

CONFERENCE COMMITTEE SUBSTITUTE

FOR

SENATE SUBSTITUTE

FOR

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FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1439

AN ACT

To repeal sections 1.320, 21.750, 57.015, 57.201, 57.220, 57.250, 544.216, 571.030, 571.070, 571.080, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, and to enact in lieu thereof thirty-one new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

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BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,  
AS FOLLOWS:

1           Section A. Sections 1.320, 21.750, 57.015, 57.201, 57.220,  
2 57.250, 544.216, 571.030, 571.070, 571.080, 571.101, 571.104,  
3 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo,  
4 are repealed and thirty-one new sections enacted in lieu thereof,  
5 to be known as sections 1.400, 1.410, 1.420, 1.430, 1.440, 1.450,  
6 1.460, 1.480, 21.750, 57.015, 57.201, 57.220, 57.250, 160.665,  
7 544.216, 571.012, 571.030, 571.070, 571.101, 571.104, 571.107,  
8 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207,  
9 650.350, 1, and 2, to read as follows:

1           [1.320.] 1.400. 1. Sections 1.400 to 1.480 shall be known  
2 and may be cited as the "Second Amendment Preservation Act".

3           2. The general assembly finds and declares that:

4           (1) The general assembly of the state of Missouri is firmly  
5 resolved to support and defend the United States Constitution  
6 against every aggression, either foreign or domestic, and is duty  
7 bound to oppose every infraction of those principles which  
8 constitute the basis of the Union of the States because only a  
9 faithful observance of those principles can secure the nation's  
10 existence and the public happiness;

11           (2) Acting through the United States Constitution, the  
12 people of the several states created the federal government to be  
13 their agent in the exercise of a few defined powers, while  
14 reserving to the state governments the power to legislate on  
15 matters which concern the lives, liberties, and properties of  
16 citizens in the ordinary course of affairs;

17           (3) The limitation of the federal government's power is  
18 affirmed under the Tenth Amendment to the United States  
19 Constitution, which defines the total scope of federal power as  
20 being that which has been delegated by the people of the several  
21 states to the federal government, and all power not delegated to  
22 the federal government in the Constitution of the United States  
23 is reserved to the states respectively, or to the people  
24 themselves;

25           (4) Whenever the federal government assumes powers that the  
26 people did not grant it in the Constitution, its acts are  
27 unauthoritative, void, and of no force;

28           (5) The several states of the United States of America

1 respect the proper role of the federal government, but reject the  
2 proposition that such respect requires unlimited submission. If  
3 the government, created by compact among the states, was the  
4 exclusive or final judge of the extent of the powers granted to  
5 it by the states through the Constitution, the federal  
6 government's discretion, and not the Constitution, would  
7 necessarily become the measure of those powers. To the contrary,  
8 as in all other cases of compacts among powers having no common  
9 judge, each party has an equal right to judge for itself as to  
10 when infractions of the compact have occurred, as well as to  
11 determine the mode and measure of redress. Although the several  
12 states have granted supremacy to laws and treaties made pursuant  
13 to the powers granted in the Constitution, such supremacy does  
14 not extend to various federal statutes, executive orders,  
15 administrative orders, court orders, rules, regulations, or other  
16 actions which restrict or prohibit the manufacture, ownership,  
17 and use of firearms, firearm accessories, or ammunition  
18 exclusively within the borders of Missouri; such statutes,  
19 executive orders, administrative orders, court orders, rules,  
20 regulations, and other actions exceed the powers granted to the  
21 federal government except to the extent they are necessary and  
22 proper for governing and regulating land and naval forces of the  
23 United States or for organizing, arming, and disciplining militia  
24 forces actively employed in the service of the United States  
25 Armed Forces;

26 (6) The people of the several states have given Congress  
27 the power "to regulate commerce with foreign nations, and among  
28 the several states", but "regulating commerce" does not include

1 the power to limit citizens' rights to keep and bear arms in  
2 defense of their families, neighbors, persons, or property, or to  
3 dictate as to what sort of arms and accessories law-abiding  
4 Missourians may buy, sell, exchange, or otherwise possess within  
5 the borders of this state;

6 (7) The people of the several states have also granted  
7 Congress the power "to lay and collect taxes, duties, imports,  
8 and excises, to pay the debts, and provide for the common defense  
9 and general welfare of the United States" and "to make all laws  
10 which shall be necessary and proper for carrying into execution  
11 the powers vested by the Constitution in the government of the  
12 United States, or in any department or office thereof". These  
13 constitutional provisions merely identify the means by which the  
14 federal government may execute its limited powers and ought not  
15 to be so construed as themselves to grant unlimited powers  
16 because to do so would be to destroy the carefully constructed  
17 equilibrium between the federal and state governments.

18 Consequently, the general assembly rejects any claim that the  
19 taxing and spending powers of Congress can be used to diminish in  
20 any way the right of the people to keep and bear arms;

21 (8) The people of Missouri have vested the general assembly  
22 with the authority to regulate the manufacture, possession,  
23 exchange, and use of firearms within the borders of this state,  
24 subject only to the limits imposed by the Second Amendment to the  
25 United States Constitution and the Missouri Constitution; and

26 (9) The general assembly of the state of Missouri strongly  
27 promotes responsible gun ownership, including parental  
28 supervision of minors in the proper use, storage, and ownership

1 of all firearms, the prompt reporting of stolen firearms, and the  
2 proper enforcement of all state gun laws. The general assembly  
3 of the state of Missouri hereby condemns any unlawful transfer of  
4 firearms and the use of any firearm in any criminal or unlawful  
5 activity.

6 1.410. The following federal acts, laws, executive orders,  
7 administrative orders, court orders, rules, and regulations shall  
8 be considered infringements on the people's right to keep and  
9 bear arms, as guaranteed by the Second Amendment of the  
10 Constitution of the United States and article I, section 23 of  
11 the Constitution of Missouri, within the borders of this state,  
12 including, but not limited to:

13 (1) Any tax, levy, fee, or stamp imposed on firearms,  
14 firearm accessories, or ammunition not common to all other goods  
15 and services which might reasonably be expected to create a  
16 chilling effect on the purchase or ownership of those items by  
17 law-abiding citizens;

18 (2) Any registering or tracking of firearms, firearm  
19 accessories, or ammunition which might reasonably be expected to  
20 create a chilling effect on the purchase or ownership of those  
21 items by law-abiding citizens;

22 (3) Any registering or tracking of the owners of firearms,  
23 firearm accessories, or ammunition which might reasonably be  
24 expected to create a chilling effect on the purchase or ownership  
25 of those items by law-abiding citizens;

26 (4) Any act forbidding the possession, ownership, or use or  
27 transfer of a firearm, firearm accessory, or ammunition by law-  
28 abiding citizens; and

1       (5) Any act ordering the confiscation of firearms, firearm  
2 accessories, or ammunition from law-abiding citizens.

3       1.420. All federal acts, laws, executive orders,  
4 administrative orders, court orders, rules, and regulations,  
5 whether past, present, or future, which infringe on the people's  
6 right to keep and bear arms as guaranteed by the Second Amendment  
7 to the United States Constitution and Article I, Section 23 of  
8 the Missouri Constitution shall be invalid in this state, shall  
9 not be recognized by this state, shall be specifically rejected  
10 by this state, and shall be considered null and void and of no  
11 effect in this state.

12       1.430. It shall be the duty of the courts and law  
13 enforcement agencies of this state to protect the rights of law-  
14 abiding citizens to keep and bear arms within the borders of this  
15 state and to protect these rights from the infringements defined  
16 in section 1.410.

17       1.440. No person, including any public officer or employee  
18 of this state or any political subdivision of this state, shall  
19 have authority to enforce or attempt to enforce any federal acts,  
20 laws, executive orders, administrative orders, court orders,  
21 rules, regulations, statutes, or ordinances, infringing on the  
22 right to keep and bear arms.

23       1.450. No person, including any public officer or employee  
24 of this state or any political subdivision of this state, shall  
25 have authority to enforce or attempt to enforce any federal acts,  
26 laws, executive orders, administrative orders, court orders,  
27 rules, regulations, statutes, or ordinances, infringing on the  
28 right to keep and bear arms as defined in section 1.410.

1 1.460. 1. Any entity or person who knowingly, as defined  
2 in section 562.016, violates section 1.440 or 1.450 or otherwise  
3 knowingly deprives a citizen of Missouri of the rights or  
4 privileges ensured by the Second Amendment of the United States  
5 Constitution or section 23 of article I of the Missouri  
6 Constitution, while acting under the color of any state or  
7 federal law, shall be liable to the injured party in an action at  
8 law, suit in equity, or other proper proceeding for redress.

9 2. In such actions, the court may award the prevailing  
10 party, other than the state of Missouri or any political  
11 subdivision of the state, reasonable attorney's fees and costs.

12 3. Sovereign, official, or qualified immunity shall not be  
13 an affirmative defense in such cases.

14 1.480. For the purposes of sections 1.400 to 1.480, the  
15 term "law-abiding citizen" shall mean a person who is not  
16 otherwise precluded under state law from possessing a firearm and  
17 shall not be construed to include anyone who is not legally  
18 present in the United States or the state of Missouri.

19 21.750. 1. The general assembly hereby occupies and  
20 preempts the entire field of legislation touching in any way  
21 firearms, components, ammunition and supplies to the complete  
22 exclusion of any order, ordinance or regulation by any political  
23 subdivision of this state. Any existing or future orders,  
24 ordinances or regulations in this field are hereby and shall be  
25 null and void except as provided in subsection 3 of this section.

26 2. No county, city, town, village, municipality, or other  
27 political subdivision of this state shall adopt any order,  
28 ordinance or regulation concerning in any way the sale, purchase,

1 purchase delay, transfer, ownership, use, keeping, possession,  
2 bearing, transportation, licensing, permit, registration,  
3 taxation other than sales and compensating use taxes or other  
4 controls on firearms, components, ammunition, and supplies except  
5 as provided in subsection 3 of this section.

6 3. (1) Except as provided in subdivision (2) of this  
7 subsection, nothing contained in this section shall prohibit any  
8 ordinance of any political subdivision which conforms exactly  
9 with any of the provisions of sections 571.010 to 571.070, with  
10 appropriate penalty provisions, or which regulates the open  
11 carrying of firearms readily capable of lethal use or the  
12 discharge of firearms within a jurisdiction, provided such  
13 ordinance complies with the provisions of section 252.243. No  
14 ordinance may be construed to preclude the use of a firearm in  
15 the defense of person or property, subject to the provisions of  
16 chapter 563.

17 (2) In any jurisdiction in which the open carrying of  
18 firearms is prohibited by ordinance, the open carrying of  
19 firearms shall not be prohibited in accordance with the  
20 following:

21 (a) Any person with a valid concealed carry endorsement or  
22 permit who is open carrying a firearm shall be required to have a  
23 valid concealed carry endorsement or permit from this state, or a  
24 permit from another state that is recognized by this state, in  
25 his or her possession at all times;

26 (b) Any person open carrying a firearm in such jurisdiction  
27 shall display his or her concealed carry endorsement or permit  
28 upon demand of a law enforcement officer;



1           (c) In the absence of any reasonable and articulable  
2 suspicion of criminal activity, no person carrying a concealed or  
3 unconcealed firearm shall be disarmed or physically restrained by  
4 a law enforcement officer unless under arrest; and

5           (d) Any person who violates this subdivision shall be  
6 subject to the penalty provided in section 571.121.

7           4. The lawful design, marketing, manufacture, distribution,  
8 or sale of firearms or ammunition to the public is not an  
9 abnormally dangerous activity and does not constitute a public or  
10 private nuisance.

11           5. No county, city, town, village or any other political  
12 subdivision nor the state shall bring suit or have any right to  
13 recover against any firearms or ammunition manufacturer, trade  
14 association or dealer for damages, abatement or injunctive relief  
15 resulting from or relating to the lawful design, manufacture,  
16 marketing, distribution, or sale of firearms or ammunition to the  
17 public. This subsection shall apply to any suit pending as of  
18 October 12, 2003, as well as any suit which may be brought in the  
19 future. Provided, however, that nothing in this section shall  
20 restrict the rights of individual citizens to recover for injury  
21 or death caused by the negligent or defective design or  
22 manufacture of firearms or ammunition.

23           6. Nothing in this section shall prevent the state, a  
24 county, city, town, village or any other political subdivision  
25 from bringing an action against a firearms or ammunition  
26 manufacturer or dealer for breach of contract or warranty as to  
27 firearms or ammunition purchased by the state or such political  
28 subdivision.

1           57.015. [As used in this chapter] For purposes of section  
2 57.275, the following words and terms shall have the following  
3 meaning:

4           (1) "Deputy sheriff" or "officer", any deputy sheriff who  
5 is employed full time by a law enforcement agency, authorized by  
6 this chapter and certified pursuant to chapter 590. This term  
7 shall not include an officer serving in probationary status or  
8 one year, whichever is longer, upon initial employment. This  
9 term shall not include any deputy sheriff with the rank of  
10 lieutenant and above, or any chief deputies, under sheriffs and  
11 the command staff as defined by the sheriff's department policy  
12 and procedure manual;

13           (2) "Hearing", a closed meeting conducted by a hearing  
14 board appointed by the sheriff for the purpose of receiving  
15 evidence in order to determine the facts regarding the dismissal  
16 of a deputy sheriff. Witnesses to the event that triggered the  
17 dismissal may attend the hearing for the limited purpose of  
18 providing testimony; the attorney for the deputy dismissed may  
19 attend the hearing, but only to serve as an observer; the sheriff  
20 and his or her attorney may attend the hearing, but only to serve  
21 as an observer;

22           (3) "Hearing board", the individuals appointed by the  
23 sheriff for the purpose of receiving evidence in order to  
24 determine the facts regarding the dismissal of a deputy sheriff;  
25 and

26           (4) "Law enforcement agency", any county sheriff's office  
27 of this state that employs county law enforcement deputies  
28 authorized by this chapter and certified by chapter 590.

