

FIRST REGULAR SESSION

SENATE BILL NO. 330

96TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR DIXON.

Read 1st time February 23, 2011, and ordered printed.

TERRY L. SPIELER, Secretary.

1675S.011

AN ACT

To repeal section 571.107, RSMo, and to enact in lieu thereof one new section relating to the carrying of concealed firearms in the state capitol building.

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

Section A. Section 571.107, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 571.107, to read as follows:

571.107. 1. A concealed carry endorsement issued pursuant to sections
2 571.101 to 571.121 or a concealed carry endorsement or permit issued by another
3 state or political subdivision of another state shall authorize the person in whose
4 name the permit or endorsement is issued to carry concealed firearms on or about
5 his or her person or vehicle throughout the state. No driver's license or
6 nondriver's license containing a concealed carry endorsement issued pursuant to
7 sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by
8 another state or political subdivision of another state shall authorize any person
9 to carry concealed firearms into:

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

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

19 (3) The facility of any adult or juvenile detention or correctional
20 institution, prison or jail. Possession of a firearm in a vehicle on the premises of

21 any adult, juvenile detention, or correctional institution, prison or jail shall not
22 be a criminal offense so long as the firearm is not removed from the vehicle or
23 brandished while the vehicle is on the premises;

24 (4) Any courthouse solely occupied by the circuit, appellate or supreme
25 court, or any courtrooms, administrative offices, libraries or other rooms of any
26 such court whether or not such court solely occupies the building in
27 question. This subdivision shall also include, but not be limited to, any juvenile,
28 family, drug, or other court offices, any room or office wherein any of the courts
29 or offices listed in this subdivision are temporarily conducting any business
30 within the jurisdiction of such courts or offices, and such other locations in such
31 manner as may be specified by supreme court rule pursuant to subdivision (6) of
32 this subsection. Nothing in this subdivision shall preclude those persons listed
33 in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction
34 and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection
35 2 of section 571.030, or such other persons who serve in a law enforcement
36 capacity for a court as may be specified by supreme court rule pursuant to
37 subdivision (6) of this subsection from carrying a concealed firearm within any
38 of the areas described in this subdivision. Possession of a firearm in a vehicle on
39 the premises of any of the areas listed in this subdivision shall not be a criminal
40 offense so long as the firearm is not removed from the vehicle or brandished while
41 the vehicle is on the premises;

42 (5) Any meeting of the governing body of a unit of local government; or
43 any meeting of the general assembly or a committee of the general assembly,
44 except that nothing in this subdivision shall preclude a member of the body
45 holding a valid concealed carry endorsement from carrying a concealed firearm
46 at a meeting of the body which he or she is a member. Possession of a firearm
47 in a vehicle on the premises shall not be a criminal offense so long as the firearm
48 is not removed from the vehicle or brandished while the vehicle is on the
49 premises. **Nothing in this subdivision shall preclude members of the**
50 **general assembly, full time employees of the general assembly,**
51 **legislative employees of the general assembly as determined under**
52 **section 21.155, or statewide elected officials or their employees, who**
53 **hold a valid concealed carry endorsement, from carrying a concealed**
54 **firearm in the state capitol building, or at any meeting in the state**
55 **capitol building;**

56 (6) The general assembly, supreme court, county or municipality may by

57 rule, administrative regulation, or ordinance prohibit or limit the carrying of
58 concealed firearms by endorsement holders in that portion of a building owned,
59 leased or controlled by that unit of government. Any portion of a building in
60 which the carrying of concealed firearms is prohibited or limited shall be clearly
61 identified by signs posted at the entrance to the restricted area. The statute, rule
62 or ordinance shall exempt any building used for public housing by private
63 persons, highways or rest areas, firing ranges, and private dwellings owned,
64 leased, or controlled by that unit of government from any restriction on the
65 carrying or possession of a firearm. The statute, rule or ordinance shall not
66 specify any criminal penalty for its violation but may specify that persons
67 violating the statute, rule or ordinance may be denied entrance to the building,
68 ordered to leave the building and if employees of the unit of government, be
69 subjected to disciplinary measures for violation of the provisions of the statute,
70 rule or ordinance. The provisions of this subdivision shall not apply to any other
71 unit of government;

