

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 1468, Page 1, Section 571.030, Lines 1-120, by deleting all of said lines  
2 and inserting in lieu thereof the following:

3  
4 "571.030. 1. A person commits the crime of unlawful use of weapons, except as provided  
5 by sections 571.101 to 571.121, if he or she knowingly:

6 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any  
7 other weapon readily capable of lethal use into any area where firearms are restricted under section  
8 571.107; or

9 (2) Sets a spring gun; or

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

13 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal  
14 use in an angry or threatening manner; or

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

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

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

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

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

30 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of  
31 lethal use into any school, onto any school bus, or onto the premises of any function or activity  
32 sponsored or sanctioned by school officials or the district school board; [or]

33 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is  
34 sufficient for a felony violation of section 195.202[.]; or

35 (12) Carries a firearm or any other weapon readily capable of lethal use into any meeting of  
36 the governing body of a unit of local government; or any meeting of the general assembly or a

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1 committee of the general assembly."; and

2 2. Subdivisions (1), (8), [and] (10), and (12) of subsection 1 of this section shall not apply  
3 to the persons described in this subsection, regardless of whether such uses are reasonably  
4 associated with or are necessary to the fulfillment of such person's official duties except as  
5 otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this  
6 section shall not apply to or affect any of the following persons, when such uses are reasonably  
7 associated with or are necessary to the fulfillment of such person's official duties, except as  
8 otherwise provided in this subsection:

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

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

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

21 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the  
22 judicial power of the state and those persons vested by Article III of the Constitution of the United  
23 States with the judicial power of the United States, the members of the federal judiciary;

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

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

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

30 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of  
31 the regulations established by the department of public safety under section 590.750;

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

33 (10) Any prosecuting attorney or assistant prosecuting attorney, circuit attorney or assistant  
34 circuit attorney, or any person appointed by a court to be a special prosecutor who has completed  
35 the firearms safety training course required under subsection 2 of section 571.111;

36 (11) Any member of a fire department or fire protection district who is employed on a full-  
37 time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to  
38 August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are  
39 reasonably associated with or are necessary to the fulfillment of such person's official duties; and

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

45 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the  
46 actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
47 ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision  
48 (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or

1 eight years of age or older and a member of the United States Armed Forces, or honorably  
 2 discharged from the United States Armed Forces, transporting a concealable firearm in the  
 3 passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise  
 4 lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile  
 5 weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which  
 6 the actor has possession, authority or control, or is traveling in a continuous journey peaceably  
 7 through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is  
 8 otherwise lawfully possessed by a person while traversing school premises for the purposes of  
 9 transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a  
 10 school-sanctioned firearm-related event or club event.

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

15 [5.] 4. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section  
 16 shall not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

17 [6.] 5. Notwithstanding any provision of this section to the contrary, the state shall not  
 18 prohibit any state employee from having a firearm in the employee's vehicle on the state's property  
 19 provided that the vehicle is locked and the firearm is not visible. This subsection shall only apply to  
 20 the state as an employer when the state employee's vehicle is on property owned or leased by the  
 21 state and the state employee is conducting activities within the scope of his or her employment. For  
 22 the purposes of this subsection, "state employee" means an employee of the executive, legislative, or  
 23 judicial branch of the government of the state of Missouri.

24 [7.] 6. Nothing in this section shall make it unlawful for a student to actually participate in  
 25 school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored  
 26 or club-sponsored firearm-related events, provided the student does not carry a firearm or other  
 27 weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of  
 28 any other function or activity sponsored or sanctioned by school officials or the district school  
 29 board.

30 [8.] 7. Unlawful use of weapons is a class D felony unless committed pursuant to  
 31 subdivision (1), (6), (7), [or] (8) or (11) of subsection 1 of this section, in which cases it is a class B  
 32 misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A  
 33 misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision  
 34 (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of  
 35 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a  
 36 class A felony.

37 [9.] 8. Violations of subdivision (9) of subsection 1 of this section shall be punished as  
 38 follows:"; and

39  
 40 Further amend said bill and section, Page 5, Line 131, by deleting the number "10." and inserting in  
 41 lieu thereof "[10.] 9."; and

42  
 43 Further amend said bill, page and section, Line 132, by deleting "[ (9) ] (8)" and inserting in lieu  
 44 thereof the number "(9)"; and

45  
 46 Further amend said bill, page and section, Line 134, by deleting the number "11." and inserting in  
 47 lieu thereof "[11.] 10." and

48

1 Further amend said bill, page and section, Line 138, by deleting the number "12." and inserting in  
2 lieu thereof "[12] 11."; and

3  
4 Further amend said bill, page and section, Line 155, by deleting the number "13" and inserting in  
5 lieu thereof "[13] 12."; and