1           57.201. 1. The sheriff of all counties of the first class  
2 not having a charter form of government shall appoint such  
3 deputies, assistants and other employees as he deems necessary  
4 for the proper discharge of the duties of his office and may set  
5 their compensation within the limits of the allocations made for  
6 that purpose by the county commission. The compensation for the  
7 deputies, assistants and employees shall be paid in equal  
8 installments out of the county treasury in the same manner as  
9 other county employees are paid.

10           2. The assistants and employees shall hold office at the  
11 pleasure of the sheriff.

12           3. **[Deputies]** A deputy sheriff, as the term "deputy  
13 sheriff" is defined under section 57.015 shall hold office  
14 pursuant to the provisions of sections 57.015 and 57.275.

15           57.220. The sheriff, in a county of the second class, shall  
16 be entitled to such a number of deputies as a majority of the  
17 circuit judges of the circuit court shall deem necessary for the  
18 prompt and proper discharge of the duties of the sheriff's  
19 office; provided, however, such number of deputies appointed by  
20 the sheriff shall not be less than one chief deputy sheriff and  
21 one additional deputy for each five thousand inhabitants of the  
22 county according to the last decennial census. Such deputies  
23 shall be appointed by the sheriff, but no appointment shall  
24 become effective until approved by a majority of the circuit  
25 judges of the circuit court of the county. A majority of the  
26 circuit judges of the circuit court, by agreement with the  
27 sheriff, shall fix the salaries of such deputies. A statement of  
28 the number of deputies allowed the sheriff, and their

1 compensation, together with the approval of any appointment by  
2 such judges of the circuit court, shall be in writing and signed  
3 by them and filed by the sheriff with the county commission.

4 **[Deputies]** A deputy sheriff as the term "deputy sheriff" is  
5 defined under section 57.015 shall hold office pursuant to the  
6 provisions of sections 57.015 and 57.275.

7 57.250. The sheriff in counties of the third and fourth  
8 classifications shall be entitled to such number of deputies and  
9 assistants, to be appointed by such official, with the approval  
10 of a majority of the circuit judges of the circuit court, as such  
11 judges shall deem necessary for the prompt and proper discharge  
12 of such sheriff's duties relative to the enforcement of the  
13 criminal law of this state. Such judges of the circuit court, in  
14 their order permitting the sheriff to appoint deputies or  
15 assistants, shall fix the compensation of such deputies or  
16 assistants. The circuit judges shall annually review their order  
17 fixing the number and compensation of the deputies and assistants  
18 and in setting such number and compensation shall have due regard  
19 for the financial condition of the county. Each such order shall  
20 be entered of record and a certified copy thereof shall be filed  
21 in the office of the county clerk at least fifteen days prior to  
22 the date of the adoption of the county budget as prescribed by  
23 section 50.610. The sheriff may at any time discharge any  
24 assistant and may regulate the time of such person's employment.

25 **[Deputies]** A deputy sheriff as the term "deputy sheriff" is  
26 defined under section 57.015 shall hold office pursuant to the  
27 provisions of sections 57.015 and 57.275. At the request of the  
28 sheriff, the presiding judge may order additional deputies in

1 cases where exigent or emergency circumstances require the need  
2 for such additional deputies.

3 160.665. 1. Any school district within the state may  
4 designate one or more elementary or secondary school teachers or  
5 administrators as a school protection officer. The  
6 responsibilities and duties of a school protection officer are  
7 voluntary and shall be in addition to the normal responsibilities  
8 and duties of the teacher or administrator. Any compensation for  
9 additional duties relating to service as a school protection  
10 officer shall be funded by the local school district, with no  
11 state funds used for such purpose.

12 2. Any person designated by a school district as a school  
13 protection officer shall be authorized to carry concealed  
14 firearms or a self-defense spray device in any school in the  
15 district. A self-defense spray device shall mean any device that  
16 is capable of carrying, and that ejects, releases, or emits, a  
17 nonlethal solution capable of incapacitating a violent threat.  
18 The school protection officer shall not be permitted to allow any  
19 firearm or device out of his or her personal control while that  
20 firearm or device is on school property. Any school protection  
21 officer who violates this subsection may be removed immediately  
22 from the classroom and subject to employment termination  
23 proceedings.

24 3. A school protection officer has the same authority to  
25 detain or use force against any person on school property as  
26 provided to any other person under chapter 563.

27 4. Upon detention of a person under subsection 3 of this  
28 section, the school protection officer shall immediately notify a

1 school administrator and a school resource officer, if such  
2 officer is present at the school. If the person detained is a  
3 student then the parents or guardians of the student shall also  
4 be immediately notified by a school administrator.

5 5. Any person detained by a school protection officer shall  
6 be turned over to a school administrator or law enforcement  
7 officer as soon as practically possible and shall not be detained  
8 by a school protection officer for more than one hour.

9 6. Any teacher or administrator of an elementary or  
10 secondary school who seeks to be designated as a school  
11 protection officer shall request such designation in writing, and  
12 submit it to the superintendent of the school district which  
13 employs him or her as a teacher or administrator. Along with  
14 this request, any teacher or administrator seeking to carry a  
15 concealed firearm on school property shall also submit proof that  
16 he or she has a valid concealed carry endorsement or permit, and  
17 all teachers and administrators seeking the designation of school  
18 protection officer shall submit a certificate of school  
19 protection officer training program completion from a training  
20 program approved by the director of the department of public  
21 safety which demonstrates that such person has successfully  
22 completed the training requirements established by the POST  
23 commission under chapter 590 for school protection officers.

24 7. No school district may designate a teacher or  
25 administrator as a school protection officer unless such person  
26 has successfully completed a school protection officer training  
27 program, which has been approved by the director of the  
28 department of public safety. No school district shall allow a

1 school protection officer to carry a concealed firearm on school  
2 property unless the school protection officer has a valid  
3 concealed carry endorsement or permit.

4 8. Any school district that designates a teacher or  
5 administrator as a school protection officer shall, within thirty  
6 days, notify, in writing, the director of the department of  
7 public safety of the designation, which shall include the  
8 following:

9 (1) The full name, date of birth, and address of the  
10 officer;

11 (2) The name of the school district; and

12 (3) The date such person was designated as a school  
13 protection officer.

14  
15 Notwithstanding any other provisions of law to the contrary, any  
16 identifying information collected under the authority of this  
17 subsection shall not be considered public information and shall  
18 not be subject to a request for public records made under chapter  
19 610.

20 9. A school district may revoke the designation of a person  
21 as a school protection officer for any reason and shall  
22 immediately notify the designated school protection officer in  
23 writing of the revocation. The school district shall also,  
24 within thirty days of the revocation, notify the director of the  
25 department of public safety in writing of the revocation of the  
26 designation of such person as a school protection officer. A  
27 person who has had the designation of school protection officer  
28 revoked has no right to appeal the revocation decision.

1           10. The director of the department of public safety shall  
2 maintain a listing of all persons designated by school districts  
3 as school protection officers and shall make this list available  
4 to all law enforcement agencies.

5           11. Before a school district may designate a teacher or  
6 administrator as a school protection officer, the school board  
7 shall hold a public hearing on whether to allow such designation.  
8 Notice of the hearing shall be published at least fifteen days  
9 before the date of the hearing in a newspaper of general  
10 circulation within the city or county in which the school  
11 district is located. The board may determine at a closed meeting  
12 as "closed meeting" is defined under section 610.010 whether to  
13 authorize the designated school protection officer to carry a  
14 concealed firearm or a self-defense spray device.

15           544.216. Except as otherwise provided in section 544.157,  
16 any sheriff or deputy sheriff, any member of the Missouri state  
17 highway patrol, and any county or municipal law enforcement  
18 officer in this state, except those officers of a political  
19 subdivision or municipality having a population of less than two  
20 thousand persons or which does not have at least four full-time  
21 nonelected peace officers unless such subdivision or municipality  
22 has elected to come under and is operating pursuant to the  
23 provisions of sections 590.100 to 590.150, may arrest on view,  
24 and without a warrant, any person the officer sees violating or  
25 who such officer has reasonable grounds to believe has violated  
26 any ordinance or law of this state, including a misdemeanor or  
27 infraction, [or has violated any ordinance] over which such  
28 officer has jurisdiction. Peace officers of a municipality shall



1 have arrest powers, as described in this section, upon lands  
2 which are leased or owned by the municipality in an  
3 unincorporated area. Ordinances enacted by a municipality,  
4 owning or leasing lands outside its boundaries, may be enforced  
5 by peace officers of the municipality upon such owned or leased  
6 lands. The power of arrest authorized by this section is in  
7 addition to all other powers conferred upon law enforcement  
8 officers, and shall not be construed so as to limit or restrict  
9 any other power of a law enforcement officer.

10 571.012. 1. No health care professional licensed in this  
11 state, nor anyone under his or her supervision, shall be required  
12 by law to:

13 (1) Inquire as to whether a patient owns or has access to a  
14 firearm;

15 (2) Document or maintain in a patient's medical records  
16 whether such patient owns or has access to a firearm; or

17 (3) Notify any governmental entity of the identity of a  
18 patient based solely on the patient's status as an owner of, or  
19 the patient's access to, a firearm.

20 2. No health care professional licensed in this state, nor  
21 anyone under his or her supervision, nor any person or entity  
22 that has possession or control of medical records, may disclose  
23 information gathered in a doctor/patient relationship about the  
24 status of a patient as an owner of a firearm, unless by order of  
25 a court of appropriate jurisdiction, in response to a threat to  
26 the health or safety of that patient or another person, as part  
27 of a referral to a mental health professional, or with the  
28 patient's express consent on a separate document dealing solely

1 with firearm ownership. The separate document shall not be  
2 filled out as a matter of routine, but only when, in the judgment  
3 of the health care professional, it is medically indicated or  
4 necessitated.

5 3. Nothing in this section shall be construed as  
6 prohibiting or otherwise restricting a health care professional  
7 from inquiring about and documenting whether a patient owns or  
8 has access to a firearm if such inquiry or documentation is  
9 necessitated or medically indicated by the health care  
10 professional's judgment and such inquiry or documentation does  
11 not violate any other state or federal law.

12 4. No health care professional licensed in this state shall  
13 use an electronic medical record program that requires, in order  
14 to complete and save a medical record, entry of data regarding  
15 whether a patient owns, has access to, or lives in a home  
16 containing a firearm.

17 571.030. 1. A person commits the crime of unlawful use of  
18 weapons if he or she knowingly:

19 (1) Carries concealed upon or about his or her person a  
20 knife, a firearm, a blackjack or any other weapon readily capable  
21 of lethal use; or

22 (2) Sets a spring gun; or

23 (3) Discharges or shoots a firearm into a dwelling house, a  
24 railroad train, boat, aircraft, or motor vehicle as defined in  
25 section 302.010, or any building or structure used for the  
26 assembling of people; or

27 (4) Exhibits, in the presence of one or more persons, any  
28 weapon readily capable of lethal use in an angry or threatening

1 manner; or

2 (5) Has a firearm or projectile weapon readily capable of  
3 lethal use on his or her person, while he or she is intoxicated,  
4 and handles or otherwise uses such firearm or projectile weapon  
5 in either a negligent or unlawful manner or discharges such  
6 firearm or projectile weapon unless acting in self-defense; or

7 (6) Discharges a firearm within one hundred yards of any  
8 occupied schoolhouse, courthouse, or church building; or

9 (7) Discharges or shoots a firearm at a mark, at any  
10 object, or at random, on, along or across a public highway or  
11 discharges or shoots a firearm into any outbuilding; or

12 (8) Carries a firearm or any other weapon readily capable  
13 of lethal use into any church or place where people have  
14 assembled for worship, or into any election precinct on any  
15 election day, or into any building owned or occupied by any  
16 agency of the federal government, state government, or political  
17 subdivision thereof; or

18 (9) Discharges or shoots a firearm at or from a motor  
19 vehicle, as defined in section 301.010, discharges or shoots a  
20 firearm at any person, or at any other motor vehicle, or at any  
21 building or habitable structure, unless the person was lawfully  
22 acting in self-defense; or

23 (10) Carries a firearm, whether loaded or unloaded, or any  
24 other weapon readily capable of lethal use into any school, onto  
25 any school bus, or onto the premises of any function or activity  
26 sponsored or sanctioned by school officials or the district  
27 school board.