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

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

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

90 (10) Any higher education institution or elementary or secondary school
91 facility without the consent of the governing body of the higher education
92 institution or a school official or the district school board. Possession of a firearm

93 in a vehicle on the premises of any higher education institution or elementary or
94 secondary school facility shall not be a criminal offense so long as the firearm is
95 not removed from the vehicle or brandished while the vehicle is on the premises;

96 (11) Any portion of a building used as a child-care facility without the
97 consent of the manager. Nothing in this subdivision shall prevent the operator
98 of a child-care facility in a family home from owning or possessing a firearm or
99 a driver's license or nondriver's license containing a concealed carry endorsement;

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

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

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

115 (15) Any private property whose owner has posted the premises as being
116 off-limits to concealed firearms by means of one or more signs displayed in a
117 conspicuous place of a minimum size of eleven inches by fourteen inches with the
118 writing thereon in letters of not less than one inch. The owner, business or
119 commercial lessee, manager of a private business enterprise, or any other
120 organization, entity, or person may prohibit persons holding a concealed carry
121 endorsement from carrying concealed firearms on the premises and may prohibit
122 employees, not authorized by the employer, holding a concealed carry
123 endorsement from carrying concealed firearms on the property of the employer.
124 If the building or the premises are open to the public, the employer of the
125 business enterprise shall post signs on or about the premises if carrying a
126 concealed firearm is prohibited. Possession of a firearm in a vehicle on the
127 premises shall not be a criminal offense so long as the firearm is not removed
128 from the vehicle or brandished while the vehicle is on the premises. An employer

129 may prohibit employees or other persons holding a concealed carry endorsement
130 from carrying a concealed firearm in vehicles owned by the employer;

131 (16) Any sports arena or stadium with a seating capacity of five thousand
132 or more. Possession of a firearm in a vehicle on the premises shall not be a
133 criminal offense so long as the firearm is not removed from the vehicle or
134 brandished while the vehicle is on the premises;

135 (17) Any hospital accessible by the public. Possession of a firearm in a
136 vehicle on the premises of a hospital shall not be a criminal offense so long as the
137 firearm is not removed from the vehicle or brandished while the vehicle is on the
138 premises.

139 2. Carrying of a concealed firearm in a location specified in subdivisions
140 (1) to (17) of subsection 1 of this section by any individual who holds a concealed
141 carry endorsement issued pursuant to sections 571.101 to 571.121 shall not be a
142 criminal act but may subject the person to denial to the premises or removal from
143 the premises. If such person refuses to leave the premises and a peace officer is
144 summoned, such person may be issued a citation for an amount not to exceed one
145 hundred dollars for the first offense. If a second citation for a similar violation
146 occurs within a six-month period, such person shall be fined an amount not to
147 exceed two hundred dollars and his or her endorsement to carry concealed
148 firearms shall be suspended for a period of one year. If a third citation for a
149 similar violation is issued within one year of the first citation, such person shall
150 be fined an amount not to exceed five hundred dollars and shall have his or her
151 concealed carry endorsement revoked and such person shall not be eligible for a
152 concealed carry endorsement for a period of three years. Upon conviction of
153 charges arising from a citation issued pursuant to this subsection, the court shall
154 notify the sheriff of the county which issued the certificate of qualification for a
155 concealed carry endorsement and the department of revenue. The sheriff shall
156 suspend or revoke the certificate of qualification for a concealed carry
157 endorsement and the department of revenue shall issue a notice of such
158 suspension or revocation of the concealed carry endorsement and take action to
159 remove the concealed carry endorsement from the individual's driving
160 record. The director of revenue shall notify the licensee that he or she must
161 apply for a new license pursuant to chapter 302 which does not contain such
162 endorsement. A concealed carry endorsement suspension pursuant to sections
163 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her
164 driver's license. The notice issued by the department of revenue shall be mailed

165 to the last known address shown on the individual's driving record. The notice
166 is deemed received three days after mailing.

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