

FIRST REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 75
97TH GENERAL ASSEMBLY

0366H.02C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 32.090, 50.535, 57.010, 57.104, 57.280, 136.055, 221.070, 302.181, 571.010, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 650.350, RSMo, and to enact in lieu thereof twenty-four new sections relating to firearms, with penalty provisions.

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

Section A. Sections 32.090, 50.535, 57.010, 57.104, 57.280, 136.055, 221.070, 302.181, 571.010, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 650.350, RSMo, are repealed and twenty-four new sections enacted in lieu thereof, to be known as sections 32.090, 50.535, 57.010, 57.104, 57.280, 136.055, 170.315, 171.410, 221.070, 221.102, 302.065, 302.181, 571.010, 571.030, 571.037, 571.101, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.500, and 650.350, to read as follows:

32.090. 1. The department of revenue shall keep a record of each application or other document filed with it and each certificate or other official document issued by it.

2. Except as otherwise provided by law, all records of the department of revenue are public records and shall be made available to the public according to procedures established by the department.

3. Personal information obtained by the department shall not be disclosed to any person requesting such personal information except as provided in section 32.091.

4. The director of the department of revenue may require applications received by the department under chapters 301, 306 and 700, RSMo, to include the applicant's unique identification number, which shall be treated as personal, non-public information. For the purposes of this subsection, "identification number" means the applicant's driver's license number, non-driver's license number, or social security number.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected pursuant to subsections 10 and 11 of section 571.101 shall be deposited by the county treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be expended at the direction of the county or city sheriff or his or her designee as provided in this section.

2. No prior approval of the expenditures from this fund shall be required by the governing body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund be required before any expenditure is made by the sheriff from this fund. This fund shall only be used by law enforcement agencies for the purchase of equipment, to provide training, and to make necessary expenditures to process applications for concealed carry [endorsements] **permits** or renewals, including but not limited to the purchase of equipment, information and data exchange, training, fingerprinting and background checks, employment of additional personnel, and any expenditure necessitated by an action under section 571.114 or 571.117. If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance shall be kept in said fund to accumulate from year to year. This fund may be audited by the state auditor's office or the appropriate auditing agency.

3. Notwithstanding any provision of this section to the contrary, the sheriff of every county, regardless of classification, is authorized to pay, from the sheriff's revolving fund, all reasonable and necessary costs and expenses for activities or services occasioned by compliance with sections 571.101 to 571.121. Such was the intent of the general assembly in original enactment of this section and sections 571.101 to 571.121, and it is made express by this section in light of the decision in *Brooks v. State of Missouri*, (Mo. Sup. Ct. February 26, 2004). The application and renewal fees to be charged pursuant to section 571.101 shall be based on the sheriff's good faith estimate, made during regular budgeting cycles, of the actual costs and expenses to be incurred by reason of compliance with sections 571.101 to 571.121. If the maximum fee permitted by section 571.101 is inadequate to cover the actual reasonable and necessary expenses in a given year, and there are not sufficient accumulated unexpended funds in the revolving fund, a sheriff may present specific and verified evidence of the unreimbursed expenses to the office of administration, which upon certification by the attorney general shall reimburse such sheriff for those expenses from an appropriation made for that purpose.

4. If pursuant to subsection [12] **13** of section 571.101, the sheriff of a county of the first classification designates one or more chiefs of police of any town, city, or municipality within such county to accept and process applications for [certificates of qualification to obtain a concealed carry endorsement] **concealed carry permits**, then that sheriff shall reimburse such

36 chiefs of police, out of the moneys deposited into this fund, for any reasonable expenses related
37 to accepting and processing such applications.

57.010. 1. At the general election to be held in 1948, and at each general election held
2 every four years thereafter, the voters in every county in this state shall elect some suitable
3 person sheriff. No person shall be eligible for the office of sheriff who has been convicted of a
4 felony. Such person shall be a resident taxpayer and elector of said county, shall have resided
5 in said county for more than one whole year next before filing for said office and shall be a
6 person capable of efficient law enforcement. When any person shall be elected sheriff, such
7 person shall enter upon the discharge of the duties of such person's office as chief law
8 enforcement officer of that county on the first day of January next succeeding said election.

9 2. [Beginning January 1, 2003, any] **No person shall be eligible for the office of sheriff**
10 who does not hold a valid peace officer license pursuant to chapter 590 [shall refrain from
11 personally executing any of the police powers of the office of sheriff, including but not limited
12 to participation in the activities of arrest, detention, vehicular pursuit, search and interrogation.
13 Nothing in this section shall prevent any sheriff from administering the execution of police
14 powers through duly commissioned deputy sheriffs]. **Any person filing for the office of sheriff**
15 **shall have a valid peace officer license at the time of filing for office.** This subsection shall
16 not apply[:

17 (1) During the first twelve months of the first term of office of any sheriff who is eligible
18 to become licensed as a peace officer and who intends to become so licensed within twelve
19 months after taking office, except this subdivision shall not be effective beginning January 1,
20 2010; or

21 (2)] to the sheriff of any county of the first classification with a charter form of
22 government with a population over nine hundred thousand **or of any city not within a county.**

57.104. 1. The sheriff of any county **with a charter form of government, county of**
2 the first classification [not having a charter form of government] , **county of the second**
3 **classification, county of the third classification, and county of the fourth classification** may
4 employ an attorney at law to aid and advise him in the discharge of his duties and to represent
5 him in court. The sheriff shall set the compensation for an attorney hired pursuant to this section
6 within the allocation made by the county commission to the sheriff's department for
7 compensation of employees to be paid out of the general revenue fund of the county.