28 2. Subdivisions (1), (8), and (10) of subsection 1 of this

1 section shall not apply to the persons described in this  
2 subsection, regardless of whether such uses are reasonably  
3 associated with or are necessary to the fulfillment of such  
4 person's official duties except as otherwise provided in this  
5 subsection. Subdivisions (3), (4), (6), (7), and (9) of  
6 subsection 1 of this section shall not apply to or affect any of  
7 the following persons, when such uses are reasonably associated  
8 with or are necessary to the fulfillment of such person's  
9 official duties, except as otherwise provided in this subsection:

10 (1) All state, county and municipal peace officers who have  
11 completed the training required by the police officer standards  
12 and training commission pursuant to sections 590.030 to 590.050  
13 and who possess the duty and power of arrest for violation of the  
14 general criminal laws of the state or for violation of ordinances  
15 of counties or municipalities of the state, whether such officers  
16 are on or off duty, and whether such officers are within or  
17 outside of the law enforcement agency's jurisdiction, or all  
18 qualified retired peace officers, as defined in subsection 11 of  
19 this section, and who carry the identification defined in  
20 subsection 12 of this section, or any person summoned by such  
21 officers to assist in making arrests or preserving the peace  
22 while actually engaged in assisting such officer;

23 (2) Wardens, superintendents and keepers of prisons,  
24 penitentiaries, jails and other institutions for the detention of  
25 persons accused or convicted of crime;

26 (3) Members of the Armed Forces or National Guard while  
27 performing their official duty;

28 (4) Those persons vested by article V, section 1 of the

1 Constitution of Missouri with the judicial power of the state and  
2 those persons vested by Article III of the Constitution of the  
3 United States with the judicial power of the United States, the  
4 members of the federal judiciary;

5 (5) Any person whose bona fide duty is to execute process,  
6 civil or criminal;

7 (6) Any federal probation officer or federal flight deck  
8 officer as defined under the federal flight deck officer program,  
9 49 U.S.C. Section 44921 regardless of whether such officers are  
10 on duty, or within the law enforcement agency's jurisdiction;

11 (7) Any state probation or parole officer, including  
12 supervisors and members of the board of probation and parole;

13 (8) Any corporate security advisor meeting the definition  
14 and fulfilling the requirements of the regulations established by  
15 the board of police commissioners under section 84.340;

16 (9) Any coroner, deputy coroner, medical examiner, or  
17 assistant medical examiner;

18 (10) Any prosecuting attorney or assistant prosecuting  
19 attorney [or any], circuit attorney or assistant circuit  
20 attorney, or any person appointed by a court to be a special  
21 prosecutor who has completed the firearms safety training course  
22 required under subsection 2 of section 571.111;

23 (11) Any member of a fire department or fire protection  
24 district who is employed on a full-time basis as a fire  
25 investigator and who has a valid concealed carry endorsement  
26 issued prior to August 28, 2013, or a valid concealed carry  
27 permit under section 571.111 when such uses are reasonably  
28 associated with or are necessary to the fulfillment of such

1 person's official duties; and

2 (12) Upon the written approval of the governing body of a  
3 fire department or fire protection district, any paid fire  
4 department or fire protection district chief who is employed on a  
5 full-time basis and who has a valid concealed carry endorsement  
6 issued prior to August 28, 2013, or a valid concealed carry  
7 permit, when such uses are reasonably associated with or are  
8 necessary to the fulfillment of such person's official duties.

9 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of  
10 this section do not apply when the actor is transporting such  
11 weapons in a nonfunctioning state or in an unloaded state when  
12 ammunition is not readily accessible or when such weapons are not  
13 readily accessible. Subdivision (1) of subsection 1 of this  
14 section does not apply to any person [~~twenty-one~~ nineteen years  
15 of age or older or eighteen years of age or older and a member of  
16 the United States Armed Forces, or honorably discharged from the  
17 United States Armed Forces, transporting a concealable firearm in  
18 the passenger compartment of a motor vehicle, so long as such  
19 concealable firearm is otherwise lawfully possessed, nor when the  
20 actor is also in possession of an exposed firearm or projectile  
21 weapon for the lawful pursuit of game, or is in his or her  
22 dwelling unit or upon premises over which the actor has  
23 possession, authority or control, or is traveling in a continuous  
24 journey peaceably through this state. Subdivision (10) of  
25 subsection 1 of this section does not apply if the firearm is  
26 otherwise lawfully possessed by a person while traversing school  
27 premises for the purposes of transporting a student to or from  
28 school, or possessed by an adult for the purposes of facilitation

1 of a school-sanctioned firearm-related event or club event.

2 4. Subdivisions (1), (8), and (10) of subsection 1 of this  
3 section shall not apply to any person who has a valid concealed  
4 carry permit issued pursuant to sections 571.101 to 571.121, a  
5 valid concealed carry endorsement issued before August 28, 2013,  
6 or a valid permit or endorsement to carry concealed firearms  
7 issued by another state or political subdivision of another  
8 state.

9 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10)  
10 of subsection 1 of this section shall not apply to persons who  
11 are engaged in a lawful act of defense pursuant to section  
12 563.031.

13 6. Notwithstanding any provision of this section to the  
14 contrary, the state shall not prohibit any state employee from  
15 having a firearm in the employee's vehicle on the state's  
16 property provided that the vehicle is locked and the firearm is  
17 not visible. This subsection shall only apply to the state as an  
18 employer when the state employee's vehicle is on property owned  
19 or leased by the state and the state employee is conducting  
20 activities within the scope of his or her employment. For the  
21 purposes of this subsection, "state employee" means an employee  
22 of the executive, legislative, or judicial branch of the  
23 government of the state of Missouri.

24 7. Nothing in this section shall make it unlawful for a  
25 student to actually participate in school-sanctioned gun safety  
26 courses, student military or ROTC courses, or other  
27 school-sponsored or club-sponsored firearm-related events,  
28 provided the student does not carry a firearm or other weapon

1 readily capable of lethal use into any school, onto any school  
2 bus, or onto the premises of any other function or activity  
3 sponsored or sanctioned by school officials or the district  
4 school board.

5 8. Unlawful use of weapons is a class D felony unless  
6 committed pursuant to subdivision (6), (7), or (8) of subsection  
7 1 of this section, in which cases it is a class B misdemeanor, or  
8 subdivision (5) or (10) of subsection 1 of this section, in which  
9 case it is a class A misdemeanor if the firearm is unloaded and a  
10 class D felony if the firearm is loaded, or subdivision (9) of  
11 subsection 1 of this section, in which case it is a class B  
12 felony, except that if the violation of subdivision (9) of  
13 subsection 1 of this section results in injury or death to  
14 another person, it is a class A felony.

15 9. Violations of subdivision (9) of subsection 1 of this  
16 section shall be punished as follows:

17 (1) For the first violation a person shall be sentenced to  
18 the maximum authorized term of imprisonment for a class B felony;

19 (2) For any violation by a prior offender as defined in  
20 section 558.016, a person shall be sentenced to the maximum  
21 authorized term of imprisonment for a class B felony without the  
22 possibility of parole, probation or conditional release for a  
23 term of ten years;

24 (3) For any violation by a persistent offender as defined  
25 in section 558.016, a person shall be sentenced to the maximum  
26 authorized term of imprisonment for a class B felony without the  
27 possibility of parole, probation, or conditional release;

28 (4) For any violation which results in injury or death to



1 another person, a person shall be sentenced to an authorized  
2 disposition for a class A felony.

3 10. Any person knowingly aiding or abetting any other  
4 person in the violation of subdivision (9) of subsection 1 of  
5 this section shall be subject to the same penalty as that  
6 prescribed by this section for violations by other persons.

7 11. Notwithstanding any other provision of law, no person  
8 who pleads guilty to or is found guilty of a felony violation of  
9 subsection 1 of this section shall receive a suspended imposition  
10 of sentence if such person has previously received a suspended  
11 imposition of sentence for any other firearms- or weapons-related  
12 felony offense.

13 12. As used in this section "qualified retired peace  
14 officer" means an individual who:

15 (1) Retired in good standing from service with a public  
16 agency as a peace officer, other than for reasons of mental  
17 instability;

18 (2) Before such retirement, was authorized by law to engage  
19 in or supervise the prevention, detection, investigation, or  
20 prosecution of, or the incarceration of any person for, any  
21 violation of law, and had statutory powers of arrest;

22 (3) Before such retirement, was regularly employed as a  
23 peace officer for an aggregate of fifteen years or more, or  
24 retired from service with such agency, after completing any  
25 applicable probationary period of such service, due to a  
26 service-connected disability, as determined by such agency;

27 (4) Has a nonforfeitable right to benefits under the  
28 retirement plan of the agency if such a plan is available;

1 (5) During the most recent twelve-month period, has met, at  
2 the expense of the individual, the standards for training and  
3 qualification for active peace officers to carry firearms;

4 (6) Is not under the influence of alcohol or another  
5 intoxicating or hallucinatory drug or substance; and

6 (7) Is not prohibited by federal law from receiving a  
7 firearm.

8 13. The identification required by subdivision (1) of  
9 subsection 2 of this section is:

10 (1) A photographic identification issued by the agency from  
11 which the individual retired from service as a peace officer that  
12 indicates that the individual has, not less recently than one  
13 year before the date the individual is carrying the concealed  
14 firearm, been tested or otherwise found by the agency to meet the  
15 standards established by the agency for training and  
16 qualification for active peace officers to carry a firearm of the  
17 same type as the concealed firearm; or

18 (2) A photographic identification issued by the agency from  
19 which the individual retired from service as a peace officer; and

20 (3) A certification issued by the state in which the  
21 individual resides that indicates that the individual has, not  
22 less recently than one year before the date the individual is  
23 carrying the concealed firearm, been tested or otherwise found by  
24 the state to meet the standards established by the state for  
25 training and qualification for active peace officers to carry a  
26 firearm of the same type as the concealed firearm.

27 **571.070.** 1. A person commits the [crime] offense of  
28 unlawful possession of a firearm if such person knowingly has any

**Note: These are Class C felony offenses.**

1 firearm in his or her possession and such person:

2 (1) [Such person] Has been convicted of a felony under the  
3 laws of this state, or of a crime under the laws of any state or  
4 of the United States which, if committed within this state, would  
5 be a felony; [or]

6 (2) [Such person] Is a fugitive from justice, is habitually  
7 in an intoxicated or drugged condition, or is currently adjudged  
8 mentally incompetent; **The underscored text, below added Conference Committee**  
**Substitute.**

9 (3) Is subject to a full **order of protection** under chapter  
10 455 that:

11 (a) Restrains such person from harassing, stalking, or  
12 threatening a family or household member as "family" and  
13 "household member" are defined under section 455.010, or a child  
14 of the person or family or household member, or engaging in other  
15 conduct that would place a family or household member in  
16 reasonable fear of bodily injury to the family or household  
17 member or child; and

18 (b) Includes a finding that such person represents a  
19 credible threat to the physical safety of such family or  
20 household member or child, or by its terms explicitly prohibits  
21 the use, attempted use, or threatened use of physical force  
22 against such family or household member or child that would  
23 reasonably be expected to cause bodily injury; or

24 (4) Has been **convicted of a misdemeanor** under the laws of  
25 this state, or under the **laws of any state** or of the United  
26 States, when such offense has, **as an element**, the use or  
27 **attempted use of physical force**, or the **threatened use** of a  
28 deadly weapon, by a family or household member of the victim.

1           2.   **Unlawful possession of a firearm is a class C felony.**

2           3.   The provisions of subdivision (1) of subsection 1 of  
3 this section shall not apply to the possession of an antique  
4 firearm.

5           571.101. 1. All applicants for concealed carry permits  
6 issued pursuant to subsection 7 of this section must satisfy the  
7 requirements of sections 571.101 to 571.121. If the said  
8 applicant can show qualification as provided by sections 571.101  
9 to 571.121, the county or city sheriff shall issue a concealed  
10 carry permit authorizing the carrying of a concealed firearm on  
11 or about the applicant's person or within a vehicle. A concealed  
12 carry permit shall be valid [for a period of five years] from the  
13 date of issuance or renewal until five years from the last day of  
14 the month in which the permit was issued or renewed. The  
15 concealed carry permit is valid throughout this state. Although  
16 the permit is considered valid in the state, a person who fails  
17 to renew his or her permit within five years from the date of  
18 issuance or renewal shall not be eligible for an exception to a  
19 National Instant Criminal Background Check under federal  
20 regulations currently codified under 27 CFR 478.102(d), relating  
21 to the transfer, sale, or delivery of firearms from licensed  
22 dealers. A concealed carry endorsement issued prior to August  
23 28, 2013, shall continue [for a period of three years] from the  
24 date of issuance or renewal until three years from the last day  
25 of the month in which the endorsement was issued or renewed to  
26 authorize the carrying of a concealed firearm on or about the  
27 applicant's person or within a vehicle in the same manner as a  
28 concealed carry permit issued under subsection 7 of this section

1 on or after August 28, 2013.

2 2. A concealed carry permit issued pursuant to subsection 7  
3 of this section shall be issued by the sheriff or his or her  
4 designee of the county or city in which the applicant resides, if  
5 the applicant:

6 (1) Is at least [twenty-one] nineteen years of age, is a  
7 citizen or permanent resident of the United States and either:

8 (a) Has assumed residency in this state; or

9 (b) Is a member of the Armed Forces stationed in Missouri,  
10 or the spouse of such member of the military;

11 (2) Is at least [twenty-one] nineteen years of age, or is  
12 at least eighteen years of age and a member of the United States  
13 Armed Forces or honorably discharged from the United States Armed  
14 Forces, and is a citizen of the United States and either:

15 (a) Has assumed residency in this state;

16 (b) Is a member of the Armed Forces stationed in Missouri;  
17 or

18 (c) The spouse of such member of the military stationed in  
19 Missouri and [twenty-one] nineteen years of age;

20 (3) Has not pled guilty to or entered a plea of nolo  
21 contendere or been convicted of a crime punishable by  
22 imprisonment for a term exceeding one year under the laws of any  
23 state or of the United States other than a crime classified as a  
24 misdemeanor under the laws of any state and punishable by a term  
25 of imprisonment of two years or less that does not involve an  
26 explosive weapon, firearm, firearm silencer or gas gun;

27 (4) Has not been convicted of, pled guilty to or entered a  
28 plea of nolo contendere to one or more misdemeanor offenses

1 involving crimes of violence within a five-year period  
2 immediately preceding application for a concealed carry permit or  
3 if the applicant has not been convicted of two or more  
4 misdemeanor offenses involving driving while under the influence  
5 of intoxicating liquor or drugs or the possession or abuse of a  
6 controlled substance within a five-year period immediately  
7 preceding application for a concealed carry permit;

8 (5) Is not a fugitive from justice or currently charged in  
9 an information or indictment with the commission of a crime  
10 punishable by imprisonment for a term exceeding one year under  
11 the laws of any state of the United States other than a crime  
12 classified as a misdemeanor under the laws of any state and  
13 punishable by a term of imprisonment of two years or less that  
14 does not involve an explosive weapon, firearm, firearm silencer,  
15 or gas gun;

16 (6) Has not been discharged under dishonorable conditions  
17 from the United States Armed Forces;

18 (7) Has not engaged in a pattern of behavior, documented in  
19 public or closed records, that causes the sheriff to have a  
20 reasonable belief that the applicant presents a danger to himself  
21 or others;

22 (8) Is not adjudged mentally incompetent at the time of  
23 application or for five years prior to application, or has not  
24 been committed to a mental health facility, as defined in section  
25 632.005, or a similar institution located in another state  
26 following a hearing at which the defendant was represented by  
27 counsel or a representative;

28 (9) Submits a completed application for a permit as

1 described in subsection 3 of this section;

2 (10) Submits an affidavit attesting that the applicant  
3 complies with the concealed carry safety training requirement  
4 pursuant to subsections 1 and 2 of section 571.111;

5 (11) Is not the respondent of a valid full order of  
6 protection which is still in effect;

7 (12) Is not otherwise prohibited from possessing a firearm  
8 under section 571.070 [or 18 U.S.C. 922(g)].

