

SECOND REGULAR SESSION

SENATE BILL NO. 1026

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS NASHEED, CURLS AND CHAPPELLE-NADAL.

Read 1st time February 22, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

6587S.02I

AN ACT

To amend chapter 571, RSMo, by adding thereto two new sections relating to the purchasing of firearms, with penalty provisions.

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

Section A. Chapter 571, RSMo, is amended by adding thereto two new sections, to be known as sections 571.600 and 571.610, to read as follows:

571.600. It is the intention of the general assembly of the state of Missouri to grant the right to life to all humans and to regulate firearms to the full extent permitted by the Constitution of the United States, decisions of the United States Supreme Court, and federal statutes.

571.610. 1. No firearms shall be purchased without voluntary and informed consent, purchased freely and of sound mental state. A purchaser's decision shall be considered voluntary and informed and purchased freely and of sound mental state if, and only if, at least seventy-two hours prior to the purchase:

(1) The purchaser is presented with information about:

(a) The immediate and long-term medical risks associated with the use of firearms including, but not limited to, accidental injury to oneself or another, accidental death to any person, intentional injury to oneself or another, intentional death to any person, and possible adverse psychological effects associated with the above risks associated;

(b) The anatomical and physiological characteristics of those harmed by firearms at the time of their usage; and

(c) The immediate and long-term medical risks to those harmed by firearms, in light of the accidental or intentional harm they may

17 cause to any person;

18 (2) The seller who is to sell the firearm has presented the
19 purchaser, in person, printed materials provided by the department of
20 public safety, which describe the probable anatomical and lifestyle
21 characteristics of the persons harmed by firearm violence at two-year
22 increments from time of harm suffered to an average American life
23 expectancy, including color photographs or images of those harmed by
24 firearm violence. Such descriptions shall include information about the
25 total loss of life in the United States due to firearm violence, victim
26 impact statements, information regarding the families of those lost and
27 harmed by firearm violence and information on alternatives to
28 firearms. The printed materials shall prominently display the following
29 statement: "The life of each human being matters. Firearms may
30 terminate the life of a separate, unique, living human being.";

31 (3) The seller who is to sell the firearm shall provide the
32 purchaser with the opportunity to view at least seventy-two hours prior
33 to the purchase a firearm victim impact panel and hear the testimony
34 of those harmed by firearm violence. The purchaser shall be provided
35 with a geographically indexed list of places maintained by the
36 department of public safety where a firearm has contributed to loss of
37 life or any harm to any person.

38 2. All information required to be provided to a person
39 considering purchasing a firearm under subsection 1 of this section
40 shall be presented to the purchaser individually, in the physical
41 presence of the purchaser, and in a private room, to protect their
42 privacy, to maintain the confidentiality of their decision, to ensure that
43 the information focuses on their individual circumstances, to ensure he
44 or she has an adequate opportunity to ask questions, and to ensure that
45 he or she is in a sound mental state. Should a purchaser be unable to
46 read materials provided to him or her, the materials shall be read to
47 the purchaser by the seller. Should a purchaser need an interpreter to
48 understand the information presented in the written materials, an
49 interpreter shall be provided to the purchaser. Should a purchaser ask
50 questions concerning any of the information or materials, answers shall
51 be provided in a language he or she can understand.

52 3. No firearm shall be purchased unless and until the purchaser
53 certifies in writing on a checklist form provided by the department of

54 public safety that he or she has been presented all the information
55 required in subsection 1 of this section, that he or she has been
56 provided the opportunity to view photos of the potential effects of
57 firearms, witness a victim impact panel and hear the testimony of those
58 affected by firearms violence, and that he or she further certifies that
59 he or she purchases the firearm with voluntary and informed consent
60 and purchases freely and of sound mental state.

61 4. No seller shall sell a firearm to a purchaser unless and until
62 the seller has received a signed copy of the form prescribed in
63 subsection 3 of this section. The seller shall retain a copy of the form
64 for their records.

65 5. Any seller who violates any provision of this section shall be
66 guilty of a class D felony.

67 6. A purchaser of firearms shall satisfy the background check
68 requirements administered by the state highway patrol under section
69 43.543 and shall not have been adjudged mentally incompetent for ten
70 years prior to application, or has not been committed to a mental
71 health facility, as defined in section 632.005, or a similar institution
72 located in another state.

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