

HOUSE AMENDMENT NO. _____
TO
HOUSE AMENDMENT NO. _____

Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Committee Substitute for
2 Senate Bill No. 725, Page 1, Line 2, by inserting after all of said line the following:

3
4 "Further amend said bill, Page 43, Section 173.2712, Line 15, by inserting after said section and line the
5 following:

6
7 "190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

8 (1) "Advanced emergency medical technician" or "AEMT", a person who has successfully
9 completed a course of instruction in certain aspects of advanced life support care as prescribed by the
10 department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and
11 regulations adopted by the department pursuant to sections 190.001 to 190.245;

12 (2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric
13 patient such as defined by national curricula, and any modifications to that curricula specified in rules
14 adopted by the department pursuant to sections 190.001 to 190.245;

15 (3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed,
16 constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the
17 transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who
18 require the presence of medical equipment being used on such individuals, but the term does not include any
19 motor vehicle specially designed, constructed or converted for the regular transportation of persons who are
20 disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used
21 within airports;

22 (4) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance
23 transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules
24 promulgated by the department pursuant to sections 190.001 to 190.245;

25 (5) "Ambulance service area", a specific geographic area in which an ambulance service has been
26 authorized to operate;

27 (6) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as
28 defined by national curricula, and any modifications to that curricula specified in rules adopted by the
29 department pursuant to sections 190.001 to 190.245;

30 (7) "Community paramedic", a person who is certified as an emergency medical technician-
31 paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

32 (8) "Council", the state advisory council on emergency medical services;

33 [~~(8)~~] (9) "Department", the department of health and senior services, state of Missouri;

34 [~~(9)~~] (10) "Director", the director of the department of health and senior services or the director's
35 duly authorized representative;

36 [~~(10)~~] (11) "Dispatch agency", any person or organization that receives requests for emergency
37 medical services from the public, by telephone or other means, and is responsible for dispatching emergency
38 medical services;

Action Taken _____ Date _____

1 ~~[(11)]~~ (12) "Emergency", the sudden and, at the time, unexpected onset of a health condition that
 2 manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an
 3 average knowledge of health and medicine, to believe that the absence of immediate medical care could result
 4 in:

5 (a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her
 6 unborn child, in significant jeopardy;

7 (b) Serious impairment to a bodily function;

8 (c) Serious dysfunction of any bodily organ or part;

9 (d) Inadequately controlled pain;

10 ~~[(12)]~~ (13) "Emergency medical dispatcher", a person who receives emergency calls from the public
 11 and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national
 12 curriculum of the United States Department of Transportation and any modifications to such curricula
 13 specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

14 ~~[(13)]~~ (14) "Emergency medical responder", a person who has successfully completed an emergency
 15 first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation
 16 and any modifications to such curricula specified by the department through rules adopted under sections
 17 190.001 to 190.245 and who provides emergency medical care through employment by or in association with
 18 an emergency medical response agency;

19 ~~[(14)]~~ (15) "Emergency medical response agency", any person that regularly provides a level of care
 20 that includes first response, basic life support or advanced life support, exclusive of patient transportation;

21 ~~[(15)]~~ (16) "Emergency medical services for children (EMS-C) system", the arrangement of
 22 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical
 23 services required in prevention and management of incidents which occur as a result of a medical emergency
 24 or of an injury event, natural disaster or similar situation;

25 ~~[(16)]~~ (17) "Emergency medical services (EMS) system", the arrangement of personnel, facilities
 26 and equipment for the effective and coordinated delivery of emergency medical services required in
 27 prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar
 28 situation;

29 ~~[(17)]~~ (18) "Emergency medical technician or EMT", a person licensed in emergency medical care in
 30 accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department
 31 pursuant to sections 190.001 to 190.245;

32 ~~[(18)] "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a~~
 33 ~~course of instruction in basic life support as prescribed by the department and is licensed by the department in~~
 34 ~~accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department~~
 35 ~~pursuant to sections 190.001 to 190.245;~~

36 ~~(19) "Emergency medical technician-community paramedic", "community paramedic", or "EMT-~~
 37 ~~CP", a person who is certified as an emergency medical technician-paramedic and is certified by the~~
 38 ~~department in accordance with standards prescribed in section 190.098;~~

39 ~~(20) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully~~
 40 ~~completed a course of instruction in advanced life support care as prescribed by the department and is~~
 41 ~~licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the~~
 42 ~~department pursuant to sections 190.001 to 190.245;]~~

43 ~~[(21)]~~ (19) "Emergency services", health care items and services furnished or required to screen and
 44 stabilize an emergency which may include, but shall not be limited to, health care services that are provided
 45 in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or
 46 emergency medical response agency;

47 ~~[(22)]~~ (20) "Health care facility", a hospital, nursing home, physician's office or other fixed location
 48 at which medical and health care services are performed;

49 ~~[(23)]~~ (21) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of
 50 section 197.020, or a hospital operated by the state;

51 ~~[(24)]~~ (22) "Medical control", supervision provided by or under the direction of physicians, ~~[or]~~ their
 52 designated registered nurse, or a physician assistant, including both online medical control, instructions by
 53 radio, telephone, or other means of direct communications, and offline medical control through supervision