8 2. The attorney employed by a sheriff pursuant to subsection 1 of this section shall be
9 employed at the pleasure of the sheriff.

57.280. 1. Sheriffs shall receive a charge for service of any summons, writ or other order
2 of court, in connection with any civil case, and making on the same either a return indicating
3 service, a non est return or a nulla bona return, the sum of twenty dollars for each item to be

4 served, except that a sheriff shall receive a charge for service of any subpoena, and making a
5 return on the same, the sum of ten dollars; however, no such charge shall be collected in any
6 proceeding when court costs are to be paid by the state, county or municipality. In addition to
7 such charge, the sheriff shall be entitled to receive for each mile actually traveled in serving any
8 summons, writ, subpoena or other order of court the rate prescribed by the Internal Revenue
9 Service for all allowable expenses for motor vehicle use expressed as an amount per mile,
10 provided that such mileage shall not be charged for more than one subpoena or summons or
11 other writ served in the same cause on the same trip. All of such charges shall be received by
12 the sheriff who is requested to perform the service. Except as otherwise provided by law, all
13 charges made pursuant to this section shall be collected by the court clerk as court costs and are
14 payable prior to the time the service is rendered; provided that if the amount of such charge
15 cannot be readily determined, then the sheriff shall receive a deposit based upon the likely
16 amount of such charge, and the balance of such charge shall be payable immediately upon
17 ascertainment of the proper amount of said charge. A sheriff may refuse to perform any service
18 in any action or proceeding, other than when court costs are waived as provided by law, until the
19 charge provided by this section is paid. Failure to receive the charge shall not affect the validity
20 of the service.

21 2. The sheriff shall receive for receiving and paying moneys on execution or other
22 process, where lands or goods have been levied and advertised and sold, five percent on five
23 hundred dollars and four percent on all sums above five hundred dollars, and half of these sums,
24 when the money is paid to the sheriff without a levy, or where the lands or goods levied on shall
25 not be sold and the money is paid to the sheriff or person entitled thereto, his agent or attorney.
26 The party at whose application any writ, execution, subpoena or other process has issued from
27 the court shall pay the sheriff's costs for the removal, transportation, storage, safekeeping and
28 support of any property to be seized pursuant to legal process before such seizure. The sheriff
29 shall be allowed for each mile, going and returning from the courthouse of the county in which
30 he resides to the place where the court is held, the rate prescribed by the Internal Revenue
31 Service for all allowable expenses for motor vehicle use expressed as an amount per mile. The
32 provisions of this subsection shall not apply to garnishment proceeds.

33 3. The sheriff **of any county with a charter form of government, county of the first**
34 **classification, county of the second classification, county of the third classification, and**
35 **county of the fourth classification** upon the receipt of the charge herein provided for shall pay
36 into the treasury of the county any and all charges received pursuant to the provisions of this
37 section. The funds collected pursuant to this section, not to exceed fifty thousand dollars in any
38 calendar year, shall be held in a fund established by the county treasurer[, which may be
39 expended at the discretion of the sheriff for the furtherance of the sheriff's set duties]. **Beginning**

40 **October 1, 2013, moneys in the fund shall be used to supplement the 2013 sheriff's salary**
41 **and any future increase in salary, benefit package and cost of living to an amount no**
42 **greater than the annual salary of an associate circuit judge.** Any such funds in excess of fifty
43 thousand dollars in any calendar year shall be placed to the credit of the general revenue fund of
44 the county. **Any remaining** moneys in the fund **after supplementing the sheriff's salary** shall
45 be used only for the procurement of services and equipment to support the operation of the
46 sheriff's office. Moneys in the fund established pursuant to this subsection shall not lapse to the
47 county general revenue fund at the end of any county budget or fiscal year.

48 4. Notwithstanding the provisions of subsection 3 of this section to the contrary, the
49 sheriff shall receive ten dollars for service of any summons, writ, subpoena, or other order of the
50 court included under subsection 1 of this section, in addition to the charge for such service that
51 each sheriff receives under subsection 1 of this section. The money received by the sheriff under
52 this subsection shall be paid into the county treasury and the county treasurer shall make such
53 money payable to the state treasurer. The state treasurer shall deposit such moneys in the deputy
54 sheriff salary supplementation fund created under section 57.278.

136.055. 1. Any person who is selected or appointed by the state director of revenue as
2 provided in subsection 2 of this section to act as an agent of the department of revenue, whose
3 duties shall be the processing of motor vehicle title and registration transactions and the
4 collection of sales and use taxes when required under sections 144.070 and 144.440, and who
5 receives no salary from the department of revenue, shall be authorized to collect from the party
6 requiring such services additional fees as compensation in full and for all services rendered on
7 the following basis:

8 (1) For each motor vehicle or trailer registration issued, renewed or transferred--three
9 dollars and fifty cents and seven dollars for those licenses sold or biennially renewed pursuant
10 to section 301.147;

11 (2) For each application or transfer of title--two dollars and fifty cents;

12 (3) For each instruction permit, nondriver license, chauffeur's, operator's or driver's
13 license issued for a period of three years or less--two dollars and fifty cents and five dollars for
14 licenses or instruction permits issued or renewed for a period exceeding three years;

15 (4) For each notice of lien processed--two dollars and fifty cents;

16 (5) No notary fee or other fee or additional charge shall be paid or collected except for
17 electronic telephone transmission reception--two dollars.

