

HOUSE

AMENDMENT NO. \_\_\_

Offered by

of

1 AMEND House Bill No. 756, Page 1, Section A, Line 2, by inserting  
2 after all of said line the following:

3 "217.696. 1. Notwithstanding any other provision of law,  
4 any offender sentenced to or incarcerated in a correctional  
5 institution for a term of five or more years who already is or  
6 becomes physically or mentally disabled, infirm, incompetent, or  
7 incapacitated to such a degree that such offender needs to be  
8 permanently placed in an infirmary, health, or mental care  
9 facility while serving said sentence and who is eligible for  
10 federal medical, psychological, and financial benefits, may be  
11 released on parole and placed in such medical, psychological, or  
12 other adult care treatment facility as such offender is eligible  
13 to be placed in and receive federal medical, psychological, or  
14 financial benefits provided that the board of probation and  
15 parole makes a determination that such offender is incapable of  
16 inflicting violence on others and does not pose a danger to the  
17 health, welfare, or safety of others.

18 2. The board shall consider, but not be limited to, the  
19 following criteria when making its decision:

- 20 (1) Length of time served;
- 21 (2) Prison record and self-rehabilitation efforts;
- 22 (3) Whether the history of the case included evidence of  
23 abuse of the offender, including physical, mental, emotional, or  
24 sexual;
- 25 (4) The offender's role in the perpetration of the crime  
26 and the degree of violence exhibited;
- 27 (5) If an offer of a plea bargain was made and if so, why  
28 the offender rejected or accepted the offer;
- 29 (6) The severity of the sentence received considering the

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

1 offender's role in the crime;

2 (7) The age and maturity of the offender at the time of the  
3 crime and any contributing influence affecting the offender's  
4 judgment;

5 (8) Whether the offender has given substantial thought to a  
6 workable parole plan."; and

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8 Further amend said title, enacting clause and intersectional  
9 references accordingly.