

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Bill No. 26, Page 2,
2 Section 557.045, Line 15, by inserting after all said section and line the following:

3
4 "571.020. 1. A person commits an offense if such person knowingly possesses,
5 manufactures, transports, repairs, or sells:

6 (1) An explosive weapon;

7 (2) An explosive, incendiary or poison substance or material with the purpose to possess,
8 manufacture or sell an explosive weapon;

9 (3) A gas gun;

10 (4) A bullet or projectile which explodes or detonates upon impact because of an
11 independent explosive charge after having been shot from a firearm; or

12 (5) ~~Knuckles; or~~

13 ~~—~~ (6) Any of the following in violation of federal law:

14 (a) A machine gun;

15 (b) A short-barreled rifle or shotgun;

16 (c) A firearm silencer; or

17 (d) A switchblade knife.

18 2. A person does not commit an offense pursuant to this section if his or her conduct
19 involved any of the items in subdivisions (1) to ~~[(5)]~~ (4) of subsection 1, the item was possessed in
20 conformity with any applicable federal law, and the conduct:

21 (1) Was incident to the performance of official duty by the Armed Forces, National Guard, a
22 governmental law enforcement agency, or a penal institution; or

23 (2) Was incident to engaging in a lawful commercial or business transaction with an
24 organization enumerated in subdivision (1) of this ~~section~~ subsection; or

25 (3) Was incident to using an explosive weapon in a manner reasonably related to a lawful
26 industrial or commercial enterprise; or

27 (4) Was incident to displaying the weapon in a public museum or exhibition; or

28 (5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic
29 performance.

30 3. An offense pursuant to subdivision (1), (2), (3) or ~~[(6)]~~ (5) of subsection 1 of this section
31 is a class D felony; a crime pursuant to subdivision (4) ~~[or (5)]~~ of subsection 1 of this section is a
32 class A misdemeanor.

33 571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a
34 valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry
35 endorsement or permit issued by another state or political subdivision of another state shall
36 authorize the person in whose name the permit or endorsement is issued to carry concealed firearms

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1 on or about his or her person or vehicle throughout the state. No concealed carry permit issued
2 pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August
3 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision
4 of another state shall authorize any person to carry concealed firearms or knuckles into:

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

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

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

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

31 (5) Any meeting of the governing body of a unit of local government; or any meeting of the
32 general assembly or a committee of the general assembly, except that nothing in this subdivision
33 shall preclude a member of the body holding a valid concealed carry permit or endorsement from
34 carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a
35 firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not
36 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this
37 subdivision shall preclude a member of the general assembly, a full-time employee of the general
38 assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of
39 the general assembly as determined under section 21.155, or statewide elected officials and their
40 employees, holding a valid concealed carry permit or endorsement, from carrying a concealed
41 firearm in the state capitol building or at a meeting whether of the full body of a house of the
42 general assembly or a committee thereof, that is held in the state capitol building;

43 (6) The general assembly, supreme court, county or municipality may by rule,
44 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit
45 or endorsement holders in that portion of a building owned, leased or controlled by that unit of
46 government. Any portion of a building in which the carrying of concealed firearms is prohibited or
47 limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute,
48 rule or ordinance shall exempt any building used for public housing by private persons, highways or
49 rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of

1 government from any restriction on the carrying or possession of a firearm. The statute, rule or
2 ordinance shall not specify any criminal penalty for its violation but may specify that persons
3 violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the
4 building and if employees of the unit of government, be subjected to disciplinary measures for
5 violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall
6 not apply to any other unit of government;

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

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

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

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

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

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

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

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

47 (15) Any private property whose owner has posted the premises as being off-limits to
48 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum
49 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) 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) Any hospital accessible by the public. Possession of a firearm in a vehicle on the
16 premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the
17 vehicle or brandished while the vehicle is on the premises.

18 2. Carrying of a concealed firearm or knuckles in a location specified in subdivisions (1) to
19 (17) of subsection 1 of this section by any individual who holds a concealed carry permit issued
20 pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August
21 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal
22 from the premises. If such person refuses to leave the premises and a peace officer is summoned,
23 such 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."; and

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