18 2. The director of revenue shall award fee office contracts under this section through a
19 competitive bidding process. The competitive bidding process shall give priority to
20 organizations and entities that are exempt from taxation under Section 501(c)(3) or 501(c)(6) of
21 the Internal Revenue Code of 1986, as amended, and political subdivisions, including but not

22 limited to, municipalities, counties, and fire protection districts. The director of the department
23 of revenue may promulgate rules and regulations necessary to carry out the provisions of this
24 subsection. Any rule or portion of a rule, as that term is defined in section 536.010, that is
25 created under the authority delegated in this subsection shall become effective only if it complies
26 with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028.
27 This section and chapter 536 are nonseverable and if any of the powers vested with the general
28 assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and
29 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and
30 any rule proposed or adopted after August 28, 2009, shall be invalid and void.

31 3. All fees collected by a tax-exempt organization may be retained and used by the
32 organization.

33 4. All fees charged shall not exceed those in this section. The fees imposed by this
34 section shall be collected by all permanent offices and all full-time or temporary offices
35 maintained by the department of revenue.

36 5. Any person acting as agent of the department of revenue for the sale and issuance of
37 registrations, licenses, and other documents related to motor vehicles shall have an insurable
38 interest in all license plates, licenses, tabs, forms and other documents held on behalf of the
39 department.

40 6. The fees authorized by this section shall not be collected by motor vehicle dealers
41 acting as agents of the department of revenue under section 32.095 or those motor vehicle dealers
42 authorized to collect and remit sales tax under subsection 8 of section 144.070.

43 7. Notwithstanding any other provision of law to the contrary, the state auditor may audit
44 all records maintained and established by the fee office in the same manner as the auditor may
45 audit any agency of the state, and the department shall ensure that this audit requirement is a
46 necessary condition for the award of all fee office contracts. No confidential records shall be
47 divulged in such a way to reveal personally identifiable information.

48 **8. The department of revenue shall indemnify and hold harmless any fee office for**
49 **any liabilities, including attorney's fees, imposed upon such fee office in connection with**
50 **or arising out of any action, suit, or proceeding if the fee office was acting in the course of**
51 **its official duties and pursuant to state law or department of revenue regulations or rules.**

170.315. 1. There is hereby established the Active Shooter and Intruder Response
2 **Training for Schools Program (ASIRT). Each school district and charter school may, by**
3 **July 1, 2014, include in its teacher and school employee training a component on how to**
4 **properly respond to students who provide them with information about a threatening**
5 **situation and how to address situations in which there is a potentially dangerous or armed**

6 intruder in the school. Training may also include information and techniques on how to
7 address situations where an active shooter is present in the school or on school property.

8 2. Each school district and charter school may conduct the training on an annual
9 basis. If no formal training has previously occurred, the length of the training may be
10 eight hours. The length of annual continuing training may be four hours.

11 3. All school personnel shall participate in a simulated active shooter and intruder
12 response drill conducted and led by law enforcement professionals. Each drill may include
13 an explanation of its purpose and a safety briefing. The training shall require each
14 participant to know and understand how to respond in the event of an actual emergency
15 on school property or at a school event. The drill may include:

16 (1) Allowing school personnel to respond to the simulated emergency in whatever
17 way they have been trained or informed; and

18 (2) Allowing school personnel to attempt and implement new methods of
19 responding to the simulated emergency based upon previously used unsuccessful methods
20 of response.

21 4. All instructors for the program shall be certified by the department of public
22 safety's peace officers standards training commission.

23 5. School districts and charter schools may consult and collaborate with law
24 enforcement authorities, emergency response agencies, and other organizations and entities
25 trained to deal with active shooters or potentially dangerous or armed intruders.

26 6. Public schools shall foster an environment in which students feel comfortable
27 sharing information they have regarding a potentially threatening or dangerous situation
28 with a responsible adult.

171.410. 1. Each school district and charter school may annually teach the Eddie
2 Eagle Gunsafe Program to first grade students. School districts and charter schools may
3 also teach any substantially similar program of the same qualifications or any successor
4 program in lieu of the Eddie Eagle Gunsafe Program.

5 2. The purpose of the educational program shall be to promote the safety and
6 protection of children. The educational program shall emphasize how students should
7 respond if they encounter a firearm. School personnel and program instructors shall not
8 make value judgments about firearms.

9 3. No school district or charter school shall include or use a firearm or demonstrate
10 the use of a firearm when teaching the program.

11 4. Students with disabilities shall participate to the extent appropriate as
12 determined by the provisions of the Individuals with Disabilities Education Act or Section
13 504 of the Rehabilitation Act.