1 by treatment protocols, case review, training, and standing orders for treatment;

2 ~~[(25)]~~ (23) "Medical direction", medical guidance and supervision provided by a physician to an
3 emergency services provider or emergency medical services system;

4 ~~[(26)]~~ (24) "Medical director", a physician licensed pursuant to chapter 334 designated by the
5 ambulance service or emergency medical response agency and who meets criteria specified by the
6 department by rules pursuant to sections 190.001 to 190.245;

7 ~~[(27)]~~ (25) "Memorandum of understanding", an agreement between an emergency medical
8 response agency or dispatch agency and an ambulance service or services within whose territory the agency
9 operates, in order to coordinate emergency medical services;

10 (26) "Paramedic", a person who has successfully completed a course of instruction in advanced
11 life support care as prescribed by the department and is licensed by the department in accordance with
12 sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;

13 ~~[(28)]~~ (27) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise
14 incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private
15 or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is
16 called for assistance;

17 ~~[(29)]~~ (28) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any
18 individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation,
19 municipal or private, and whether organized for profit or not, state, county, political subdivision, state
20 department, commission, board, bureau or fraternal organization, estate, public trust, business or common law
21 trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user
22 or provider;

23 ~~[(30)]~~ (29) "Physician", a person licensed as a physician pursuant to chapter 334;

24 ~~[(31)]~~ (30) "Political subdivision", any municipality, city, county, city not within a county,
25 ambulance district or fire protection district located in this state which provides or has authority to provide
26 ambulance service;

27 ~~[(32)]~~ (31) "Professional organization", any organized group or association with an ongoing interest
28 regarding emergency medical services. Such groups and associations could include those representing
29 volunteers, labor, management, firefighters, ~~[EMT-B's]~~ EMTs, nurses, ~~[EMT-P's]~~ paramedics, physicians,
30 communications specialists and instructors. Organizations could also represent the interests of ground
31 ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma
32 centers, communication centers, pediatric services, labor unions and poison control services;

33 ~~[(33)]~~ (32) "Proof of financial responsibility", proof of ability to respond to damages for liability, on
34 account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership,
35 maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but
36 in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility
37 shall be used as proof of self-insurance;

38 ~~[(34)]~~ (33) "Protocol", a predetermined, written medical care guideline, which may include standing
39 orders;

40 ~~[(35)]~~ (34) "Regional EMS advisory committee", a committee formed within an emergency medical
41 services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

42 ~~[(36)]~~ (35) "Specialty care transportation", the transportation of a patient requiring the services of an
43 emergency medical technician-paramedic who has received additional training beyond the training prescribed
44 by the department. Specialty care transportation services shall be defined in writing in the appropriate local
45 protocols for ground and air ambulance services and approved by the local physician medical director. The
46 protocols shall be maintained by the local ambulance service and shall define the additional training required
47 of the emergency medical technician-paramedic;

48 ~~[(37)]~~ (36) "Stabilize", with respect to an emergency, the provision of such medical treatment as
49 may be necessary to attempt to assure within reasonable medical probability that no material deterioration of
50 an individual's medical condition is likely to result from or occur during ambulance transportation unless the
51 likely benefits of such transportation outweigh the risks;

52 ~~[(38)]~~ (37) "State advisory council on emergency medical services", a committee formed to advise
53 the department on policy affecting emergency medical service throughout the state;

1 ~~[(39)]~~ (38) "State EMS medical directors advisory committee", a subcommittee of the state advisory
2 council on emergency medical services formed to advise the state advisory council on emergency medical
3 services and the department on medical issues;

4 ~~[(40)]~~ (39) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which
5 impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram
6 analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

7 ~~[(41)]~~ (40) "STEMI care", includes education and prevention, emergency transport, triage, and acute
8 care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or
9 treatment;

10 ~~[(42)]~~ (41) "STEMI center", a hospital that is currently designated as such by the department to care
11 for patients with ST-segment elevation myocardial infarctions;

12 ~~[(43)]~~ (42) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the
13 department;

14 ~~[(44)]~~ (43) "Stroke care", includes emergency transport, triage, and acute intervention and other acute
15 care services for stroke that potentially require immediate medical or surgical intervention or treatment, and
16 may include education, primary prevention, acute intervention, acute and subacute management, prevention
17 of complications, secondary stroke prevention, and rehabilitative services;

18 ~~[(45)]~~ (44) "Stroke center", a hospital that is currently designated as such by the department;

19 ~~[(46)]~~ (45) "Trauma", an injury to human tissues and organs resulting from the transfer of energy
20 from the environment;

21 ~~[(47)]~~ (46) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for
22 major single system or multisystem injuries that potentially require immediate medical or surgical
23 intervention or treatment;

24 ~~[(48)]~~ (47) "Trauma center", a hospital that is currently designated as such by the department.
25

26 190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure
27 interstate compact under sections 190.900 to 190.939 takes effect, the department shall, within a reasonable
28 time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant
29 for an emergency medical technician's license.