9 3. The application for a concealed carry permit issued by  
10 the sheriff of the county of the applicant's residence shall  
11 contain only the following information:

12 (1) The applicant's name, address, telephone number,  
13 gender, date and place of birth, and, if the applicant is not a  
14 United States citizen, the applicant's country of citizenship and  
15 any alien or admission number issued by the Federal Bureau of  
16 Customs and Immigration Enforcement or any successor agency;

17 (2) An affirmation that the applicant has assumed residency  
18 in Missouri or is a member of the Armed Forces stationed in  
19 Missouri or the spouse of such a member of the Armed Forces and  
20 is a citizen or permanent resident of the United States;

21 (3) An affirmation that the applicant is at least  
22 [twenty-one] nineteen years of age or is eighteen years of age or  
23 older and a member of the United States Armed Forces or honorably  
24 discharged from the United States Armed Forces;

25 (4) An affirmation that the applicant has not pled guilty  
26 to or been convicted of a crime punishable by imprisonment for a  
27 term exceeding one year under the laws of any state or of the  
28 United States other than a crime classified as a misdemeanor

1 under the laws of any state and punishable by a term of  
2 imprisonment of two years or less that does not involve an  
3 explosive weapon, firearm, firearm silencer, or gas gun;

4 (5) An affirmation that the applicant has not been  
5 convicted of, pled guilty to, or entered a plea of nolo  
6 contendere to one or more misdemeanor offenses involving crimes  
7 of violence within a five-year period immediately preceding  
8 application for a permit or if the applicant has not been  
9 convicted of two or more misdemeanor offenses involving driving  
10 while under the influence of intoxicating liquor or drugs or the  
11 possession or abuse of a controlled substance within a five-year  
12 period immediately preceding application for a permit;

13 (6) An affirmation that the applicant is not a fugitive  
14 from justice or currently charged in an information or indictment  
15 with the commission of a crime punishable by imprisonment for a  
16 term exceeding one year under the laws of any state or of the  
17 United States other than a crime classified as a misdemeanor  
18 under the laws of any state and punishable by a term of  
19 imprisonment of two years or less that does not involve an  
20 explosive weapon, firearm, firearm silencer or gas gun;

21 (7) An affirmation that the applicant has not been  
22 discharged under dishonorable conditions from the United States  
23 Armed Forces;

24 (8) An affirmation that the applicant is not adjudged  
25 mentally incompetent at the time of application or for five years  
26 prior to application, or has not been committed to a mental  
27 health facility, as defined in section 632.005, or a similar  
28 institution located in another state, except that a person whose



1 release or discharge from a facility in this state pursuant to  
2 chapter 632, or a similar discharge from a facility in another  
3 state, occurred more than five years ago without subsequent  
4 recommitment may apply;

5 (9) An affirmation that the applicant has received firearms  
6 safety training that meets the standards of applicant firearms  
7 safety training defined in subsection 1 or 2 of section 571.111;

8 (10) An affirmation that the applicant, to the applicant's  
9 best knowledge and belief, is not the respondent of a valid full  
10 order of protection which is still in effect;

11 (11) A conspicuous warning that false statements made by  
12 the applicant will result in prosecution for perjury pursuant to  
13 the laws of the state of Missouri; and

14 (12) A government-issued photo identification. This  
15 photograph shall not be included on the permit and shall only be  
16 used to verify the person's identity for permit renewal, or for  
17 the issuance of a new permit due to change of address, or for a  
18 lost or destroyed permit.

19 4. An application for a concealed carry permit shall be  
20 made to the sheriff of the county or any city not within a county  
21 in which the applicant resides. An application shall be filed in  
22 writing, signed under oath and under the penalties of perjury,  
23 and shall state whether the applicant complies with each of the  
24 requirements specified in subsection 2 of this section. In  
25 addition to the completed application, the applicant for a  
26 concealed carry permit must also submit the following:

27 (1) A photocopy of a firearms safety training certificate  
28 of completion or other evidence of completion of a firearms

1 safety training course that meets the standards established in  
2 subsection 1 or 2 of section 571.111; and

3 (2) A nonrefundable permit fee as provided by subsection 11  
4 or 12 of this section. Both fees provided for in these  
5 subsections shall be waived for service-disabled veterans as such  
6 term is defined in section 34.074.

7 5. (1) Before an application for a concealed carry permit  
8 is approved, the sheriff shall make only such inquiries as he or  
9 she deems necessary into the accuracy of the statements made in  
10 the application. The sheriff may require that the applicant  
11 display a Missouri driver's license or nondriver's license or  
12 military identification and orders showing the person being  
13 stationed in Missouri. In order to determine the applicant's  
14 suitability for a concealed carry permit, the applicant shall be  
15 fingerprinted. No other biometric data shall be collected from  
16 the applicant. The sheriff shall [request a criminal background  
17 check, including] conduct an inquiry of the National Instant  
18 Criminal Background Check System[, through the appropriate law  
19 enforcement agency] within three working days after submission of  
20 the properly completed application for a concealed carry permit.  
21 If no disqualifying record is identified by these checks at the  
22 state level, the fingerprints shall be forwarded to the Federal  
23 Bureau of Investigation for a national criminal history record  
24 check. Upon receipt of the completed [background checks,] report  
25 from the National Instant Criminal Background Check System and  
26 the response from the Federal Bureau of Investigation national  
27 criminal history record check, the sheriff shall examine the  
28 results and, if no disqualifying information is identified, shall

1 issue a concealed carry permit within three working days.

2 (2) In the event the [background checks] report from the  
3 National Instant Criminal Background Check System and the  
4 response from the Federal Bureau of Investigation national  
5 criminal history record check prescribed by subdivision (1) of  
6 this subsection are not completed within forty-five calendar days  
7 and no disqualifying information concerning the applicant has  
8 otherwise come to the sheriff's attention, the sheriff shall  
9 issue a provisional permit, clearly designated on the certificate  
10 as such, which the applicant shall sign in the presence of the  
11 sheriff or the sheriff's designee. This permit, when carried  
12 with a valid Missouri driver's or nondriver's license or a valid  
13 military identification, shall permit the applicant to exercise  
14 the same rights in accordance with the same conditions as pertain  
15 to a concealed carry permit issued under this section, provided  
16 that it shall not serve as an alternative to an national instant  
17 criminal background check required by 18 U.S.C. 922(t). The  
18 provisional permit shall remain valid until such time as the  
19 sheriff either issues or denies the certificate of qualification  
20 under subsection 6 or 7 of this section. The sheriff shall  
21 revoke a provisional permit issued under this subsection within  
22 twenty-four hours of receipt of any [background check] report  
23 that identifies a disqualifying record, and shall notify the  
24 [Missouri uniform law enforcement] concealed carry permit system  
25 established under subsection 5 of section 650.350. The  
26 revocation of a provisional permit issued under this section  
27 shall be proscribed in a manner consistent to the denial and  
28 review of an application under subsection 6 of this section.

1           6. The sheriff may refuse to approve an application for a  
2 concealed carry permit if he or she determines that any of the  
3 requirements specified in subsection 2 of this section have not  
4 been met, or if he or she has a substantial and demonstrable  
5 reason to believe that the applicant has rendered a false  
6 statement regarding any of the provisions of sections 571.101 to  
7 571.121. If the applicant is found to be ineligible, the sheriff  
8 is required to deny the application, and notify the applicant in  
9 writing, stating the grounds for denial and informing the  
10 applicant of the right to submit, within thirty days, any  
11 additional documentation relating to the grounds of the denial.  
12 Upon receiving any additional documentation, the sheriff shall  
13 reconsider his or her decision and inform the applicant within  
14 thirty days of the result of the reconsideration. The applicant  
15 shall further be informed in writing of the right to appeal the  
16 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.  
17 After two additional reviews and denials by the sheriff, the  
18 person submitting the application shall appeal the denial  
19 pursuant to subsections 2, 3, 4, and 5 of section 571.114.

20           7. If the application is approved, the sheriff shall issue  
21 a concealed carry permit to the applicant within a period not to  
22 exceed three working days after his or her approval of the  
23 application. The applicant shall sign the concealed carry permit  
24 in the presence of the sheriff or his or her designee [and shall  
25 within seven days of receipt of the certificate of qualification  
26 take the certificate of qualification to the department of  
27 revenue. Upon verification of the certificate of qualification  
28 and completion of a driver's license or nondriver's license

1 application pursuant to chapter 302, the director of revenue  
2 shall issue a new driver's license or nondriver's license with an  
3 endorsement which identifies that the applicant has received a  
4 certificate of qualification to carry concealed weapons issued  
5 pursuant to sections 571.101 to 571.121 if the applicant is  
6 otherwise qualified to receive such driver's license or  
7 nondriver's license. Notwithstanding any other provision of  
8 chapter 302, a nondriver's license with a concealed carry  
9 endorsement shall expire three years from the date the  
10 certificate of qualification was issued pursuant to this  
11 section].

12 8. The concealed carry permit shall specify only the  
13 following information:

- 14 (1) Name, address, date of birth, gender, height, weight,  
15 color of hair, color of eyes, and signature of the permit holder;  
16 (2) The signature of the sheriff issuing the permit;  
17 (3) The date of issuance; and  
18 (4) The expiration date.

19 The permit shall be no larger than two and one-eighth inches wide  
20 by three and ~~[one-fourth]~~ three-eighths inches long and shall be  
21 of a uniform style prescribed by the department of public safety.  
22 The permit shall also be assigned a ~~[Missouri uniform law~~  
23 ~~enforcement]~~ concealed carry permit system county code and shall  
24 be stored in sequential number.

25 9. (1) The sheriff shall keep a record of all applications  
26 for a concealed carry permit or a provisional permit and his or  
27 her action thereon. Any record of an application that is  
28 incomplete or denied for any reason shall be kept for a period

1 not to exceed one year. Any record of an application that was  
2 approved shall be kept for a period of one year after the  
3 expiration and nonrenewal of the permit. [Beginning August 28,  
4 2013, the department of revenue shall not keep any record of an  
5 application for a concealed carry permit. Any information  
6 collected by the department of revenue related to an application  
7 for a concealed carry endorsement prior to August 28, 2013, shall  
8 be given to the members of MoSMART, created under section  
9 650.350, for the dissemination of the information to the sheriff  
10 of any county or city not within a county in which the applicant  
11 resides to keep in accordance with the provisions of this  
12 subsection.]

13 (2) The sheriff shall report the issuance of a concealed  
14 carry permit or provisional permit to the [Missouri uniform law  
15 enforcement] concealed carry permit system. All information on  
16 any such permit that is protected information on any driver's or  
17 nondriver's license shall have the same personal protection for  
18 purposes of sections 571.101 to 571.121. An applicant's status  
19 as a holder of a concealed carry permit, provisional permit, or a  
20 concealed carry endorsement issued prior to August 28, 2013,  
21 shall not be public information and shall be considered personal  
22 protected information. Information retained in the concealed  
23 carry permit system under this subsection shall not be [batch  
24 processed for query] distributed to any federal, state, or  
25 private entities and shall only be made available for a single  
26 entry query of an individual in the event the individual is a  
27 subject of interest in an active criminal investigation or is  
28 arrested for a crime. A sheriff may access the concealed carry

1 permit system for administrative purposes to issue a permit,  
2 verify the accuracy of permit holder information, change the name  
3 or address of a permit holder, suspend or revoke a permit, cancel  
4 an expired permit, or cancel a permit upon receipt of a certified  
5 death certificate for the permit holder. Any person who violates  
6 the provisions of this [subsection] subdivision by disclosing  
7 protected information shall be guilty of a class A misdemeanor.

8 10. Information regarding any holder of a concealed carry  
9 permit, or a concealed carry endorsement issued prior to August  
10 28, 2013, is a closed record. No bulk download or batch data  
11 shall be [performed or] distributed to any federal, state, or  
12 private entity, except to MoSMART [as provided under subsection 9  
13 of this section] or a designee thereof. Any state agency that  
14 has retained any documents or records, including fingerprint  
15 records provided by an applicant for a concealed carry  
16 endorsement prior to August 28, 2013, shall destroy such  
17 documents or records, upon successful issuance of a permit.