14 **5. School districts and charter schools may seek grant funding for the program**
15 **from public, private, and non-profit entities.**

211.070. 1. Every person who shall be committed to the common jail within any county
2 in this state, by lawful authority, for any offense or misdemeanor, upon a plea of guilty or a
3 finding of guilt for such offense, shall bear the expense of carrying him or her to said jail, and
4 also his or her support while in jail, before he or she shall be discharged; and the property of such
5 person shall be subjected to the payment of such expenses, and shall be bound therefor, from the
6 time of his commitment, and may be levied on and sold, from time to time, under the order of
7 the court having criminal jurisdiction in the county, to satisfy such expenses.

8 **2. If a person has not paid all money owed to the county jail upon release from**
9 **custody and has failed to enter into or honor an agreement with the sheriff to make**
10 **payments toward such debt according to a repayment plan, the sheriff may certify the**
11 **amount of the outstanding to the clerk of the court in which the case was determined. The**
12 **circuit clerk shall report to the office of state courts administrator the debtor's full name,**
13 **date of birth, and address and the amount the debtor owes to the county jail. If the person**
14 **subsequently satisfies the debt to the county jail or begins making regular payments in**
15 **accordance with an agreement entered into with the sheriff, the sheriff shall notify the**
16 **circuit clerk who then shall notify the state courts administrator that the person shall no**
17 **longer be considered delinquent.**

221.102. 1. The sheriff of any county may establish and operate a canteen or
2 commissary in the county jail for the use and benefit of the inmates, prisoners, and
3 detainees.

4 **2. Each county jail shall keep revenues received from its canteen or commissary in**
5 **a separate account. The acquisition cost of goods sold and other expenses shall be paid**
6 **from this account. A minimum amount of money necessary to meet cash flow needs and**
7 **current operating expenses may be kept in this account. The remaining funds from sales**
8 **of each canteen or commissary shall be deposited into the "Inmate Prisoner Detainee**
9 **Security Fund" and shall be expended for the purposes provided in subsection 3 of section**
10 **488.5026. The provisions of section 33.080 to the contrary notwithstanding, the money in**
11 **the inmate prisoner detainee security fund shall be retained for the purposes specified in**
12 **section 488.5026 and shall not revert or be transferred to general revenue.**

302.065. 1. Notwithstanding section 32.090 or any other provision of law to the
2 contrary and except for the minimum copies of source documents required by federal law
3 for the issuance or renewal of commercial driver's licenses and commercial driver
4 instruction permits, the department of revenue shall not retain copies, in any format, of
5 source documents presented by individuals applying for or holding driver's licenses or

6 **nondriver's licenses. The department of revenue shall not use technology to capture digital**
7 **images of source documents so that the images are capable of being retained in electronic**
8 **storage in a transferable format.**

9 **2. The department of revenue shall not require the scanning of source documents**
10 **for the issuance of a concealed carry weapon endorsement.**

11 **3. The department of revenue shall securely destroy so as to make irretrievable any**
12 **source documents that were obtained after August 28, 2012, from driver's license or**
13 **nondriver's license applicants.**

14 **4. As used in this section, the term "source documents" means original or certified**
15 **copies, where applicable, of documents presented by an applicant as required under 6 CFR**
16 **37 to the department of revenue to apply for a driver's license or nondriver's license.**
17 **Source documents shall also include any documents required for the issuance, renewal, or**
18 **replacement of driver's licenses or nondriver's licenses by the department of revenue under**
19 **the provisions of this chapter or accompanying regulations.**

20 **5. The department of revenue shall create an in-house process for printing**
21 **concealed carry weapon endorsements, to be available upon the request of the applicant.**

22 **6. Any person harmed or damaged by any violation of section 302.065 may bring**
23 **a civil action for damages, including non-economic and punitive damages, as well as**
24 **injunctive relief, in the circuit court where that person resided at the time of the violation**
25 **or in the circuit court or the circuit court of Cole County to recover such damages from the**
26 **department of revenue and any persons participating in such violation. Sovereign**
27 **immunity shall not be available as a defense for the department of revenue in such an**
28 **action. In the event the plaintiff prevails on any count of his or her claim, the plaintiff shall**
29 **be entitled to recover reasonable attorney fees from the defendants.**

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic
3 or other comparable material. All licenses shall be manufactured of materials and processes that
4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate
5 any license without ready detection. All licenses shall bear the licensee's Social Security number,
6 if the licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that
7 the licensee does not possess a Social Security number, or, if applicable, a certified statement
8 must be submitted as provided in subsection 4 of this section. The license shall also bear the
9 expiration date of the license, the classification of the license, the name, date of birth, residence
10 address including the county of residence or a code number corresponding to such county
11 established by the department, and brief description and colored photograph or digitized image
12 of the licensee, and a facsimile of the signature of the licensee. The director shall provide by

13 administrative rule the procedure and format for a licensee to indicate on the back of the license
14 together with the designation for an anatomical gift as provided in section 194.240 the name and
15 address of the person designated pursuant to sections 404.800 to 404.865 as the licensee's
16 attorney in fact for the purposes of a durable power of attorney for health care decisions. No
17 license shall be valid until it has been so signed by the licensee. If any portion of the license is
18 prepared by a private firm, any contract with such firm shall be made in accordance with the
19 competitive purchasing procedures as established by the state director of the division of
20 purchasing. For all licenses issued or renewed after March 1, 1992, the applicant's Social
21 Security number shall serve as the applicant's license number. Where the licensee has no Social
22 Security number, or where the licensee is issued a license without a Social Security number in
23 accordance with subsection 4 of this section, the director shall issue a license number for the
24 licensee and such number shall also include an indicator showing that the number is not a Social
25 Security number.

