

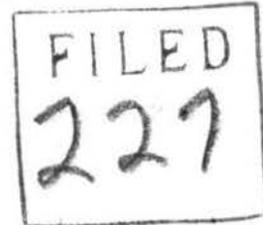
RIGHTS OF CITIZENSHIP:
FEDERAL DISCHARGE OF
PRISONERS:
PROBATION, PARDON,
AND PAROLES:

Section 549.111, RSMo Cum. Supp., 1967
does not include within its purview a
person who has received his final dis-
charge under federal law.

OPINION NO. 227

August 2, 1968

Honorable Edward T. Linehan
State Senator - 6th District
Missouri Senate
Suite 1437, Boatmen's Bank Building
314 North Broadway
St. Louis, Missouri 63102



Dear Senator Linehan:

This opinion is written in response to your question as to whether or not it would be a fair interpretation that Section 549.-170 would also include within its purview a person who has received his final discharge under federal law.

Section 549.170 has been repealed by Laws 1963, p. 671, section 2. However, the provisions of that statute have been incorporated into Section 549.111 (2), RSMo Cum. Supp., 1967. Therefore, I will consider your request for an opinion to be stated as follows:

"Is it a fair interpretation that Section 549.111 includes within its purview a person who has received his final discharge under federal law?"

The pertinent portion of Section 549.111 provides:

"2. Any defendant who receives his final discharge under sections 549.058 to 549.-161 shall be restored all the rights and privileges of citizenship." (emphasis added)

Honorable Edward T. Linehan

It is a general rule of statute construction that, "where no exceptions are made to the general language of the statute, it will be presumed that no exceptions were intended," 82 C.J.S., Statutes, Section 316, p. 553.

Section 549.111 (2) was specific in stating that restoration of citizenship rights and privileges was limited to final discharges received under Sections 549.058 to 549.161, with no exceptions made for any type of discharge under the federal parole and probation rules.

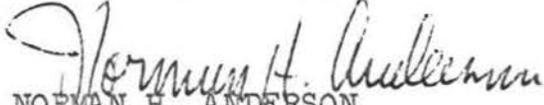
Section 549.061 enumerates the courts and boards which have power to place convicted persons on parole or probation and it also makes no mention of any federal court or board.

CONCLUSION

Therefore, it is the opinion of this office that Section 549.-111, RSMo Cum. Supp., 1967 does not include within its purview a person who has received his final discharge under federal law.

The foregoing opinion, which I hereby approve, was prepared by my assistant, Richard E. Dorr.

Yours very truly,


NORMAN H. ANDERSON
Attorney General