6  
7 Further amend said bill and section, Page 6, Line 167, by inserting immediately after all of said line  
8 the following:

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

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

22 (2) Within twenty-five feet of any polling place on any election day. Possession of a firearm  
23 in a vehicle on the premises of the polling place shall not be a criminal offense so long as the  
24 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

25 (3) The facility of any adult or juvenile detention or correctional institution, prison or jail.  
26 Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional  
27 institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from  
28 the vehicle or brandished while the vehicle is on the premises;

29 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any  
30 courtrooms, administrative offices, libraries or other rooms of any such court whether or not such  
31 court solely occupies the building in question. This subdivision shall also include, but not be  
32 limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the  
33 courts or offices listed in this subdivision are temporarily conducting any business within the  
34 jurisdiction of such courts or offices, and such other locations in such manner as may be specified  
35 by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision  
36 shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within  
37 their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2  
38 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as  
39 may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying  
40 a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in  
41 a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense  
42 so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
43 premises;

44 (5) Any meeting of the governing body of a unit of local government; or any meeting of the  
45 general assembly or a committee of the general assembly, except that nothing in this subdivision  
46 shall preclude a member of the body holding a valid concealed carry permit or endorsement from  
47 carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a  
48 firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not

1 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this  
2 subdivision shall preclude a member of the general assembly, a full-time employee of the general  
3 assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of  
4 the general assembly as determined under section 21.155, [or] statewide elected officials and their  
5 employees, or any other person, holding a valid concealed carry permit or endorsement, from  
6 carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of  
7 a house of the general assembly or a committee thereof, that is held in the state capitol building;

8 (6) The general assembly, supreme court, county or municipality may by rule,  
9 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by  
10 permit or endorsement holders in that portion of a building owned, leased or controlled by that unit  
11 of government. Any portion of a building in which the carrying of concealed firearms is prohibited  
12 or limited shall be clearly identified by signs posted at the entrance to the restricted area. The  
13 statute, rule or ordinance shall exempt any building used for public housing by private persons,  
14 highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit  
15 of government from any restriction on the carrying or possession of a firearm. The statute, rule or  
16 ordinance shall not specify any criminal penalty for its violation but may specify that persons  
17 violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the  
18 building and if employees of the unit of government, be subjected to disciplinary measures for  
19 violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall  
20 not apply to any other unit of government;

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

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

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

36 (10) Any public higher education institution [or elementary or secondary school facility]  
37 without the consent of the governing body of the higher education institution [or a school official or  
38 the district school board, unless the person with the concealed carry endorsement or permit is a  
39 teacher or administrator of an elementary or secondary school who has been designated by his or her  
40 school district as a school protection officer and is carrying a firearm in a school within that district,  
41 in which case no consent is required. Possession of a firearm in a vehicle on the premises of any  
42 higher education institution or elementary or secondary school facility shall not be a criminal  
43 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on  
44 the premises] in the following locations:

45 (a) Any polling place on election day;

46 (b) Any classroom location where a preschool or an elementary or secondary school-  
47 sponsored activity is occurring or programs or camps for children eighteen years of age and under  
48 that are sponsored, facilitated, or coordinated by the public higher education institution;

1 (c) Any courtroom or associated offices when they are being used by a federal, state, or  
2 local judge for official business;

3 (d) Any patient care area, hospital, or office, including those in which mental health  
4 services are provided;

5 (e) Any sporting event with more than five thousand seats or which a ticketed event is  
6 taking place. Such ticket shall be used as notice to the attendee with the words "Firearms  
7 Prohibited" written on the ticket;

8 (f) Any board meeting location in which disciplinary proceedings are taking place;

9 (g) Any research or laboratory facilities;

10 (h) Animal-research facilities and other animal-care and animal-use locations in which  
11 protocols regulating ingress and egress create a risk that a concealed firearm will accidentally  
12 discharge, be contaminated, or be separated from a concealed carry license holder;

13 (i) Any housing, including any fraternity or sorority housing, owned by a public higher  
14 education institution, except:

15 a. Possession of a firearm shall be permitted in public areas such as lounges, lobbies, and  
16 dining areas;

17 b. Staff or security officers of the public higher education institution shall be permitted to  
18 carry concealed firearms;

19 c. Married students who live in designated student housing or its equivalent shall be  
20 permitted to live on the campus with a concealed carry permit or endorsement; or

21 d. Any student who indicates that he or she intends to lawfully carry concealed weapons  
22 shall be allowed to live on campus;

23 (11) Any elementary or secondary school facility without the consent of a school official or  
24 the district school board, unless the person with the concealed carry endorsement or permit is a  
25 teacher or administrator of an elementary or secondary school who has been designated by his or her  
26 school district as a school protection officer and is carrying a firearm in a school within that district,  
27 in which case no consent is required. Possession of a firearm in a vehicle on the premises of any  
28 elementary or secondary school facility shall not be a criminal offense so long as the firearm is not  
29 removed from the vehicle or brandished while the vehicle is on the premises;