26 2. All film involved in the production of photographs for licenses shall become the
27 property of the department of revenue.

28 3. The license issued shall be carried at all times by the holder thereof while driving a
29 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any
30 police officer or peace officer, or any other duly authorized person, for inspection when demand
31 is made therefor.

32 Failure of any operator of a motor vehicle to exhibit his or her license to any duly authorized
33 officer shall be presumptive evidence that such person is not a duly licensed operator.

34 4. The director of revenue shall issue a commercial or noncommercial driver's license
35 without a Social Security number to an applicant therefor, who is otherwise qualified to be
36 licensed, upon presentation to the director of a certified statement that the applicant objects to
37 the display of the Social Security number on the license. The director shall assign an
38 identification number, that is not based on a Social Security number, to the applicant which shall
39 be displayed on the license in lieu of the Social Security number.

40 5. The director of revenue shall not issue a license without a facial photograph or digital
41 image of the license applicant, except as provided pursuant to subsection 8 of this section. A
42 photograph or digital image of the applicant's full facial features shall be taken in a manner
43 prescribed by the director. No photograph or digital image will be taken wearing anything which
44 cloaks the facial features of the individual.

45 6. The department of revenue may issue a temporary license or a full license without the
46 photograph or with the last photograph or digital image in the department's records to members
47 of the Armed Forces, except that where such temporary license is issued it shall be valid only

48 until the applicant shall have had time to appear and have his or her picture taken and a license
49 with his or her photograph issued.

50 7. The department of revenue shall issue upon request a nondriver's license card
51 containing essentially the same information and photograph or digital image, except as provided
52 pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All
53 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A
54 person who has passed his or her seventieth birthday shall upon application be issued a
55 nonexpiring nondriver's license card. Notwithstanding any other provision of this chapter, a
56 nondriver's license containing a concealed carry endorsement shall expire three years from the
57 date the certificate of qualification was issued pursuant to section 571.101, **as section 571.101**
58 **existed prior to August 28, 2013.** The fee for nondriver's licenses issued for a period exceeding
59 three years is six dollars or three dollars for nondriver's licenses issued for a period of three years
60 or less. The nondriver's license card shall be used for identification purposes only and shall not
61 be valid as a license.

62 8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license
63 without a photograph or digital image of the applicant's full facial features except that such
64 applicant's photograph or digital image shall be taken and maintained by the director and not
65 printed on such license.

66 In order to qualify for a license without a photograph or digital image pursuant to this section the
67 applicant must:

68 (1) Present a form provided by the department of revenue requesting the applicant's
69 photograph be omitted from the license or nondriver's license due to religious affiliations. The
70 form shall be signed by the applicant and another member of the religious tenant verifying the
71 photograph or digital image exemption on the license or nondriver's license is required as part
72 of their religious affiliation. The required signatures on the prescribed form shall be properly
73 notarized;

74 (2) Provide satisfactory proof to the director that the applicant has been a [U.S.] **United**
75 **States** citizen for at least five years and a resident of this state for at least one year, except that
76 an applicant moving to this state possessing a valid driver's license from another state without
77 a photograph shall be exempt from the one-year state residency requirement. The director may
78 establish rules necessary to determine satisfactory proof of citizenship and residency pursuant
79 to this section;

80 (3) Applications for a driver's license or nondriver's license without a photograph or
81 digital image must be made in person at a license office determined by the director. The director
82 is authorized to limit the number of offices that may issue a driver's or nondriver's license
83 without a photograph or digital image pursuant to this section.

84 9. The department of revenue shall make available, at one or more locations within the
85 state, an opportunity for individuals to have their full facial photograph taken by an employee
86 of the department of revenue, or their designee, who is of the same sex as the individual being
87 photographed, in a segregated location.

88 10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's
89 license for a period that exceeds an applicant's lawful presence in the United States. The director
90 may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and
91 establish the duration of any driver's license or nondriver's license issued under this section.

92 11. No rule or portion of a rule promulgated pursuant to the authority of this chapter
93 shall become effective unless it is promulgated pursuant to the provisions of chapter 536.

571.010. As used in this chapter, the following terms shall mean:

2 (1) "Antique, curio or relic firearm", any firearm so defined by the National Gun Control
3 Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of Alcohol
4 Tobacco and Firearms, 27 CFR Section 178.11:

5 (a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or
6 conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said
7 ammunition not being manufactured any longer; this includes any matchlock, wheel lock,
8 flintlock, percussion cap or similar type ignition system, or replica thereof;

9 (b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due to
10 its unique design, ignition system, operation or at least fifty years old, associated with a historical
11 event, renown personage or major war;

12 (2) "Blackjack", any instrument that is designed or adapted for the purpose of stunning
13 or inflicting physical injury by striking a person, and which is readily capable of lethal use;

14 (3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is
15 intended for blasting, but not otherwise defined as an explosive under this section, provided that
16 the finished product, as mixed for use of shipment, cannot be detonated by means of a numbered
17 8 test blasting cap when unconfined;

18 (4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length,
19 measured from the face of the bolt or standing breech;

20 (5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any
21 other distinguishing number or identification mark;