30 (2) For applications submitted after the recognition of EMS personnel licensure interstate compact
31 under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical
32 technician in this state shall submit to a background check by the Missouri state highway patrol and the
33 Federal Bureau of Investigation through a process approved by the department of health and senior services.
34 Such processes may include the use of vendors or systems administered by the Missouri state highway patrol.
35 The department may share the results of such a criminal background check with any emergency services
36 licensing agency in any member state, as that term is defined under section 190.900, in recognition of the
37 EMS personnel licensure interstate compact. The department shall not issue a license until the department
38 receives the results of an applicant's criminal background check from the Missouri state highway patrol and
39 the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a
40 temporary license as provided under section 190.143. Any fees due for a criminal background check shall be
41 paid by the applicant.

42 (3) The director may authorize investigations into criminal records in other states for any applicant.

43 2. The department shall issue a license to all levels of emergency medical technicians, for a period of
44 five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the
45 rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate
46 rules relating to the requirements for an emergency medical technician including but not limited to:

47 (1) Age requirements;

48 (2) Emergency medical technician and paramedic education and training requirements based on
49 respective National Emergency Medical Services Education Standards and any modification to such curricula
50 specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

51 (3) Paramedic accreditation requirements. Paramedic training programs shall be accredited by the
52 Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of
53 review;

1 (4) Initial licensure testing requirements. Initial [~~EMT-P~~] paramedic licensure testing shall be
2 through the national registry of EMTs;

3 (5) Continuing education and relicensure requirements; and

4 (6) Ability to speak, read and write the English language.

5 3. Application for all levels of emergency medical technician license shall be made upon such forms
6 as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application
7 form shall contain such information as the department deems necessary to make a determination as to
8 whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and
9 rules promulgated pursuant to sections 190.001 to 190.245.

10 4. All levels of emergency medical technicians may perform only that patient care which is:

11 (1) Consistent with the training, education and experience of the particular emergency medical
12 technician; and

13 (2) Ordered by a physician or a physician assistant or set forth in protocols approved by the medical
14 director.

15 5. No person shall hold themselves out as an emergency medical technician or provide the services
16 of an emergency medical technician unless such person is licensed by the department.

17 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
18 authority delegated in this section shall become effective only if it complies with and is subject to all of the
19 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
20 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
21 effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
22 rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and
23

24 Further amend said bill, Page 44, Section 262.760, Line 15, by inserting after all of said section and lines the
25 following:

26
27 "285.040. No employee of a fire department of any city not within a county shall be required, as a
28 condition of employment, to reside within the city limits.

29 320.098. No county shall require attendance at a specific training academy by any candidate for a
30 firefighter position but may require a specific certification from the office of the state fire marshal."; and
31

32 Further amend said bill, Page 46, Section 550.125, Line 30, by inserting after said section and line the
33 following:

34
35 "571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise
36 provided by sections 571.101 to 571.121, if he or she knowingly:

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

39 (2) Sets a spring gun; or

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

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

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

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

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

51 (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place
52 where people have assembled for worship, or into any election precinct on any election day, or into any
53 building owned or occupied by any agency of the federal government, state government, or political

1 subdivision thereof; or

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

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

8 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is
9 sufficient for a felony violation of section 579.015.

10 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons
11 described in this subsection, regardless of whether such uses are reasonably associated with or are necessary
12 to the fulfillment of such person's official duties except as otherwise provided in this subsection.

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

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

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

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

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

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

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

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

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

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

39 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney
40 or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a
41 special prosecutor who has completed the firearms safety training course required under subsection 2 of
42 section 571.111;

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

47 (12) Upon the written approval of the governing body of a fire department or fire protection district,
48 any [paid] fire department or fire protection district member who [~~is employed on a full-time basis and who~~]
49 has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit,
50 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official
51 duties.

52 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is
53 transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily

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

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

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

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

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

30 8. A person who commits the crime of unlawful use of weapons under:

31 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E felony;

32 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B
33 misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted
34 the premises as being off-limits to concealed firearms by means of one or more signs displayed in a
35 conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters
36 of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

37 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if
38 the firearm is unloaded and a class E felony if the firearm is loaded;

39 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if
40 the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is
41 a class A felony.

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

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

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

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

51 (4) For any violation which results in injury or death to another person, a person shall be sentenced
52 to an authorized disposition for a class A felony.

53 10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of

1 subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for
2 violations by other persons.

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

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

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

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

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

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

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

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

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

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

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

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

31 (3) A certification issued by the state in which the individual resides that indicates that the individual
32 has, not less recently than one year before the date the individual is carrying the concealed firearm, been
33 tested or otherwise found by the state to meet the standards established by the state for training and
34 qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and
35

36 Further amend said bill, Pages 54 to 56, Section 1, Lines 1 to 56, by removing all of said section and lines
37 from the bill; and

38
39 Further amend said bill, Pages 56 to 58, Section 2, Lines 1 to 75 by removing all of said section and lines
40 from the bill; and" ; and

41
42 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
43

44 THIS AMENDS AMENDMENT 3749H04.03H