

SECOND REGULAR SESSION

SENATE BILL NO. 1200

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR BRAY.

Read 1st time February 26, 2008, and ordered printed.

TERRY L. SPIELER, Secretary.

5256S.02I

AN ACT

To amend chapters 407 and 571, RSMo, by adding thereto three new sections relating to the sale of ammunition, with penalty provisions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Chapters 407 and 571, RSMo, are amended by adding thereto
2 three new sections, to be known as sections 571.175, 571.178, and 571.180, to
3 read as follows:

**571.175. Effective January 1, 2011, a person commits the crime
2 of unlawful possession of uncoded ammunition if he or she possesses
3 ammunition that has not been coded as required under section 571.180
4 or where the code on such ammunition has been rendered
5 unreadable. Unlawful possession of uncoded ammunition is a class A
6 misdemeanor.**

**571.178. Effective March 1, 2009, a person commits the crime of
2 unlawful sale of uncoded ammunition if he or she sells any ammunition
3 that has not been coded as required under section 571.180. Unlawful
4 sale of uncoded ammunition is a class A misdemeanor.**

**571.180. 1. The department of public safety shall be responsible
2 for establishing and maintaining an ammunition coding system
3 database containing information provided by manufacturers and
4 vendors of firearms, as required by subsection 2 and 3 of this
5 section. Such database shall be created and operational by January 1,
6 2009. Information in the ammunition coding system database shall be
7 released only at the request of law enforcement agencies for use in a
8 criminal investigation. As used in this section, the term "coded
9 ammunition" shall mean a bullet carrying a unique identifier that has
10 been applied by etching onto the base of the bullet projectile.**

11 **2. Beginning January 1, 2009, each manufacturer of firearm**
12 **ammunition shall register with the department in a manner prescribed**
13 **by the department and shall maintain records on the business premises**
14 **for a period of seven years concerning all sales, loans, and transfers of**
15 **ammunition to, from, or within the state. Each manufacturer shall code**
16 **any ammunition for firearms sold or manufactured after January 1,**
17 **2009. Any manufacturer that willfully fails to comply with the**
18 **provisions of this section shall be subject to a civil fine of not more**
19 **than one thousand dollars for a first offense, a civil fine of not more**
20 **than five thousand dollars for a second offense, and a civil fine of not**
21 **more than ten thousand dollars for each subsequent offense.**

22 **3. (1) Beginning January 1, 2009, each vendor of firearm**
23 **ammunition shall register with the department in a manner prescribed**
24 **by the department and, beginning March 1, 2009, shall record the**
25 **following information:**

26 **(a) The date of ammunition transactions;**

27 **(b) The name of the purchaser;**

28 **(c) The purchaser's driver's license number or other government**
29 **issued identification card number;**

30 **(d) The date of birth of the purchaser;**

31 **(e) The unique identifier of all firearms ammunition or bullets**
32 **transferred; and**

33 **(f) Any other information determined necessary by the**
34 **department.**

35 **(2) Beginning March 1, 2009, each vendor shall maintain such**
36 **records of the ammunition transactions on their premises for a period**
37 **of at least three years from the date of the recorded purchase. Any**
38 **vendor that willfully fails to comply with the provisions of this section**
39 **shall be subject to a civil fine of not more than one thousand dollars for**
40 **a first offense, a civil fine of not more than two thousand dollars for a**
41 **second offense, and a civil fine of not more than five thousand dollars**
42 **for each subsequent offense.**

43 **4. The department of public safety shall promulgate rules and**
44 **regulations to implement the provisions of this section. Any rule or**
45 **portion of a rule, as that term is defined in section 536.010, RSMo, that**
46 **is created under the authority delegated in this section shall become**
47 **effective only if it complies with and is subject to all of the provisions**

48 of chapter 536, RSMo, and, if applicable, section 536.028, RSMo. This
49 section and chapter 536, RSMo, are nonseverable and if any of the
50 powers vested with the general assembly pursuant to chapter 536,
51 RSMo, to review, to delay the effective date, or to disapprove and annul
52 a rule are subsequently held unconstitutional, then the grant of
53 rulemaking authority and any rule proposed or adopted after August
54 28, 2008, shall be invalid and void.

55 5. There is hereby created the "Ammunition Coding System
56 Database Fund", which shall consist of money collected from an
57 additional one-half cent charged by vendors per bullet or round of
58 ammunition to the purchaser. The money in the fund shall be used
59 solely to implement and administer the ammunition coding system
60 database. The state treasurer shall be custodian of the fund and may
61 approve disbursements from the fund in accordance with sections
62 30.170 and 30.180, RSMo. The department of public safety shall
63 administer the fund. Any moneys remaining in the fund at the end of
64 the biennium shall revert to the credit of the general revenue
65 fund. The state treasurer shall invest moneys in the fund in the same
66 manner as other funds are invested. Any interest and moneys earned
67 on such investments shall be credited to the fund.

68 6. Any vendor of firearm ammunition shall be required to charge
69 one-half cent per bullet or round of ammunition to be forwarded to the
70 state treasurer for deposit into the "Ammunition Coding System
71 Database Fund".

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