison commitments must serve at least 40, 50, or 80 percent of their sentences, respectively, before they can become eligible for parole.

- **HB 192 limits which crimes trigger the longer minimum prison terms.** HB 192 specifically lists which crimes trigger minimum prison terms for people with prior prison commitment(s). If a person with prior prison commitment(s) does NOT commit one of the crimes listed below, he or she will NOT be required to serve a minimum prison term.
- **HB 192 is retroactive.** Under HB 192, people will become eligible for parole at an earlier date if they meet ALL of these criteria:
 1. They are currently serving a minimum prison term for a crime that no longer triggers a minimum prison term under HB 192, AND
 2. Their current minimum prison term is NOT for committing a “dangerous felony” (listed in R.S. 556.061), AND
 3. They were sentenced to their minimum prison term **BEFORE August 28, 2019.**
- Under HB 192, the only crimes that now trigger minimum prison terms under R.S. 558.019 are violations of the following sections of the Missouri code:

579.065 (first degree drug trafficking),

579.068 (second degree drug trafficking, when punished as a class A or B felony),

565.021 (second degree murder),

565.023 (voluntary manslaughter),
565.024 (first degree involuntary manslaughter),
565.027 (second degree involuntary manslaughter),
565.050 (first degree assault),
565.052 (second degree assault),
565.054 (third degree assault),
565.072 (first degree domestic assault),
565.073 (second degree domestic assault),
565.074 (third degree domestic assault),
565.090 (first degree harassment),
565.110 (first degree kidnaping),
565.115 (child kidnaping),
565.120 (second degree kidnaping),
565.153 (parental kidnaping),
565.156 (child abduction),
565.225 (first degree stalking),
565.300 (infanticide),
566.030 (first degree rape),
566.031 (second degree rape),
566.032 (first degree statutory rape; attempt),
566.034 (second degree statutory rape),
566.060 (first degree sodomy),
566.061 (second degree sodomy),
566.062 (first degree statutory sodomy; attempt),
566.064 (second degree statutory sodomy),
566.067 (first degree child molestation),
566.068 (second degree child molestation),
566.069 (third degree child molestation),
566.071 (fourth degree child molestation),
566.083 (sexual misconduct involving a child),
566.086 (sexual contact with a student),
566.100 (first degree sexual abuse),
566.101 (second degree sexual abuse),
566.103 (promoting online sexual solicitation),
566.111 (sex with an animal),
566.115 (sexual conduct with a nursing facility resident or vulnerable person),
566.145 (sexual conduct with a prisoner or offender),
566.151 (enticement of a child),
566.153 (age misrepresentation with intent to solicit a minor),
566.203 (abusing an individual through forced labor),
566.206 (human trafficking for the purpose of slavery, involuntary servitude),
566.209 (human trafficking for the purpose of sexual exploitation),
566.210 (first degree sexual trafficking of a child),
566.211 (second degree sexual trafficking of a child),
566.215 (contributing to human trafficking through the misuse of documentation),
568.030 (first degree abandonment of child),

568.045 (first degree endangering the welfare of a child),
568.060 (abuse or neglect of child),
568.065 (genital mutilation of a female child),
568.175 (trafficking in children),
569.040 (first degree arson),
569.160 (first degree burglary),
570.023 (first degree robbery),
570.025 (second degree robbery),
570.030 (stealing, when punished as a class A, B, or C felony),
570.145 (financial exploitation of an elderly person, when punished as a class A or B felony),
570.223 (identity theft, when punished as a class B or C felony),
571.020 (possession of weapons),
571.030 (unlawful use of weapons),
571.070 (possession of a firearm unlawful for certain persons),
573.023 (sexual exploitation of a minor),
573.025 (first degree promoting child pornography),
573.035 (second degree promoting child pornography),
573.037 (possession of child pornography),
573.200 (child used in sexual performance),
573.205 (promoting sexual performance by a child),
574.070 (first degree promoting civil disorder),
574.080 (causing catastrophe),
574.115 (first degree making a terrorist threat),
575.030 (hindering prosecution),
575.150 (resisting or interfering with arrest),
575.153 (disarming a peace officer or correctional officer),
575.155 (endangering a corrections employee),
575.157 (endangering a mental health employee, visitor, or another offender),
575.200 (escape or attempted escape from custody, when punished as a class A felony),
575.210 (escape or attempted escape from confinement),
575.230 (aiding escape of a prisoner, when punished as a class B felony),
575.240 (permitting escape, when punished as a class B felony),
576.070 (treason),
576.080 (supporting terrorism),
577.010 (driving while intoxicated),
577.013 (boating while intoxicated),
577.078 (water contamination),
577.703 (bus hijacking), and
577.706 (planting a bomb or explosive in or near a bus or terminal).

If you or a loved one in prison think you benefit from the retroactive sentencing reforms in HB 192, you or your loved one should contact the Missouri Parole Board to ask if you or your loved are eligible for parole at an earlier date.