18 11. For processing an application for a concealed carry  
19 permit pursuant to sections 571.101 to 571.121, the sheriff in  
20 each county shall charge a nonrefundable fee not to exceed one  
21 hundred dollars which shall be paid to the treasury of the county  
22 to the credit of the sheriff's revolving fund.

23 12. For processing a renewal for a concealed carry permit  
24 pursuant to sections 571.101 to 571.121, the sheriff in each  
25 county shall charge a nonrefundable fee not to exceed fifty  
26 dollars which shall be paid to the treasury of the county to the  
27 credit of the sheriff's revolving fund.

28 13. For the purposes of sections 571.101 to 571.121, the

1 term "sheriff" shall include the sheriff of any county or city  
2 not within a county or his or her designee and in counties of the  
3 first classification the sheriff may designate the chief of  
4 police of any city, town, or municipality within such county.

5 14. For the purposes of this chapter, "concealed carry  
6 permit" shall include any concealed carry endorsement issued by  
7 the department of revenue before January 1, 2014, and any  
8 concealed carry document issued by any sheriff or under the  
9 authority of any sheriff after December 31, 2013.

10 571.104. 1. [(1) A concealed carry permit issued pursuant  
11 to sections 571.101 to 571.121, and, if applicable,] A concealed  
12 carry endorsement issued prior to August 28, 2013, shall be  
13 suspended or revoked if the concealed carry [permit or]  
14 endorsement holder becomes ineligible for such [permit or]  
15 endorsement under the criteria established in subdivisions [(2),]  
16 (3), (4), (5), [(7)] (8), and (11) of subsection 2 of section  
17 571.101 or upon the issuance of a valid full order of protection.  
18 The following procedures shall be followed:

19 [(2)] (1) When a valid full order of protection, or any  
20 arrest warrant, discharge, or commitment for the reasons listed  
21 in subdivision [(2),] (3), (4), (5), [(7)] (8), or (11) of  
22 subsection 2 of section 571.101, is issued against a person  
23 holding [a concealed carry permit issued pursuant to sections  
24 571.101 to 571.121, or] a concealed carry endorsement issued  
25 prior to August 28, 2013, upon notification of said order,  
26 warrant, discharge or commitment or upon an order of a court of  
27 competent jurisdiction in a criminal proceeding, a commitment  
28 proceeding or a full order of protection proceeding ruling that a



1 person holding a concealed carry [permit or] endorsement presents  
2 a risk of harm to themselves or others, then upon notification of  
3 such order, the holder of the concealed carry [permit or]  
4 endorsement shall surrender [the permit, and, if applicable,] the  
5 driver's license or nondriver's license containing the concealed  
6 carry endorsement to the court, officer, or other official  
7 serving the order, warrant, discharge, or commitment.

8 [(3) In cases involving a concealed carry endorsement  
9 issued prior to August 28, 2013,] The official to whom the  
10 driver's license or nondriver's license containing the concealed  
11 carry endorsement is surrendered shall issue a receipt to the  
12 licensee for the license upon a form, approved by the director of  
13 revenue, that serves as a driver's license or a nondriver's  
14 license and clearly states the concealed carry endorsement has  
15 been suspended. The official shall then transmit the driver's  
16 license or a nondriver's license containing the concealed carry  
17 endorsement to the circuit court of the county issuing the order,  
18 warrant, discharge, or commitment. [The concealed carry permit  
19 issued pursuant to sections 571.101 to 571.121, and, if  
20 applicable,] The concealed carry endorsement issued prior to  
21 August 28, 2013, shall be suspended until the order is terminated  
22 or until the arrest results in a dismissal of all charges. The  
23 official to whom the endorsement is surrendered shall  
24 administratively suspend the endorsement in the concealed carry  
25 permit system established under subsection 5 of section 650.350  
26 until such time as the order is terminated or until the charges  
27 are dismissed. Upon dismissal, the court holding the [permit  
28 and, if applicable, the] driver's license or nondriver's license

1 containing the concealed carry endorsement shall return such  
2 [permit or] license to the individual, and the official to whom  
3 the endorsement was surrendered shall administratively return the  
4 endorsement to good standing within the concealed carry permit  
5 system.

6 [(4)] (2) Any conviction, discharge, or commitment  
7 specified in sections 571.101 to 571.121 shall result in a  
8 revocation. Upon conviction, the court shall forward a notice of  
9 conviction or action [and the permit to the issuing county  
10 sheriff. If a concealed carry endorsement issued prior to August  
11 28, 2013, is revoked, the court shall forward the notice] and the  
12 driver's license or nondriver's license with the concealed carry  
13 endorsement to the department of revenue. The department of  
14 revenue shall notify the sheriff of the county which issued the  
15 certificate of qualification for a concealed carry endorsement.  
16 The sheriff who issued the [concealed carry permit, or the]  
17 certificate of qualification prior to August 28, 2013, shall  
18 report the change in status of the [concealed carry permit or]  
19 endorsement to the [Missouri uniform law enforcement] concealed  
20 carry permit system established under subsection 5 of section  
21 650.350. The director of revenue shall immediately remove the  
22 endorsement issued prior to August 28, 2013, from the  
23 individual's driving record within three days of the receipt of  
24 the notice from the court. The director of revenue shall notify  
25 the licensee that he or she must apply for a new license pursuant  
26 to chapter 302 which does not contain such endorsement. This  
27 requirement does not affect the driving privileges of the  
28 licensee. The notice issued by the department of revenue shall

1 be mailed to the last known address shown on the individual's  
2 driving record. The notice is deemed received three days after  
3 mailing.

4 2. A concealed carry permit issued pursuant to sections  
5 571.101 to 571.121 after August 28, 2013, shall be suspended or  
6 revoked if the concealed carry permit holder becomes ineligible  
7 for such permit under the criteria established in subdivisions  
8 (3), (4), (5), (8), and (11) of subsection 2 of section 571.101  
9 or upon the issuance of a valid full order of protection. The  
10 following procedures shall be followed:

11 (1) When a valid full order of protection or any arrest  
12 warrant, discharge, or commitment for the reasons listed in  
13 subdivision (3), (4), (5), (8), or (11) of subsection 2 of  
14 section 571.101 is issued against a person holding a concealed  
15 carry permit, upon notification of said order, warrant,  
16 discharge, or commitment, or upon an order of a court of  
17 competent jurisdiction in a criminal proceeding, a commitment  
18 proceeding, or a full order of protection proceeding ruling that  
19 a person holding a concealed carry permit presents a risk of harm  
20 to themselves or others, then upon notification of such order,  
21 the holder of the concealed carry permit shall surrender the  
22 permit to the court, officer, or other official serving the  
23 order, warrant, discharge, or commitment. The permit shall be  
24 suspended until the order is terminated or until the arrest  
25 results in a dismissal of all charges. The official to whom the  
26 permit is surrendered shall administratively suspend the permit  
27 in the concealed carry permit system until the order is  
28 terminated or the charges are dismissed. Upon dismissal, the

1 court holding the permit shall return such permit to the  
2 individual and the official to whom the permit was surrendered  
3 shall administratively return the permit to good standing within  
4 the concealed carry permit system.

5 (2) Any conviction, discharge, or commitment specified in  
6 sections 571.101 to 571.121 shall result in a revocation. Upon  
7 conviction, the court shall forward a notice of conviction or  
8 action and the permit to the issuing county sheriff. The sheriff  
9 who issued the concealed carry permit shall report the change in  
10 status of the concealed carry permit to the concealed carry  
11 permit system.

12 [2.] 3. A concealed carry permit shall be renewed for a  
13 qualified applicant upon receipt of the properly completed  
14 renewal application and the required renewal fee by the sheriff  
15 of the county of the applicant's residence. The renewal  
16 application shall contain the same required information as set  
17 forth in subsection 3 of section 571.101, except that in lieu of  
18 the fingerprint requirement of subsection 5 of section 571.101  
19 and the firearms safety training, the applicant need only display  
20 his or her current concealed carry permit. A name-based  
21 [background check, including an] inquiry of the National Instant  
22 Criminal Background Check System, shall be completed for each  
23 renewal application. The sheriff shall review the results of the  
24 [background check] report from the National Instant Criminal  
25 Background Check System, and when the sheriff has determined the  
26 applicant has successfully completed all renewal requirements and  
27 is not disqualified under any provision of section 571.101, the  
28 sheriff shall issue a new concealed carry permit which contains

1 the date such permit was renewed. The process for renewing a  
2 concealed carry endorsement issued prior to August 28, 2013,  
3 shall be the same as the process for renewing a permit, except  
4 that in lieu of the fingerprint requirement of subsection 5 of  
5 section 571.101 and the firearms safety training, the applicant  
6 need only display his or her current driver's license or  
7 nondriver's license containing an endorsement. Upon successful  
8 completion of all renewal requirements, the sheriff shall issue a  
9 new concealed carry permit as provided under this subsection.

10 [3.] 4. A person who has been issued a concealed carry  
11 permit, or a certificate of qualification for a concealed carry  
12 endorsement prior to August 28, 2013, who fails to file a renewal  
13 application for a concealed carry permit on or before its  
14 expiration date must pay an additional late fee of ten dollars  
15 per month for each month it is expired for up to six months.  
16 After six months, the sheriff who issued the expired concealed  
17 carry permit or certificate of qualification shall notify the  
18 [Missouri uniform law enforcement] concealed carry permit system  
19 [and the individual] that such permit is expired and cancelled.  
20 If the person has a concealed carry endorsement issued prior to  
21 August 28, 2013, the sheriff who issued the certificate of  
22 qualification for the endorsement shall notify the director of  
23 revenue that such certificate is expired regardless of whether  
24 the endorsement holder has applied for a concealed carry permit  
25 under subsection 2 of this section. The director of revenue  
26 shall immediately remove such endorsement from the individual's  
27 driving record and notify the individual that his or her driver's  
28 license or nondriver's license has expired. The notice shall be

1 conducted in the same manner as described in subsection 1 of this  
2 section. Any person who has been issued a concealed carry permit  
3 pursuant to sections 571.101 to 571.121, or a concealed carry  
4 endorsement issued prior to August 28, 2013, who fails to renew  
5 his or her application within the six-month period must reapply  
6 for a new concealed carry permit and pay the fee for a new  
7 application.

8 [4.] 5. Any person issued a concealed carry permit pursuant  
9 to sections 571.101 to 571.121, or a concealed carry endorsement  
10 issued prior to August 28, 2013, shall notify the [sheriffs of  
11 both the old and new jurisdictions] sheriff of the new  
12 jurisdiction of the permit or endorsement holder's change of  
13 residence within thirty days after the changing of a permanent  
14 residence to a location outside the county of permit issuance.  
15 The permit or endorsement holder shall furnish proof to the  
16 sheriff in the new jurisdiction that the permit or endorsement  
17 holder has changed his or her residence. The sheriff in the new  
18 jurisdiction shall notify the sheriff in the old jurisdiction of  
19 the permit holder's change of address and the sheriff in the old  
20 jurisdiction shall transfer any information on file for the  
21 permit holder to the sheriff in the new jurisdiction within  
22 thirty days. The sheriff of the new jurisdiction may charge a  
23 processing fee of not more than ten dollars for any costs  
24 associated with notification of a change in residence. [If the  
25 person has a concealed carry endorsement issued prior to August  
26 28, 2013, the endorsement holder shall also furnish proof to the  
27 department of revenue of his or her residence change. In such  
28 cases, the change of residence shall be made by the department of

1 revenue onto the individual's driving record.] The sheriff shall  
2 report the residence change to the [Missouri uniform law  
3 enforcement system, and] concealed carry permit system, take  
4 possession and destroy the old permit, and then issue a new  
5 permit to the permit holder. The new address shall be accessible  
6 by the [Missouri uniform law enforcement] concealed carry permit  
7 system within three days of receipt of the information. If the  
8 person has a concealed carry endorsement issued prior to August  
9 28, 2013, the endorsement holder shall also furnish proof to the  
10 department of revenue of his or her residence change. In such  
11 cases, the change of residence shall be made by the department of  
12 revenue onto the individual's driving record.

13 [5.] 6. Any person issued a concealed carry permit pursuant  
14 to sections 571.101 to 571.121, or a concealed carry endorsement  
15 issued prior to August 28, 2013, shall notify the sheriff or his  
16 or her designee of the permit or endorsement holder's county or  
17 city of residence within seven days after actual knowledge of the  
18 loss or destruction of his or her permit or driver's license or  
19 nondriver's license containing a concealed carry endorsement.  
20 The permit or endorsement holder shall furnish a statement to the  
21 sheriff that the permit or driver's license or nondriver's  
22 license containing the concealed carry endorsement has been lost  
23 or destroyed. After notification of the loss or destruction of a  
24 permit or driver's license or nondriver's license containing a  
25 concealed carry endorsement, the sheriff may charge a processing  
26 fee of ten dollars for costs associated with [placing] replacing  
27 a lost or destroyed permit or driver's license or nondriver's  
28 license containing a concealed carry endorsement and shall

1 reissue a new concealed carry permit within three working days of  
2 being notified by the concealed carry permit or endorsement  
3 holder of its loss or destruction. The new concealed carry  
4 permit shall contain the same personal information, including  
5 expiration date, as the original concealed carry permit.

