

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for Senate Bill No. 774, Page 1 Line
2 2 by inserting after all of said line the following:

3
4 "Further amend said bill, Page 27, Section 190.100, Line 25, by inserting after the number "(7)" the
5 following:

6
7 "Community paramedic", a person who is certified as an emergency medical technician-paramedic
8 and is certified by the department in accordance with standards prescribed in section 190.098;
9 (8)"; and

10
11 Further amend said bill and section, Page 29, Line 63, by inserting after the word "technician" the words "or
12 "EMT""; and

13
14 Further amend said bill, page, and section, Lines 66-76, by deleting said lines and inserting in lieu thereof the
15 following:

16
17 ~~"[(18) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed~~
18 ~~a course of instruction in basic life support as prescribed by the department and is licensed by the department~~
19 ~~in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department~~
20 ~~pursuant to sections 190.001 to 190.245;~~

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

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

28
29 Further amend said bill and section, Page 30, Line 98, by inserting after the number "(28)" the following:

30
31 "Paramedic", a person who has successfully completed a course of instruction in advanced
32 life support care as prescribed by the department and is licensed by the department in accordance with
33 sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;
34 (29)"; and

35
36 Further amend said bill, page, and section, Line 114, by deleting said line and inserting in lieu thereof the
37 following:
38

Action Taken _____ Date _____

1 "representing volunteers, labor management, firefighters, [~~EMT-B's~~] EMTs, nurses, [~~EMT-P's~~]
2 paramedics, physicians"; and

3
4 Further amend said bill and section, Pages 27-31, by renumbering subdivisions accordingly; and

5
6 Further amend said bill, Page 35, Section 190.142, Line 33, by deleting the word "EMT-P" and inserting in
7 lieu thereof the phrase "~~[EMT-P]~~ paramedic"; and

8
9 Further amend said bill, Page 51, Section 270.400, Line 57, by inserting after all of said section and line the
10 following:

11
12 "285.040. No employee of a fire department of any city not within a county shall be required, as a
13 condition of employment, to reside within the city limits."; and

14
15 Further amend said bill, Page 66, Section 320.091, Line 18, by inserting after said section and line the
16 following:

17
18 "320.098. No county shall require attendance at a specific training academy by any candidate for a
19 firefighter position but may require a specific certification from the office of the state fire marshal."; and

20
21 Further amend said bill, Page 76, Section 570.027, Line 17, by inserting after said section and line the
22 following:

23
24 "571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise
25 provided by sections 571.101 to 571.121, if he or she knowingly:

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

28 (2) Sets a spring gun; or

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

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

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

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

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

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

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

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

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

52 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons
53 described in this subsection, regardless of whether such uses are reasonably associated with or are necessary

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

42 10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of
43 subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for
44 violations by other persons.

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

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

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

52 (2) Before such retirement, was authorized by law to engage in or supervise the prevention,
53 detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and

1 had statutory powers of arrest;

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

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

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

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

10 and

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

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

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

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

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

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

26
27 THIS AMENDS AMENDMENT 4211H03.07H