22 (6) "Detonator", any device containing a detonating charge that is used for initiating
23 detonation in an explosive, including but not limited to, electric blasting caps of instantaneous
24 and delay types, nonelectric blasting caps for use with safety fuse or shock tube and detonating
25 cord delay connectors;

26 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar device
27 designed or adapted for the purpose of inflicting death, serious physical injury, or substantial
28 property damage; or any device designed or adapted for delivering or shooting such a weapon.
29 For the purposes of this subdivision, the term "explosive" shall mean any chemical compound
30 mixture or device, the primary or common purpose of which is to function by explosion,
31 including but not limited to, dynamite and other high explosives, pellet powder, initiating
32 explosives, detonators, safety fuses, squibs, detonating cords, igniter cords, and igniters or
33 blasting agents;

34 (8) "Firearm", any weapon that is designed or adapted to expel a projectile by the action
35 of an explosive;

36 (9) "Firearm silencer", any instrument, attachment, or appliance that is designed or
37 adapted to muffle the noise made by the firing of any firearm;

38 (10) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance
39 other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas that
40 will cause death or serious physical injury, but not any device that ejects a repellant or temporary
41 incapacitating substance;

42 (11) "Intoxicated", substantially impaired mental or physical capacity resulting from
43 introduction of any substance into the body;

44 (12) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily capable
45 of inflicting serious physical injury or death by cutting or stabbing a person. For purposes of this
46 chapter, "knife" does not include any ordinary pocketknife with no blade more than four inches
47 in length, **a switchblade knife, or any knife used for hunting or fishing, whether fixed blade**
48 **or folding in nature;**

49 (13) "Knuckles", any instrument that consists of finger rings or guards made of a hard
50 substance that is designed or adapted for the purpose of inflicting serious physical injury or death
51 by striking a person with a fist enclosed in the knuckles;

52 (14) "Machine gun", any firearm that is capable of firing more than one shot
53 automatically, without manual reloading, by a single function of the trigger;

54 (15) "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other weapon that
55 is not a firearm, which is capable of expelling a projectile that could inflict serious physical
56 injury or death by striking or piercing a person;

57 (16) "Rifle", any firearm designed or adapted to be fired from the shoulder and to use
58 the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled bore
59 by a single function of the trigger;

60 (17) "Short barrel", a barrel length of less than sixteen inches for a rifle and eighteen
61 inches for a shotgun, both measured from the face of the bolt or standing breech, or an overall
62 rifle or shotgun length of less than twenty-six inches;

63 (18) "Shotgun", any firearm designed or adapted to be fired from the shoulder and to use
64 the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single projectile
65 through a smooth bore barrel by a single function of the trigger;

66 (19) "Spring gun", any fused, timed or nonmanually controlled trap or device designed
67 or adapted to set off an explosion for the purpose of inflicting serious physical injury or death;

68 (20) "Switchblade knife", any knife which has a blade that folds or closes into the handle
69 or sheath, and:

70 (a) That opens automatically by pressure applied to a button or other device located on
71 the handle; or

72 (b) That opens or releases from the handle or sheath by the force of gravity or by the
73 application of centrifugal force.

571.030. 1. A person commits the crime of unlawful use of weapons if he or she
2 knowingly:

3 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or
4 any other weapon readily capable of lethal use; or

5 (2) Sets a spring gun; or

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

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

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

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

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

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

23 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section
24 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any
25 building or habitable structure, unless the person was lawfully acting in self-defense; or

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

29 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the
30 persons described in this subsection, regardless of whether such uses are reasonably associated
31 with or are necessary to the fulfillment of such person's official duties except as otherwise
32 provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section
33 shall not apply to or affect any of the following persons, when such uses are reasonably
34 associated with or are necessary to the fulfillment of such person's official duties, except as
35 otherwise provided in this subsection:

36 (1) All state, county and municipal peace officers who have completed the training
37 required by the police officer standards and training commission pursuant to sections 590.030
38 to 590.050 and who possess the duty and power of arrest for violation of the general criminal
39 laws of the state or for violation of ordinances of counties or municipalities of the state, whether
40 such officers are on or off duty, and whether such officers are within or outside of the law
41 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection
42 11 of this section, and who carry the identification defined in subsection 12 of this section, or
43 any person summoned by such officers to assist in making arrests or preserving the peace while
44 actually engaged in assisting such officer;

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

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

49 (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the
50 judicial power of the state and those persons vested by Article III of the Constitution of the
51 United States with the judicial power of the United States, the members of the federal judiciary;

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

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

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

58 (8) Any corporate security advisor meeting the definition and fulfilling the requirements
59 of the regulations established by the board of police commissioners under section 84.340;

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

61 (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney
62 or assistant circuit attorney who has completed the firearms safety training course required under
63 subsection 2 of section 571.111; and

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

69 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when
70 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when
71 ammunition is not readily accessible or when such weapons are not readily accessible.
72 Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of
73 age or older or eighteen years of age or older and a member of the United States Armed Forces,
74 or honorably discharged from the United States Armed Forces, transporting a concealable
75 firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm
76 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm
77 or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon
78 premises over which the actor has possession, authority or control, or is traveling in a continuous
79 journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not
80 apply if the firearm is otherwise lawfully possessed by a person while traversing school premises
81 for the purposes of transporting a student to or from school, or possessed by an adult for the
82 purposes of facilitation of a school-sanctioned firearm-related event or club event.