6 [6.] 7. If a person issued a concealed carry permit, or  
7 endorsement issued prior to August 28, 2013, changes his or her  
8 name, the person to whom the permit or endorsement was issued  
9 shall obtain a corrected or new concealed carry permit with a  
10 change of name from the sheriff who issued the original concealed  
11 carry permit or the original certificate of qualification for an  
12 endorsement upon the sheriff's verification of the name change.  
13 The sheriff may charge a processing fee of not more than ten  
14 dollars for any costs associated with obtaining a corrected or  
15 new concealed carry permit. The permit or endorsement holder  
16 shall furnish proof of the name change to the sheriff within  
17 thirty days of changing his or her name and display his or her  
18 concealed carry permit or current driver's license or nondriver's  
19 license containing a concealed carry endorsement. The sheriff  
20 shall report the name change to the [Missouri uniform law  
21 enforcement] concealed carry permit system, and the new name  
22 shall be accessible by the [Missouri uniform law enforcement]  
23 concealed carry permit system within three days of receipt of the  
24 information.

25 [7.] 8. The person with a concealed carry permit, or  
26 endorsement issued prior to August 28, 2013, shall notify the  
27 sheriff of a name or address change within thirty days of the  
28 change. A concealed carry permit and, if applicable, endorsement



1 shall be automatically invalid after [thirty] one hundred eighty  
2 days if the permit or endorsement holder has changed his or her  
3 name or changed his or her residence and not notified the sheriff  
4 as required in subsections [4] 5 and [6] 7 of this section. The  
5 sheriff shall assess a late penalty of ten dollars per month for  
6 each month, up to six months and not to exceed sixty dollars, for  
7 the failure to notify the sheriff of the change of name or  
8 address within thirty days.

9 571.107. 1. A concealed carry permit issued pursuant to  
10 sections 571.101 to 571.121, a valid concealed carry endorsement  
11 issued prior to August 28, 2013, or a concealed carry endorsement  
12 or permit issued by another state or political subdivision of  
13 another state shall authorize the person in whose name the permit  
14 or endorsement is issued to carry concealed firearms on or about  
15 his or her person or vehicle throughout the state. No concealed  
16 carry permit issued pursuant to sections 571.101 to 571.121,  
17 valid concealed carry endorsement issued prior to August 28,  
18 2013, or a concealed carry endorsement or permit issued by  
19 another state or political subdivision of another state shall  
20 authorize any person to carry concealed firearms into:

21 (1) Any police, sheriff, or highway patrol office or  
22 station without the consent of the chief law enforcement officer  
23 in charge of that office or station. Possession of a firearm in  
24 a vehicle on the premises of the office or station shall not be a  
25 criminal offense so long as the firearm is not removed from the  
26 vehicle or brandished while the vehicle is on the premises;

27 (2) Within twenty-five feet of any polling place on any  
28 election day. Possession of a firearm in a vehicle on the

1 premises of the polling place shall not be a criminal offense so  
2 long as the firearm is not removed from the vehicle or brandished  
3 while the vehicle is on the premises;

4 (3) The facility of any adult or juvenile detention or  
5 correctional institution, prison or jail. Possession of a  
6 firearm in a vehicle on the premises of any adult, juvenile  
7 detention, or correctional institution, prison or jail shall not  
8 be a criminal offense so long as the firearm is not removed from  
9 the vehicle or brandished while the vehicle is on the premises;

10 (4) Any courthouse solely occupied by the circuit,  
11 appellate or supreme court, or any courtrooms, administrative  
12 offices, libraries or other rooms of any such court whether or  
13 not such court solely occupies the building in question. This  
14 subdivision shall also include, but not be limited to, any  
15 juvenile, family, drug, or other court offices, any room or  
16 office wherein any of the courts or offices listed in this  
17 subdivision are temporarily conducting any business within the  
18 jurisdiction of such courts or offices, and such other locations  
19 in such manner as may be specified by supreme court rule pursuant  
20 to subdivision (6) of this subsection. Nothing in this  
21 subdivision shall preclude those persons listed in subdivision  
22 (1) of subsection 2 of section 571.030 while within their  
23 jurisdiction and on duty, those persons listed in subdivisions  
24 (2), (4), and (10) of subsection 2 of section 571.030, or such  
25 other persons who serve in a law enforcement capacity for a court  
26 as may be specified by supreme court rule pursuant to subdivision  
27 (6) of this subsection from carrying a concealed firearm within  
28 any of the areas described in this subdivision. Possession of a

1 firearm in a vehicle on the premises of any of the areas listed  
2 in this subdivision shall not be a criminal offense so long as  
3 the firearm is not removed from the vehicle or brandished while  
4 the vehicle is on the premises;

5 (5) Any meeting of the governing body of a unit of local  
6 government; or any meeting of the general assembly or a committee  
7 of the general assembly, except that nothing in this subdivision  
8 shall preclude a member of the body holding a valid concealed  
9 carry permit or endorsement from carrying a concealed firearm at  
10 a meeting of the body which he or she is a member. Possession of  
11 a firearm in a vehicle on the premises shall not be a criminal  
12 offense so long as the firearm is not removed from the vehicle or  
13 brandished while the vehicle is on the premises. Nothing in this  
14 subdivision shall preclude a member of the general assembly, a  
15 full-time employee of the general assembly employed under Section  
16 17, Article III, Constitution of Missouri, legislative employees  
17 of the general assembly as determined under section 21.155, or  
18 statewide elected officials and their employees, holding a valid  
19 concealed carry permit or endorsement, from carrying a concealed  
20 firearm in the state capitol building or at a meeting whether of  
21 the full body of a house of the general assembly or a committee  
22 thereof, that is held in the state capitol building;

23 (6) The general assembly, supreme court, county or  
24 municipality may by rule, administrative regulation, or ordinance  
25 prohibit or limit the carrying of concealed firearms by permit or  
26 endorsement holders in that portion of a building owned, leased  
27 or controlled by that unit of government. Any portion of a  
28 building in which the carrying of concealed firearms is

1 prohibited or limited shall be clearly identified by signs posted  
2 at the entrance to the restricted area. The statute, rule or  
3 ordinance shall exempt any building used for public housing by  
4 private persons, highways or rest areas, firing ranges, and  
5 private dwellings owned, leased, or controlled by that unit of  
6 government from any restriction on the carrying or possession of  
7 a firearm. The statute, rule or ordinance shall not specify any  
8 criminal penalty for its violation but may specify that persons  
9 violating the statute, rule or ordinance may be denied entrance  
10 to the building, ordered to leave the building and if employees  
11 of the unit of government, be subjected to disciplinary measures  
12 for violation of the provisions of the statute, rule or  
13 ordinance. The provisions of this subdivision shall not apply to  
14 any other unit of government;

15 (7) Any establishment licensed to dispense intoxicating  
16 liquor for consumption on the premises, which portion is  
17 primarily devoted to that purpose, without the consent of the  
18 owner or manager. The provisions of this subdivision shall not  
19 apply to the licensee of said establishment. The provisions of  
20 this subdivision shall not apply to any bona fide restaurant open  
21 to the general public having dining facilities for not less than  
22 fifty persons and that receives at least fifty-one percent of its  
23 gross annual income from the dining facilities by the sale of  
24 food. This subdivision does not prohibit the possession of a  
25 firearm in a vehicle on the premises of the establishment and  
26 shall not be a criminal offense so long as the firearm is not  
27 removed from the vehicle or brandished while the vehicle is on  
28 the premises. Nothing in this subdivision authorizes any

1 individual who has been issued a concealed carry permit or  
2 endorsement to possess any firearm while intoxicated;

3 (8) Any area of an airport to which access is controlled by  
4 the inspection of persons and property. Possession of a firearm  
5 in a vehicle on the premises of the airport shall not be a  
6 criminal offense so long as the firearm is not removed from the  
7 vehicle or brandished while the vehicle is on the premises;

8 (9) Any place where the carrying of a firearm is prohibited  
9 by federal law;

10 (10) Any higher education institution or elementary or  
11 secondary school facility without the consent of the governing  
12 body of the higher education institution or a school official or  
13 the district school board, unless the person with the concealed  
14 carry endorsement or permit is a teacher or administrator of an  
15 elementary or secondary school who has been designated by his or  
16 her school district as a school protection officer and is  
17 carrying a firearm in a school within that district, in which  
18 case no consent is required. Possession of a firearm in a  
19 vehicle on the premises of any higher education institution or  
20 elementary or secondary school facility shall not be a criminal  
21 offense so long as the firearm is not removed from the vehicle or  
22 brandished while the vehicle is on the premises;

23 (11) Any portion of a building used as a child care  
24 facility without the consent of the manager. Nothing in this  
25 subdivision shall prevent the operator of a child care facility  
26 in a family home from owning or possessing a firearm or a  
27 concealed carry permit or endorsement;

28 (12) Any riverboat gambling operation accessible by the

1 public without the consent of the owner or manager pursuant to  
2 rules promulgated by the gaming commission. Possession of a  
3 firearm in a vehicle on the premises of a riverboat gambling  
4 operation shall not be a criminal offense so long as the firearm  
5 is not removed from the vehicle or brandished while the vehicle  
6 is on the premises;

7 (13) Any gated area of an amusement park. Possession of a  
8 firearm in a vehicle on the premises of the amusement park shall  
9 not be a criminal offense so long as the firearm is not removed  
10 from the vehicle or brandished while the vehicle is on the  
11 premises;

12 (14) Any church or other place of religious worship without  
13 the consent of the minister or person or persons representing the  
14 religious organization that exercises control over the place of  
15 religious worship. Possession of a firearm in a vehicle on the  
16 premises shall not be a criminal offense so long as the firearm  
17 is not removed from the vehicle or brandished while the vehicle  
18 is on the premises;

19 (15) Any private property whose owner has posted the  
20 premises as being off-limits to concealed firearms by means of  
21 one or more signs displayed in a conspicuous place of a minimum  
22 size of eleven inches by fourteen inches with the writing thereon  
23 in letters of not less than one inch. The owner, business or  
24 commercial lessee, manager of a private business enterprise, or  
25 any other organization, entity, or person may prohibit persons  
26 holding a concealed carry permit or endorsement from carrying  
27 concealed firearms on the premises and may prohibit employees,  
28 not authorized by the employer, holding a concealed carry permit

1 or endorsement from carrying concealed firearms on the property  
2 of the employer. If the building or the premises are open to the  
3 public, the employer of the business enterprise shall post signs  
4 on or about the premises if carrying a concealed firearm is  
5 prohibited. Possession of a firearm in a vehicle on the premises  
6 shall not be a criminal offense so long as the firearm is not  
7 removed from the vehicle or brandished while the vehicle is on  
8 the premises. An employer may prohibit employees or other  
9 persons holding a concealed carry permit or endorsement from  
10 carrying a concealed firearm in vehicles owned by the employer;

11 (16) Any sports arena or stadium with a seating capacity of  
12 five thousand or more. Possession of a firearm in a vehicle on  
13 the premises shall not be a criminal offense so long as the  
14 firearm is not removed from the vehicle or brandished while the  
15 vehicle is on the premises;

16 (17) Any hospital accessible by the public. Possession of  
17 a firearm in a vehicle on the premises of a hospital shall not be  
18 a criminal offense so long as the firearm is not removed from the  
19 vehicle or brandished while the vehicle is on the premises.

20 2. Carrying of a concealed firearm in a location specified  
21 in subdivisions (1) to (17) of subsection 1 of this section by  
22 any individual who holds a concealed carry permit issued pursuant  
23 to sections 571.101 to 571.121, or a concealed carry endorsement  
24 issued prior to August 28, 2013, shall not be a criminal act but  
25 may subject the person to denial to the premises or removal from  
26 the premises. If such person refuses to leave the premises and a  
27 peace officer is summoned, such person may be issued a citation  
28 for an amount not to exceed one hundred dollars for the first

1 offense. If a second citation for a similar violation occurs  
2 within a six-month period, such person shall be fined an amount  
3 not to exceed two hundred dollars and his or her permit, and, if  
4 applicable, endorsement to carry concealed firearms shall be  
5 suspended for a period of one year. If a third citation for a  
6 similar violation is issued within one year of the first  
7 citation, such person shall be fined an amount not to exceed five  
8 hundred dollars and shall have his or her concealed carry permit,  
9 and, if applicable, endorsement revoked and such person shall not  
10 be eligible for a concealed carry permit for a period of three  
11 years. Upon conviction of charges arising from a citation issued  
12 pursuant to this subsection, the court shall notify the sheriff  
13 of the county which issued the concealed carry permit, or, if the  
14 person is a holder of a concealed carry endorsement issued prior  
15 to August 28, 2013, the court shall notify the sheriff of the  
16 county which issued the certificate of qualification for a  
17 concealed carry endorsement and the department of revenue. The  
18 sheriff shall suspend or revoke the concealed carry permit or, if  
19 applicable, the certificate of qualification for a concealed  
20 carry endorsement. If the person holds an endorsement, the  
21 department of revenue shall issue a notice of such suspension or  
22 revocation of the concealed carry endorsement and take action to  
23 remove the concealed carry endorsement from the individual's  
24 driving record. The director of revenue shall notify the  
25 licensee that he or she must apply for a new license pursuant to  
26 chapter 302 which does not contain such endorsement. The notice  
27 issued by the department of revenue shall be mailed to the last  
28 known address shown on the individual's driving record. The



1 notice is deemed received three days after mailing.

