

SECOND REGULAR SESSION

SENATE BILL NO. 858

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHAEFER.

Read 1st time January 28, 2010, and ordered printed.

TERRY L. SPIELER, Secretary.

4474S.011

AN ACT

To repeal section 575.220, RSMo, and to enact in lieu thereof one new section relating to the crime of failing to return to confinement, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 575.220, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 575.220, to read as follows:

575.220. 1. A person commits the crime of failure to return to confinement if, while:

(1) Serving a sentence for any crime under a work-release program[, or while];

(2) Under sentence of any crime to serve a term of confinement which is not continuous[.];

(3) **Having been remanded to the custody of the county sheriff for transportation to the Missouri department of corrections;** or [while]

(4) Serving any other type of sentence for any crime wherein he or she is temporarily **furloughed or** permitted to go at large without guard[.]; he or she purposely fails to return to confinement when he or she is required to do so.

2. This section does not apply to persons who are free on bond, bail or recognizance, personal or otherwise, nor to persons who are on probation or parole, temporary or otherwise.

[3. Failure to return to confinement is a class C misdemeanor unless:

(1) The sentence being served is to the Missouri department of corrections and human resources, in which case failure to return to confinement is a class D felony; or

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 (2) The sentence being served is one of confinement in a county or private
21 jail on conviction of a felony, in which case failure to return to confinement is a
22 class A misdemeanor.]

23 **3. Failure to return to confinement is a class A misdemeanor if**
24 **the sentence being served is one of confinement in a county or private**
25 **jail on conviction of a misdemeanor.**

26 **4. Failure to return to confinement is a class D felony if the**
27 **sentence being served is one of confinement in a county jail or the**
28 **Missouri department of corrections on conviction of a felony.**

Unofficial ✓

Bill

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