83 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
84 person who has a valid concealed carry [endorsement] **permit** issued pursuant to sections
85 571.101 to 571.121, **a valid concealed carry endorsement issued before August 28, 2013, or**
86 **a valid permit or endorsement to carry concealed firearms issued by another state or political**
87 **subdivision of another state.**

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

90 6. Nothing in this section shall make it unlawful for a student to actually participate in
91 school-sanctioned gun safety courses, student military or ROTC courses, or other
92 school-sponsored or club-sponsored firearm-related events, provided the student does not carry
93 a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or

94 onto the premises of any other function or activity sponsored or sanctioned by school officials
95 or the district school board.

96 7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision
97 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or
98 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor
99 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of
100 subsection 1 of this section, in which case it is a class B felony, except that if the violation of
101 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is
102 a class A felony.

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

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

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

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

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

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

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

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

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

125 (2) Before such retirement, was authorized by law to engage in or supervise the
126 prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any
127 violation of law, and had statutory powers of arrest;

128 (3) Before such retirement, was regularly employed as a peace officer for an aggregate
129 of fifteen years or more, or retired from service with such agency, after completing any

130 applicable probationary period of such service, due to a service-connected disability, as
 131 determined by such agency;

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

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

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

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

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

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

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

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

571.037. Any person who has a valid concealed carry endorsement **issued prior to**
 2 **August 28, 2013, or a valid concealed carry permit**, and who is lawfully carrying a firearm in
 3 a concealed manner, may briefly and openly display the firearm to the ordinary sight of another
 4 person, unless the firearm is intentionally displayed in an angry or threatening manner, not in
 5 necessary self defense.

571.101. 1. All applicants for concealed carry [endorsements] **permits** issued pursuant
 2 to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If
 3 the said applicant can show qualification as provided by sections 571.101 to 571.121, the county
 4 or city sheriff shall issue a [certificate of qualification for a concealed carry endorsement. Upon
 5 receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's
 6 license with the director of revenue in order to obtain a concealed carry endorsement. Any
 7 person who has been issued a concealed carry endorsement on a driver's license or nondriver's
 8 license and such endorsement or license has not been suspended, revoked, cancelled, or denied
 9 may carry concealed firearms on or about his or her person or within a vehicle] **concealed carry**

10 **permit authorizing the carrying of a concealed firearm on or about the applicant's person**
11 **or within a vehicle.** A concealed carry [endorsement] **permit** shall be valid for a period of
12 [three] **five** years from the date of issuance or renewal. The concealed carry [endorsement]
13 **permit** is valid throughout this state. **A concealed carry endorsement issued prior to August**
14 **28, 2013, shall continue for a period of three years from the date of issuance or renewal to**
15 **authorize the carrying of a concealed firearm on or about the applicant's person or within**
16 **a vehicle in the same manner as a concealed carry permit issued under subsection 7 of this**
17 **section on or after August 28, 2013.**

18 2. A **concealed carry permit** [of qualification for a concealed carry endorsement
19 certificate] issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or
20 her designee of the county or city in which the applicant resides, if the applicant:

21 (1) Is at least twenty-one years of age, is a citizen **or permanent resident** of the United
22 States and either:

23 (a) Has assumed residency in this state; or

24 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such
25 member of the military;

26 (2) Is at least twenty-one years of age, or is at least eighteen years of age and a member
27 of the United States Armed Forces or honorably discharged from the United States Armed
28 Forces, and is a citizen of the United States and either:

29 (a) Has assumed residency in this state;

30 (b) Is a member of the Armed Forces stationed in Missouri; or

31 (c) The spouse of such member of the military stationed in Missouri and twenty-one
32 years of age;

33 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
34 crime punishable by imprisonment for a term exceeding one year under the laws of any state or
35 of the United States other than a crime classified as a misdemeanor under the laws of any state
36 and punishable by a term of imprisonment of [one year] **two years** or less that does not involve
37 an explosive weapon, firearm, firearm silencer or gas gun;

38 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one
39 or more misdemeanor offenses involving crimes of violence within a five-year period
40 immediately preceding application for a [certificate of qualification for a concealed carry
41 endorsement] **concealed carry permit** or if the applicant has not been convicted of two or more
42 misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs
43 or the possession or abuse of a controlled substance within a five-year period immediately
44 preceding application for a [certificate of qualification for a concealed carry endorsement]
45 **concealed carry permit;**

46 (5) Is not a fugitive from justice or currently charged in an information or indictment
47 with the commission of a crime punishable by imprisonment for a term exceeding one year under
48 the laws of any state of the United States other than a crime classified as a misdemeanor under
49 the laws of any state and punishable by a term of imprisonment of two years or less that does not
50 involve an explosive weapon, firearm, firearm silencer, or gas gun;

51 (6) Has not been discharged under dishonorable conditions from the United States
52 Armed Forces;

53 (7) Has not engaged in a pattern of behavior, documented in public records, that causes
54 the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

55 (8) Is not adjudged mentally incompetent at the time of application or for five years prior
56 to application, or has not been committed to a mental health facility, as defined in section
57 632.005, or a similar institution located in another state following a hearing at which the
58 defendant was represented by counsel or a representative;