30 (12) Any portion of a building used as a child care facility without the consent of the  
31 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family  
32 home from owning or possessing a firearm or a concealed carry permit or endorsement;

33 [(12)] (13) Any riverboat gambling operation accessible by the public without the consent  
34 of the owner or manager pursuant to rules promulgated by the gaming commission. Possession of a  
35 firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal  
36 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on  
37 the premises;

38 [(13)] (14) Any gated area of an amusement park. Possession of a firearm in a vehicle on  
39 the premises of the amusement park shall not be a criminal offense so long as the firearm is not  
40 removed from the vehicle or brandished while the vehicle is on the premises;

41 [(14)] (15) Any church or other place of religious worship without the consent of the  
42 minister or person or persons representing the religious organization that exercises control over the  
43 place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a  
44 criminal offense so long as the firearm is not removed from the vehicle or brandished while the  
45 vehicle is on the premises;

46 [(15)] (16) Any private property whose owner has posted the premises as being off-limits to  
47 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum  
48 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch.

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

12 ~~[(16)]~~ (17) Any sports arena or stadium with a seating capacity of five thousand or more.  
13 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the  
14 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

15 ~~[(17)]~~ (18) Any hospital accessible by the public. Possession of a firearm in a vehicle on  
16 the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from  
17 the vehicle or brandished while the vehicle is on the premises.

18 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to ~~[(17)]~~ (18)  
19 of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant  
20 to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013,  
21 shall not be a criminal act but may subject the person to denial to the premises or removal from the  
22 premises. If such person refuses to leave the premises and a peace officer is summoned, such  
23 person may be issued a citation for an amount not to exceed one hundred dollars for the first  
24 offense. If a second citation for a similar violation occurs within a six-month period, such person  
25 shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable,  
26 endorsement to carry concealed firearms shall be suspended for a period of one year. If a third  
27 citation for a similar violation is issued within one year of the first citation, such person shall be  
28 fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit,  
29 and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry  
30 permit for a period of three years. Upon conviction of charges arising from a citation issued  
31 pursuant to this subsection, the court shall notify the sheriff of the county which issued the  
32 concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to  
33 August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of  
34 qualification for a concealed carry endorsement and the department of revenue. The sheriff shall  
35 suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a  
36 concealed carry endorsement. If the person holds an endorsement, the department of revenue shall  
37 issue a notice of such suspension or revocation of the concealed carry endorsement and take action  
38 to remove the concealed carry endorsement from the individual's driving record. The director of  
39 revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302  
40 which does not contain such endorsement. The notice issued by the department of revenue shall be  
41 mailed to the last known address shown on the individual's driving record. The notice is deemed  
42 received three days after mailing.

43 3. No private or public institution of higher education shall compile or distribute to an  
44 entity, including itself, a list of concealed carry permit or endorsement holders.

45 4. All signage posted on a public higher education institution prohibiting the carrying of  
46 firearms in prohibited places shall be clearly and conspicuously posted at the entrance of a building,  
47 premises, or real property specified in this section as a prohibited area, unless the building or  
48 premises is a private residence. Signage shall be of a uniform design as established and shall be

1 four inches by six inches in size. Such signage shall be window cling or other material to be placed  
2 on the glass of external doors with the following:

3 (1) A white background;

4 (2) No text or marking within the one-inch area surrounding the graphic design;

5 (3) A depiction of a handgun in black ink with a circle around and diagonal slash across the  
6 firearm in red ink; and

7 (4) The image shall be four inches in diameter.

8 5. Notwithstanding any provision of law, public higher education institutions shall be  
9 allowed to construct additional policies regarding concealed carry permits or endorsements, but such  
10 policies shall not generally prohibit or have the effect of generally prohibiting the carrying,  
11 chambering, or active operation or storage of a concealed firearm on the campus of such institution.

12 6. Notwithstanding any other provision of this section or other law to the contrary, no public  
13 institution of higher education shall be authorized or enabled to impose by rule, policy, ordinance,  
14 contractual requirement, or agreement of any type, any prohibition on the lawful possession or carry  
15 of concealed firearms by university officials, employees, faculty, students, agents, or invited guests  
16 as a condition of employment or other affiliation with such public institution of higher education. A  
17 public institution of higher education shall not impose any taxes, fees, or other monetary charges as  
18 a condition for the lawful possession or carry of concealed firearms.

19 Section B. The repeal and reenactment of section 571.107 of this act shall become effective  
20 on August 1, 2017."; and

21  
22 Further amend said bill by amending the title, enacting clause, and intersectional references  
23 accordingly.  
24  
25