

HCS SB 656 -- CONCEALED CARRY

Voted "Do Pass" by the Standing Committee on Emerging Issues by a vote of 9 to 1. Voted "Do Pass with HCS" by the Select on General Laws.

The bill modifies provisions relating to county sheriffs, self defense, unlawful use of weapons, and concealed carry permits.

COUNTY SHERIFF'S REVOLVING FUND (Section 50.353, RSMo)

This bill specifies that the funds received under Section 571.101 for processing an application for a concealed carry permit be used only to supplement the sheriff's funding received from other county, state, or general funds. The county commission cannot reduce any sheriff's budget as a result of funds received under that section.

BACKGROUND CHECKS BY THIRD CLASS COUNTY SHERIFFS (Section 57.281)

This bill also requires the listed agencies and groups to submit, for the specified purposes, two sets of fingerprints to the sheriff of a county of the third classification to search the Missouri criminal records repository and the Federal Bureau of Investigation criminal history files, if the sheriff elects to provide this service.

FIREARM OWNERSHIP (Section 171.400)

A public school administrator, public school teacher, or other employee of a public school district or charter school shall not require a student or the student's parent to provide information on firearm ownership by the student's family. Any voluntarily information regarding firearm ownership may not be the basis for any adverse disciplinary action against or student or employee.

SELF DEFENSE (Section 563.031)

This bill specifies that an individual who is occupying private property under the authority of the property owner is permitted to use deadly force in specified situations.

UNLAWFUL USE OF WEAPONS (Section 571.030)

Currently, carrying a concealed weapon without a concealed carry permit is an unlawful use of a weapon. This bill repeals the prohibition on carrying concealed weapons, except in the those places listed under Section 571.107.

A municipal or county prosecuting attorney or assistant prosecuting attorney or a municipal, associate circuit, or circuit judge who has completed the required firearms safety training course is added to the list of individuals who are exempt from specified provisions regarding the carrying of a concealed weapon.

A certificate of firearms safety training course completion may also be issued to an applicant who presents proof that he or she has passed a regular or online course on firearm safety conducted by an instructor certified by the National Rifle Association as specified in the bill and who also passes specified requirements in a and who also passes the specified requirements in a course that is taught by a qualified firearms safety instructor.

This bill prohibits any public school district or charter school administrator, teacher, or other employee from requiring a student, a student's family, a school teacher, or other school employee to provide information on that individual's or family's firearm ownership. This bill also states that any information voluntarily provided by the specified individuals regarding firearm ownership must not be the basis for adverse disciplinary action against a student or employment action against a public school teacher or employee, unless the adverse action is based on a violation of Chapter 571.

CONCEALED CARRY PERMIT FEES (SECTION 571.101, 571.104, AND Section B)

Currently, an applicant for a concealed carry permit may be charged a fee that does not exceed \$100. This bill specifies that this fee shall include the costs for fingerprinting or criminal background checks. The bill also allows for an additional fee to be charged for each credit card, debit card, or other electronic transaction equal to the charge paid by the state or applicant for the use of the credit card, debit card, or other electronic payment method by the applicant.

In addition, this bill provides that if a concealed carry permit expires while the permit holder is on active duty in the Armed Forces, active state duty, full-time National Guard duty, or active duty with the National Guard, or the permit holder is incapacitated due to an injury incurred while in military service, the permit may be renewed within two months of the permit holder's return to Missouri after discharge from duty or recovery from the incapacitation. Once the two-month period has expired, the provisions governing late renewals apply except the penalties begin to accrue upon the expiration of the two-month period rather than on the permit's expiration date.

LIFETIME CONCEALED CARRY PERMIT (Sections 571.126-571.230)

Currently, concealed carry permits must be renewed once every five years. This bill allows a Missouri resident who meets the requirements for a concealed carry permit specified under the act and pays a \$500 fee to receive a concealed carry permit that is valid for the duration of the person's life. This bill also allows Missouri residents who meet the requirements for a permit to pay \$150 to receive a Missouri extended concealed carry permit that is valid for 10 years or \$200 for an extended permit that is valid for 25 years. To renew an extended permit, the permit holder must pay \$50. The lifetime and extended permits are only valid throughout the state of Missouri.

The lifetime and extended permits are still subject to the same suspension and revocation provisions that apply to permits that expire every five years. The sheriff must conduct a name-based criminal background check on extended and lifetime permit holders once every five years. The lifetime and extended concealed carry permits must include a statement that the permit is valid only throughout the state of Missouri.

If the holder of a lifetime or extended concealed carry permit becomes a resident of another state, the permit is suspended. It may be reactivated if the permit holder reestablishes Missouri residency, meets the requirements for a concealed carry permit, and passes a name-based criminal background check.

This bill contains an emergency clause.

PROponents: Supporters say that this bill clarifies current law regarding fees for concealed carry permits. It also ensures that active duty military who can't renew their concealed carry permits on time are not penalized.

Testifying for the bill were Senator Munzlinger and the National Rifle Association-Institute For Legislative Action.

OPponents: There was no opposition voiced to the committee.