

HB 1468 -- FIREARMS (Burlison)

COMMITTEE OF ORIGIN: Standing Committee on Emerging Issues

Currently, an individual with a permit to carry a concealed weapon is exempt from the general statute banning the carrying of concealed weapons in public areas. This bill repeals this general prohibition on carrying concealed weapons such as firearms and knives, except in the those places listed under Section 571.107, RSMo.

The bill does not grant the same rights to carry firearms concealed, except for carrying concealed firearms onto private property whose owner has posted the premises as being off-limits to concealed firearms, as the permit system which imposes only minimal penalties for mistakes.

Currently the law states that an individual who has pled guilty to or entered a plea of nolo contendere or been convicted of a crime punishable by imprisonment for more than a year cannot be issued a concealed carry permit. This bill removes the pled guilty and plea of nolo cotendere language.

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.

The bill also extends the exception to unlawful use of a weapon from a paid fire department or fire protection district chief to a member who otherwise meets the stated requirements.

This bill establishes the Business Premises Safety Act that prohibits a business owner or operator from restricting any person from lawfully possessing a firearm in a motor vehicle except in a vehicle owned or leased by the business. Business owners, operators, merchants, and shopkeepers do not have a duty to guard against the criminal act of a third party unless they know or have reason to know that the acts are occurring or are about to occur on the premises that pose imminent probability of injury to a person or that the same or similar criminal acts have occurred on the premises within the prior 24 months and there is reasonable foreseeability that they will occur again. In either case, it will be their duty to use reasonable care to protect against the acts. An owner or operator of a business will not be liable for any injury or damage resulting from compliance with these provisions. The term "business" does not include commercial residential operations including, but not limited to, hotels, motels, and apartment complexes.

This bill is similar to HB 1250 (2015); HB 1819 and HB 2560 (2016).