

SS SB 745 -- LAW ENFORCEMENT

This bill changes the laws regarding law enforcement.

DEPUTY SHERIFFS (Sections 57.015 - 57.250, RSMo)

The bill specifies that a limited definition of "deputy sheriff" only applies to a provision regarding the dismissal proceedings for a deputy sheriff. Specified provisions regarding the ability of a sheriff to discharge a deputy sheriff are amended to refer to the limited definition of deputy sheriff.

POWER TO ARREST (Section 544.216)

Currently, a law enforcement officer may arrest on view, and without a warrant, any person the officer sees violating or who the officer has reasonable grounds to believe has violated any law of this state or any ordinance over which the officer has jurisdiction. The bill clarifies that a law enforcement officer may only arrest a person without a warrant for a violation of any ordinance or law over which the officer has jurisdiction.

SPECIAL PROSECUTORS (Section 571.030)

The bill adds a special prosecutor who has completed the firearms safety training course to the list of individuals for whom specified provisions regarding the crime of unlawful use of weapons do not apply.

CONCEALED CARRY PERMITS (Sections 571.101 - 571.111 and 650.350)

Currently, a concealed carry permit is valid for five years from the date of issuance or renewal. The bill requires a concealed carry permit to be valid for five years from the last day of the month in which it was issued or renewed. A person who fails to renew his or her permit within the five years must not be eligible for an exception to a National Instant Criminal Background Check under specified regulations regarding the transfer, sale, or delivery of firearms from licensed dealers.

The provisions are repealed requiring an applicant for a concealed carry permit to take a certificate of qualification to the Department of Revenue within seven days of receipt and requiring the department to issue a new driver's or nondriver's license with the permit endorsement.

The bill changes the maximum size of the permit to no larger than 2 1/8 inches by 3 3/8 inches long.

The Missouri Sheriff Methamphetamine Relief Taskforce (MoSMART) must provide grants to sheriffs and any designee that is created to support sheriffs in the creation, maintenance, and operation of a statewide concealed carry permit system that is accessible to sheriffs and law enforcement agencies. Currently, sheriffs must report certain information regarding concealed carry permit holders to the Missouri Uniform Law Enforcement System (MULES). The bill requires the information to be reported to the new concealed carry permit system.

Currently, information reported and retained regarding concealed carry permits must not be batch processed for query. The bill specifies that information retained in the concealed carry system must not be distributed to any federal, state, or private entities; however, a sheriff may access the concealed carry permit system for administrative purposes to issue permits; verify permit holder information; change the name or address of a permit holder; and suspend, revoke, or cancel a permit.

The official to whom a concealed carry endorsement or permit was surrendered when it is suspended or revoked must change the status of the endorsement or permit in the concealed carry system.

A concealed carry permit issued after August 28, 2013, must be suspended or revoked if the concealed carry permit holder becomes ineligible for the permit or endorsement as specified in the bill.

If the permit holder is convicted, the court must forward a notice of the conviction or action and the permit to the issuing county sheriff. The sheriff who issued the concealed carry permit must report the change in status to the concealed carry permit system.

The procedures for a permit holder to change his or her name or address are modified. Current law requires automatic invalidation of a permit or endorsement after 30 days if a permit holder has changed his or her name or address and not notified the sheriff. The bill specifies that the permit or endorsement is automatically invalid after 180 days and requires a person to notify the sheriff of a name or address change within 30 days. The sheriff must assess a late penalty of \$10 per month for each month, up to six months, if a person fails to make the notification.

Currently, an applicant for a concealed carry permit must perform a physical demonstration of his or her ability to safely load a revolver and a semiautomatic pistol, demonstrate his or her marksmanship with both firearms, and complete a live firing exercise and a live firing test with both firearms. The bill specifies that the applicant only needs to demonstrate an ability to safely load a revolver or a semiautomatic pistol, demonstrate

his or her marksmanship with either firearm, and complete a live firing exercise and a live firing test with either firearm.

Currently, a qualified firearms safety instructor cannot have more than 40 students in a classroom. The bill specifies that an instructor cannot have more than 40 students per certified instructor in the classroom.

The sheriff of the county in which a firearms safety instructor resides must review an instructor's certificate along with the course outline and verify that the instructor is qualified and the course meets specified requirements. If the sheriff verifies that the instructor meets the qualifications, he or she must submit the registration to the taskforce which must create and maintain a statewide database of qualified instructors. An instructor must register annually and the registration is only effective for the year in which the instructor registered. Any sheriff may access the database to verify that an instructor is qualified and the course meets specified requirements.