2 571.111. 1. An applicant for a concealed carry permit  
3 shall demonstrate knowledge of firearms safety training. This  
4 requirement shall be fully satisfied if the applicant for a  
5 concealed carry permit:

6 (1) Submits a photocopy of a certificate of firearms safety  
7 training course completion, as defined in subsection 2 of this  
8 section, signed by a qualified firearms safety instructor as  
9 defined in subsection 5 of this section; or

10 (2) Submits a photocopy of a certificate that shows the  
11 applicant completed a firearms safety course given by or under  
12 the supervision of any state, county, municipal, or federal law  
13 enforcement agency; or

14 (3) Is a qualified firearms safety instructor as defined in  
15 subsection 5 of this section; or

16 (4) Submits proof that the applicant currently holds any  
17 type of valid peace officer license issued under the requirements  
18 of chapter 590; or

19 (5) Submits proof that the applicant is currently allowed  
20 to carry firearms in accordance with the certification  
21 requirements of section 217.710; or

22 (6) Submits proof that the applicant is currently certified  
23 as any class of corrections officer by the Missouri department of  
24 corrections and has passed at least one eight-hour firearms  
25 training course, approved by the director of the Missouri  
26 department of corrections under the authority granted to him or  
27 her, that includes instruction on the justifiable use of force as  
28 prescribed in chapter 563; or

1           (7) Submits a photocopy of a certificate of firearms safety  
2 training course completion that was issued on August 27, 2011, or  
3 earlier so long as the certificate met the requirements of  
4 subsection 2 of this section that were in effect on the date it  
5 was issued.

6           2. A certificate of firearms safety training course  
7 completion may be issued to any applicant by any qualified  
8 firearms safety instructor. On the certificate of course  
9 completion the qualified firearms safety instructor shall affirm  
10 that the individual receiving instruction has taken and passed a  
11 firearms safety course of at least eight hours in length taught  
12 by the instructor that included:

13           (1) Handgun safety in the classroom, at home, on the firing  
14 range and while carrying the firearm;

15           (2) A physical demonstration performed by the applicant  
16 that demonstrated his or her ability to safely load and unload  
17 either a revolver **[and]** or a semiautomatic pistol and  
18 demonstrated his or her marksmanship with **[both]** either firearm;

19           (3) The basic principles of marksmanship;

20           (4) Care and cleaning of concealable firearms;

21           (5) Safe storage of firearms at home;

22           (6) The requirements of this state for obtaining a  
23 concealed carry permit from the sheriff of the individual's  
24 county of residence;

25           (7) The laws relating to firearms as prescribed in this  
26 chapter;

27           (8) The laws relating to the justifiable use of force as  
28 prescribed in chapter 563;

1 (9) A live firing exercise of sufficient duration for each  
2 applicant to fire [both] either a revolver [and] or a  
3 semiautomatic pistol, from a standing position or its equivalent,  
4 a minimum of twenty rounds from [each] the handgun at a distance  
5 of seven yards from a B-27 silhouette target or an equivalent  
6 target;

7 (10) A live fire test administered to the applicant while  
8 the instructor was present of twenty rounds from [each handgun]  
9 either a revolver or a semiautomatic pistol from a standing  
10 position or its equivalent at a distance from a B-27 silhouette  
11 target, or an equivalent target, of seven yards.

12 3. A qualified firearms safety instructor shall not give a  
13 grade of passing to an applicant for a concealed carry permit  
14 who:

15 (1) Does not follow the orders of the qualified firearms  
16 instructor or cognizant range officer; or

17 (2) Handles a firearm in a manner that, in the judgment of  
18 the qualified firearm safety instructor, poses a danger to the  
19 applicant or to others; or

20 (3) During the live fire testing portion of the course  
21 fails to hit the silhouette portion of the targets with at least  
22 fifteen rounds[, with both handguns].

23 4. Qualified firearms safety instructors who provide  
24 firearms safety instruction to any person who applies for a  
25 concealed carry permit shall:

26 (1) Make the applicant's course records available upon  
27 request to the sheriff of the county in which the applicant  
28 resides;

1           (2) Maintain all course records on students for a period of  
2 no less than four years from course completion date; and

3           (3) Not have more than forty students per certified  
4 instructor in the classroom portion of the course or more than  
5 five students per range officer engaged in range firing.

6           5. A firearms safety instructor shall be considered to be a  
7 qualified firearms safety instructor by any sheriff issuing a  
8 concealed carry permit pursuant to sections 571.101 to 571.121 if  
9 the instructor:

10           (1) Is a valid firearms safety instructor certified by the  
11 National Rifle Association holding a rating as a personal  
12 protection instructor or pistol marksmanship instructor; or

13           (2) Submits a photocopy of a notarized certificate from a  
14 firearms safety instructor's course offered by a local, state, or  
15 federal governmental agency; or

16           (3) Submits a photocopy of a notarized certificate from a  
17 firearms safety instructor course approved by the department of  
18 public safety; or

19           (4) Has successfully completed a firearms safety instructor  
20 course given by or under the supervision of any state, county,  
21 municipal, or federal law enforcement agency; or

22           (5) Is a certified police officer firearms safety  
23 instructor.

24           6. Any firearms safety instructor qualified under  
25 subsection 5 of this section may submit a copy of a training  
26 instructor certificate, course outline bearing the notarized  
27 signature of the instructor, and a recent photograph of [his or  
28 herself] the instructor to the sheriff of the county in which [he

1 or she] the instructor resides. [Each] The sheriff shall review  
2 the training instructor certificate along with the course outline  
3 and verify the firearms safety instructor is qualified and the  
4 course meets the requirements provided under this section. If  
5 the sheriff verifies the firearms safety instructor is qualified  
6 and the course meets the requirements provided under this  
7 section, the sheriff shall collect an annual registration fee of  
8 ten dollars from each qualified instructor who chooses to submit  
9 such information and [shall retain a] submit the registration to  
10 the Missouri sheriff methamphetamine relief taskforce. The  
11 Missouri sheriff methamphetamine relief taskforce, or its  
12 designated agent, shall create and maintain a statewide database  
13 of qualified instructors. This information shall be a closed  
14 record except for access by any sheriff. Firearms safety  
15 instructors may register annually and the registration is only  
16 effective for the calendar year in which the instructor  
17 registered. Any sheriff may access the statewide database  
18 maintained by the Missouri sheriff methamphetamine relief  
19 taskforce to verify the firearms safety instructor is qualified  
20 and the course offered by the instructor meets the requirements  
21 provided under this section. Unless a sheriff has reason to  
22 believe otherwise, a sheriff shall presume a firearms safety  
23 instructor is qualified to provide firearms safety instruction in  
24 counties throughout the state under this section if the  
25 instructor is registered on the statewide database of qualified  
26 instructors.

27 7. Any firearms safety instructor who knowingly provides  
28 any sheriff with any false information concerning an applicant's

1 performance on any portion of the required training and  
2 qualification shall be guilty of a class C misdemeanor. A  
3 violation of the provisions of this section shall result in the  
4 person being prohibited from instructing concealed carry permit  
5 classes and issuing certificates.

6 571.117. 1. Any person who has knowledge that another  
7 person, who was issued a concealed carry permit pursuant to  
8 sections 571.101 to 571.121, or concealed carry endorsement prior  
9 to August 28, 2013, never was or no longer is eligible for such  
10 permit or endorsement under the criteria established in sections  
11 571.101 to 571.121 may file a petition with the clerk of the  
12 small claims court to revoke that person's concealed carry permit  
13 or endorsement. The petition shall be in a form substantially  
14 similar to the petition for revocation of concealed carry permit  
15 or endorsement provided in this section. Appeal forms shall be  
16 provided by the clerk of the small claims court free of charge to  
17 any person:

18 SMALL CLAIMS COURT

19 In the Circuit Court of ....., Missouri  
20 ....., PLAINTIFF

21 )  
22 )  
23 )  
24 )

23 vs. Case Number .....

25 ....., DEFENDANT,  
26 Carry Permit or Endorsement Holder  
27 ....., DEFENDANT,  
28 Sheriff of Issuance

1 PETITION FOR REVOCATION OF A CONCEALED CARRY PERMIT OR CONCEALED  
2 CARRY ENDORSEMENT

3 Plaintiff states to the court that the defendant, .....,  
4 has a concealed carry permit issued pursuant to sections 571.101  
5 to 571.121, RSMo, or a concealed carry endorsement issued prior  
6 to August 28, 2013, and that the defendant's concealed carry  
7 permit or concealed carry endorsement should now be revoked  
8 because the defendant either never was or no longer is eligible  
9 for such a permit or endorsement pursuant to the provisions of  
10 sections 571.101 to 571.121, RSMo, specifically plaintiff states  
11 that defendant, ....., never was or no longer is  
12 eligible for such permit or endorsement for one or more of the  
13 following reasons:

14 (CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- 15  Defendant is not at least [twenty-one] nineteen years of age  
16 or at least eighteen years of age and a member of the  
17 United States Armed Forces or honorably discharged from the  
18 United States Armed Forces.
- 19  Defendant is not a citizen or permanent resident of the  
20 United States.
- 21  Defendant had not resided in this state prior to issuance of  
22 the permit and does not qualify as a military member or  
23 spouse of a military member stationed in Missouri.
- 24  Defendant has pled guilty to or been convicted of a crime  
25 punishable by imprisonment for a term exceeding two years  
26 under the laws of any state or of the United States other  
27 than a crime classified as a misdemeanor under the laws of  
28 any state and punishable by a term of imprisonment of one

1 year or less that does not involve an explosive weapon,  
2 firearm, firearm silencer, or gas gun.

3  Defendant has been convicted of, pled guilty to or entered a  
4 plea of nolo contendere to one or more misdemeanor offenses  
5 involving crimes of violence within a five-year period  
6 immediately preceding application for a concealed carry  
7 permit issued pursuant to sections 571.101 to 571.121, RSMo,  
8 or a concealed carry endorsement issued prior to August 28,  
9 2013, or if the applicant has been convicted of two or more  
10 misdemeanor offenses involving driving while under the  
11 influence of intoxicating liquor or drugs or the possession  
12 or abuse of a controlled substance within a five-year period  
13 immediately preceding application for a concealed carry  
14 permit issued pursuant to sections 571.101 to 571.121, RSMo,  
15 or a concealed carry endorsement issued prior to August 28,  
16 2013.

17  Defendant is a fugitive from justice or currently charged in  
18 an information or indictment with the commission of a crime  
19 punishable by imprisonment for a term exceeding one year  
20 under the laws of any state of the United States other than  
21 a crime classified as a misdemeanor under the laws of any  
22 state and punishable by a term of imprisonment of two years  
23 or less that does not involve an explosive weapon, firearm,  
24 firearm silencer, or gas gun.

25  Defendant has been discharged under dishonorable conditions  
26 from the United States Armed Forces.

27  Defendant is reasonably believed by the sheriff to be a  
28 danger to self or others based on previous, documented



1 pattern.

2  Defendant is adjudged mentally incompetent at the time of  
3 application or for five years prior to application, or has  
4 been committed to a mental health facility, as defined in  
5 section 632.005, RSMo, or a similar institution located in  
6 another state, except that a person whose release or  
7 discharge from a facility in this state pursuant to chapter  
8 632, RSMo, or a similar discharge from a facility in another  
9 state, occurred more than five years ago without subsequent  
10 recommitment may apply.

11  Defendant failed to submit a completed application for a  
12 concealed carry permit issued pursuant to sections 571.101  
13 to 571.121, RSMo, or a concealed carry endorsement issued  
14 prior to August 28, 2013.

15  Defendant failed to submit to or failed to clear the  
16 required background check. (Note: This does not apply if  
17 the defendant has submitted to a background check and been  
18 issued a provisional permit pursuant to subdivision (2) of  
19 subsection 5 of section 571.101, and the results of the  
20 background check are still pending.)

21  Defendant failed to submit an affidavit attesting that the  
22 applicant complies with the concealed carry safety training  
23 requirement pursuant to subsection 1 of section 571.111,  
24 RSMo.

25  Defendant is otherwise disqualified from possessing a  
26 firearm [pursuant to 18 U.S.C. 922(g)] under section 571.070  
27 because (specify reason):

28 The plaintiff subject to penalty for perjury states that the

1 information contained in this petition is true and correct to the  
2 best of the plaintiff's knowledge, is reasonably based upon the  
3 petitioner's personal knowledge and is not primarily intended to  
4 harass the defendant/respondent named herein.

5 ..... , PLAINTIFF

6 2. If at the hearing the plaintiff shows that the defendant  
7 was not eligible for the concealed carry permit issued pursuant  
8 to sections 571.101 to 571.121, or a concealed carry endorsement  
9 issued prior to August 28, 2013, at the time of issuance or  
10 renewal or is no longer eligible for a concealed carry permit or  
11 the concealed carry endorsement, the court shall issue an  
12 appropriate order to cause the revocation of the concealed carry  
13 permit and, if applicable, the concealed carry endorsement.  
14 Costs shall not be assessed against the sheriff.

15 3. The finder of fact, in any action brought against a  
16 permit or endorsement holder pursuant to subsection 1 of this  
17 section, shall make findings of fact and the court shall make  
18 conclusions of law addressing the issues at dispute. If it is  
19 determined that the plaintiff in such an action acted without  
20 justification or with malice or primarily with an intent to  
21 harass the permit or endorsement holder or that there was no  
22 reasonable basis to bring the action, the court shall order the  
23 plaintiff to pay the defendant/respondent all reasonable costs  
24 incurred in defending the action including, but not limited to,  
25 attorney's fees, deposition costs, and lost wages. Once the  
26 court determines that the plaintiff is liable to the  
27 defendant/respondent for costs and fees, the extent and type of  
28 fees and costs to be awarded should be liberally calculated in

1 defendant/respondent's favor. Notwithstanding any other  
2 provision of law, reasonable attorney's fees shall be presumed to  
3 be at least one hundred fifty dollars per hour.

4 4. Any person aggrieved by any final judgment rendered by a  
5 small claims court in a petition for revocation of a concealed  
6 carry permit or concealed carry endorsement may have a right to  
7 trial de novo as provided in sections 512.180 to 512.320.

8 5. The office of the county sheriff or any employee or  
9 agent of the county sheriff shall not be liable for damages in  
10 any civil action arising from alleged wrongful or improper  
11 granting, renewing, or failure to revoke a concealed carry permit  
12 issued pursuant to sections 571.101 to 571.121, or a certificate  
13 of qualification for a concealed carry endorsement issued prior  
14 to August 28, 2013, so long as the sheriff acted in good faith.

15 571.510. 1. For purposes of this section, the terms  
16 "authority" or "housing authority" shall mean any of the  
17 corporations created pursuant to the authority of section 99.040  
18 and any entity or agent associated with such authority that  
19 administers or uses public moneys provided by the United States  
20 Department of Housing and Urban Development to fund very low,  
21 lower, and moderate income public rental housing assistance. For  
22 purposes of this section, the term "lessee" means a lessee of  
23 residential premises.

24 2. Notwithstanding any provision of law to the contrary, no  
25 housing authority, authority, or lessor receiving public funds  
26 from a housing authority or authority shall prohibit a lessee or  
27 a member of the lessee's immediate household or guest from  
28 personally possessing firearms within an individual residence,

1 common areas, or from carrying or transporting firearms to and  
2 from such residence in a manner allowed by law. Any provision of  
3 a lease, policy, rule, or agreement in violation of this section  
4 shall be void and unenforceable.

5 3. No housing authority, authority, or lessor under this  
6 section shall be liable in tort or any other civil action for  
7 damages caused by a lessee's possession or use of a firearm on  
8 property owned by the lessor, unless a housing authority,  
9 authority, or lessor or an officer, agent, or employee of such  
10 housing authority, authority, or lessor:

11 (1) Violated section 571.060 or otherwise caused the  
12 lessee, the household member, or guest to engage in any unsafe or  
13 illegal actions with a firearm; or

14 (2) Engaged in acts or failures to act which were  
15 manifestly outside the scope of employment, duties, or  
16 responsibilities or were committed maliciously, in bad faith, or  
17 in a wanton and reckless manner.

18 590.010. As used in this chapter, the following terms mean:

19 (1) "Commission", when not obviously referring to the POST  
20 commission, means a grant of authority to act as a peace officer;

21 (2) "Director", the director of the Missouri department of  
22 public safety or his or her designated agent or representative;

23 (3) "Peace officer", a law enforcement officer of the state  
24 or any political subdivision of the state with the power of  
25 arrest for a violation of the criminal code or declared or deemed  
26 to be a peace officer by state statute;

27 (4) "POST commission", the peace officer standards and  
28 training commission;

1 (5) "Reserve peace officer", a peace officer who regularly  
2 works less than thirty hours per week;

3 (6) "School protection officer", an elementary or secondary  
4 school teacher or administrator who has been designated as a  
5 school protection officer by a school district.

6 590.200. 1. The POST commission shall:

7 (1) Establish minimum standards for the training of school  
8 protection officers;

9 (2) Set the minimum number of hours of training required  
10 for a school protection officer; and

11 (3) Set the curriculum for school protection officer  
12 training programs.

13 2. At a minimum this training shall include:

14 (1) Instruction specific to the prevention of incidents of  
15 violence in schools;

16 (2) The handling of emergency or violent crisis situations  
17 in school settings;

18 (3) A review of state criminal law;

19 (4) Training involving the use of defensive force;

20 (5) Training involving the use of deadly force; and

21 (6) Instruction in the proper use of self-defense spray  
22 devices.

23 590.205. 1. The POST commission shall establish minimum  
24 standards for school protection officer training instructors,  
25 training centers, and training programs.

26 2. The director shall develop and maintain a list of  
27 approved school protection officer training instructors, training  
28 centers, and training programs. The director shall not place any

1 instructor, training center, or training program on its approved  
2 list unless such instructor, training center, or training program  
3 meets all of the POST commission requirements under this section  
4 and section 590.200. The director shall make this approved list  
5 available to every school district in the state. The required  
6 training to become a school protection officer shall be provided  
7 by those firearm instructors, private and public, who have  
8 successfully completed a department of public safety POST  
9 certified law enforcement firearms instructor school.

10 3. Each person seeking entrance into a school protection  
11 officer training center or training program shall submit a  
12 fingerprint card and authorization for a criminal history  
13 background check to include the records of the Federal Bureau of  
14 Investigation to the training center or training program where  
15 such person is seeking entrance. The training center or training  
16 program shall cause a criminal history background check to be  
17 made and shall cause the resulting report to be forwarded to the  
18 school district where the elementary school teacher or  
19 administrator is seeking to be designated as a school protection  
20 officer.

21 4. No person shall be admitted to a school protection  
22 officer training center or training program unless such person  
23 submits proof to the training center or training program that he  
24 or she has a valid concealed carry endorsement or permit.

25 5. A certificate of school protection officer training  
26 program completion may be issued to any applicant by any approved  
27 school protection officer training instructor. On the certificate  
28 of program completion the approved school protection officer

1 training instructor shall affirm that the individual receiving  
2 instruction has taken and passed a school protection officer  
3 training program that meets the requirements of this section and  
4 section 590.200 and [that] indicate whether the individual has a  
5 valid concealed carry endorsement or permit. The instructor shall  
6 also provide a copy of such certificate to the director of the  
7 department of public safety.

8 590.207. Notwithstanding any other provision of law to the  
9 contrary, any person designated as a school protection officer  
10 under the provisions of section 160.665 who allows any such  
11 firearm out of his or her personal control while that firearm is  
12 on school property as provided under subsection 2 of section  
13 160.665 shall be guilty of a class B misdemeanor and may be  
14 subject to employment termination proceedings within the school  
15 district.

16 650.350. 1. There is hereby created within the department  
17 of public safety the "Missouri Sheriff Methamphetamine Relief  
18 Taskforce" (MoSMART). MoSMART shall be composed of five sitting  
19 sheriffs. Every two years, the Missouri Sheriffs' Association  
20 board of directors will submit twenty names of sitting sheriffs  
21 to the governor. The governor shall appoint five members from  
22 the list of twenty names, having no more than three from any one  
23 political party, to serve a term of two years on MoSMART. The  
24 members shall elect a chair from among their membership. Members  
25 shall receive no compensation for the performance of their duties  
26 pursuant to this section, but each member shall be reimbursed  
27 from the MoSMART fund for actual and necessary expenses incurred  
28 in carrying out duties pursuant to this section.

1           2. MoSMART shall meet no less than twice each calendar year  
2 with additional meetings called by the chair upon the request of  
3 at least two members. A majority of the appointed members shall  
4 constitute a quorum.

5           3. A special fund is hereby created in the state treasury  
6 to be known as the "MoSMART Fund". The state treasurer shall  
7 invest the moneys in such fund in the manner authorized by law.  
8 All moneys received for MoSMART from interest, state, and federal  
9 moneys shall be deposited to the credit of the fund. The  
10 director of the department of public safety shall distribute at  
11 least fifty percent but not more than one hundred percent of the  
12 fund annually in the form of grants approved by MoSMART.

13           4. Except for money deposited into the deputy sheriff  
14 salary supplementation fund created under section 57.278 or money  
15 deposited into the concealed carry permit fund created under  
16 subsection 5 of this section, all moneys [appropriate]  
17 appropriated to or received by MoSMART shall be deposited and  
18 credited to the MoSMART fund. The department of public safety  
19 shall only be reimbursed for actual and necessary expenses for  
20 the administration of MoSMART, which shall be no less than one  
21 percent and which shall not exceed two percent of all moneys  
22 appropriated to the fund, except that the department shall not  
23 receive any amount of the money deposited into the deputy sheriff  
24 salary supplementation fund for administrative purposes. The  
25 provisions of section 33.080 to the contrary notwithstanding,  
26 moneys in the MoSMART fund shall not lapse to general revenue at  
27 the end of the biennium.

28           5. A special fund is hereby created in the state treasury



1 to be known as the "Concealed Carry Permit Fund". The state  
2 treasurer shall invest the moneys in such fund in the manner  
3 authorized by law. All moneys appropriated by the general  
4 assembly to the fund shall be deposited to the credit of the  
5 fund. The director of the department of public safety shall  
6 annually distribute all moneys in the fund in the form of grants  
7 approved by MoSMART. The department of public safety shall  
8 administer all MoSMART grant deposits under this section. Grant  
9 funds deposited into the fund created under this section shall be  
10 spent first to ensure county law enforcement agencies' ability to  
11 comply with the issuance of concealed carry permits including,  
12 but not limited to, equipment, records management hardware and  
13 software, personnel, supplies, and other services. MoSMART shall  
14 provide grants as authorized by the general assembly to sheriffs,  
15 and any designee that is created and authorized to support  
16 sheriffs in the creation, maintenance, and operation of a  
17 statewide concealed carry permit system for Missouri sheriffs and  
18 law enforcement purposes. The concealed carry permit system  
19 shall consist of a server network accessible by all Missouri  
20 sheriffs and law enforcement agencies for purposes that do not  
21 conflict with this chapter. All equipment, software, and  
22 services necessary to create, maintain, and operate the concealed  
23 carry permit system shall be the property of the sheriffs and  
24 MoSMART's designee. A designee of MoSMART and the sheriffs may  
25 administer and operate the concealed carry permit system  
26 utilizing policies and procedures established by MoSMART by way  
27 of a memorandum of understanding and MoSMART protocol. Any  
28 equipment, software, or services provided to a sheriff as part of

1 the concealed carry permit system shall become property of  
2 MoSMART's designee and the sheriff's office and MoSMART shall not  
3 be responsible for the maintenance or replacement of such  
4 equipment, software, or services. Notwithstanding the provisions  
5 of section 33.080 to the contrary, any moneys remaining in the  
6 fund at the end of the biennium shall not revert to the credit of  
7 the general revenue fund. The state treasurer shall invest  
8 moneys in the fund in the same manner as other funds are  
9 invested. Any interest and moneys earned on such investments  
10 shall be credited to the fund.

11 6. Any rule or portion of a rule, as that term is defined  
12 in section 536.010, that is created under the authority delegated  
13 in this section shall become effective only if it complies with  
14 and is subject to all of the provisions of chapter 536 and, if  
15 applicable, section 536.028. This section and chapter 536 are  
16 nonseverable and if any of the powers vested with the general  
17 assembly pursuant to chapter 536 to review, to delay the  
18 effective date or to disapprove and annul a rule are subsequently  
19 held unconstitutional, then the grant of rulemaking authority and  
20 any rule proposed or adopted after August 28, 2003, shall be  
21 invalid and void.

22 7. Any county law enforcement entity or established task  
23 force with a memorandum of understanding and protocol may apply  
24 for grants from the MoSMART fund on an application to be  
25 developed by the department of public safety with the approval of  
26 MoSMART. All applications shall be evaluated by MoSMART and  
27 approved or denied based upon the level of funding designated for  
28 methamphetamine enforcement before 1997 and upon current need and

1 circumstances. No applicant shall receive a MoSMART grant in  
2 excess of one hundred thousand dollars per year. The department  
3 of public safety shall monitor all MoSMART grants.

4 8. MoSMART's anti-methamphetamine funding priorities are as  
5 follows:

6 (1) Sheriffs who are participating in coordinated  
7 multijurisdictional task forces and have their task forces apply  
8 for funding;

9 (2) Sheriffs whose county has been designated HIDTA  
10 counties, yet have received no HIDTA or narcotics assistance  
11 program funding; and

12 (3) Sheriffs without HIDTA designations or task forces,  
13 whose application justifies the need for MoSMART funds to  
14 eliminate methamphetamine labs.

15 9. MoSMART shall administer the deputy sheriff salary  
16 supplementation fund as provided under section 57.278.

17 [10. Beginning August 28, 2013, the department of revenue  
18 shall begin transferring any records related to the issuance of a  
19 concealed carry permit to MoSMART for dissemination to the  
20 sheriff of the county or city not within a county in which the  
21 applicant or permit holder resides.]

22 Section 1. If any provision of sections 1.400, 1.410,  
23 1.420, 1.430, 1.440, 1.450, 1.460, 1.480, 21.750, 57.015, 57.201,  
24 57.220, 57.250, 160.665, 544.216, 571.012, 571.030, 571.070,  
25 571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010,  
26 590.200, 590.205, 590.207, or 650.350, of this act or the  
27 application thereof to anyone or to any circumstance is held  
28 invalid, the remainder of those sections and the application of

1 such provisions to others or other circumstances shall not be  
2 affected thereby.

3 Section 2. Section 1 of this act does not preclude the  
4 application of section 1.140 to portions of sections 1.400,  
5 1.410, 1.420, 1.430, 1.440, 1.450, 1.460, 1.480, 21.750, 57.015,  
6 57.201, 57.220, 57.250, 160.665, 544.216, 571.012, 571.030,  
7 571.070, 571.101, 571.104, 571.107, 571.111, 571.117, 571.510,  
8 590.010, 590.200, 590.205, 590.207, or 650.350, of this act.

9 [571.080. A person commits the crime of transfer  
10 of a concealable firearm if such person violates 18  
11 U.S.C. Section 922(b) or 18 U.S.C. Section 922(x).]  
12

13 Section B. The enactment of sections 1.400, 1.410, 1.420,  
14 1.430, 1.440, 1.450, 1.460, and 1.480 of this act shall become  
15 effective on January 1, 2017, or upon the revisor of statutes  
16 receiving notification that at least four other states have  
17 enacted into law substantially similar language as contained in  
18 sections 1.400 to 1.480 of this act, or upon passage of any new  
19 federal acts, or issuance of federal executive, administrative,  
20 or court orders which infringe upon or curtail the right to keep  
21 and bear arms by law-abiding Missouri citizens as defined in  
22 sections 1.400 to 1.480 whichever event occurs earlier.

23 ✓  
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