59 (9) Submits a completed application for a [certificate of qualification] **permit** as
60 described in subsection 3 of this section;

61 (10) Submits an affidavit attesting that the applicant complies with the concealed carry
62 safety training requirement pursuant to subsections 1 and 2 of section 571.111;

63 (11) Is not the respondent of a valid full order of protection which is still in effect;

64 (12) **Is not otherwise prohibited from possessing a firearm under section 571.070 or**
65 **18 U.S.C. 922(g).**

66 3. The application for a [certificate of qualification for a concealed carry endorsement]
67 **concealed carry permit** issued by the sheriff of the county of the applicant's residence shall
68 contain only the following information:

69 (1) The applicant's name, address, telephone number, gender, [and] date and place of
70 birth, **and, if the applicant is not a United States citizen, the applicant's country of**
71 **citizenship and any alien or admission number issued by the Federal Bureau of Customs**
72 **and Immigration Enforcement or any successor agency;**

73 (2) An affirmation that the applicant has assumed residency in Missouri or is a member
74 of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces
75 and is a citizen **or permanent resident** of the United States;

76 (3) An affirmation that the applicant is at least twenty-one years of age or is eighteen
77 years of age or older and a member of the United States Armed Forces or honorably discharged
78 from the United States Armed Forces;

79 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime
80 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
81 United States other than a crime classified as a misdemeanor under the laws of any state and

82 punishable by a term of imprisonment of [one year] **two years** or less that does not involve an
83 explosive weapon, firearm, firearm silencer, or gas gun;

84 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered
85 a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence
86 within a five-year period immediately preceding application for a [certificate of qualification to
87 obtain a concealed carry endorsement] **permit** or if the applicant has not been convicted of two
88 or more misdemeanor offenses involving driving while under the influence of intoxicating liquor
89 or drugs or the possession or abuse of a controlled substance within a five-year period
90 immediately preceding application for a [certificate of qualification to obtain a concealed carry
91 endorsement] **permit**;

92 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
93 in an information or indictment with the commission of a crime punishable by imprisonment for
94 a term exceeding one year under the laws of any state or of the United States other than a crime
95 classified as a misdemeanor under the laws of any state and punishable by a term of
96 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
97 silencer or gas gun;

98 (7) An affirmation that the applicant has not been discharged under dishonorable
99 conditions from the United States Armed Forces;

100 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
101 of application or for five years prior to application, or has not been committed to a mental health
102 facility, as defined in section 632.005, or a similar institution located in another state, except that
103 a person whose release or discharge from a facility in this state pursuant to chapter 632, or a
104 similar discharge from a facility in another state, occurred more than five years ago without
105 subsequent recommitment may apply;

106 (9) An affirmation that the applicant has received firearms safety training that meets the
107 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

108 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
109 not the respondent of a valid full order of protection which is still in effect; [and]

110 (11) A conspicuous warning that false statements made by the applicant will result in
111 prosecution for perjury pursuant to the laws of the state of Missouri; **and**

112 (12) **A government-issued photo identification. This photograph shall not be**
113 **included on the permit and shall only be used to verify the person's identity for permit**
114 **renewal, or for the issuance of a new permit due to change of address, or for a lost or**
115 **destroyed permit.**

116 4. An application for a [certificate of qualification for a concealed carry endorsement]
117 **concealed carry permit** shall be made to the sheriff of the county or any city not within a county

118 in which the applicant resides. An application shall be filed in writing, signed under oath and
119 under the penalties of perjury, and shall state whether the applicant complies with each of the
120 requirements specified in subsection 2 of this section. In addition to the completed application,
121 the applicant for a [certificate of qualification for a concealed carry endorsement] **concealed**
122 **carry permit** must also submit the following:

123 (1) A photocopy of a firearms safety training certificate of completion or other evidence
124 of completion of a firearms safety training course that meets the standards established in
125 subsection 1 or 2 of section 571.111; and

126 (2) A nonrefundable [certificate of qualification] **permit** fee as provided by subsection
127 [10] **11** or [11] **12** of this section.

128 5. **(1)** Before an application for a [certificate of qualification for a concealed carry
129 endorsement] **concealed carry permit** is approved, the sheriff shall make only such inquiries
130 as he or she deems necessary into the accuracy of the statements made in the application. The
131 sheriff may require that the applicant display a Missouri driver's license or nondriver's license
132 or military identification and orders showing the person being stationed in Missouri. In order
133 to determine the applicant's suitability for a [certificate of qualification for a concealed carry
134 endorsement] **concealed carry permit**, the applicant shall be fingerprinted. **No other biometric**
135 **data shall be collected from the applicant.** The sheriff shall request a criminal background
136 check, **including an inquiry of the National Instant Criminal Background Check System,**
137 through the appropriate law enforcement agency within three working days after submission of
138 the properly completed application for a [certificate of qualification for a concealed carry
139 endorsement] **concealed carry permit.** If no disqualifying record is identified by [the
140 fingerprint check] **these checks** at the state level, the fingerprints shall be forwarded to the
141 Federal Bureau of Investigation for a national criminal history record check. Upon receipt of the
142 completed background [check] **checks**, the sheriff shall **examine the results and, if no**
143 **disqualifying information is identified, shall** issue a [certificate of qualification for a concealed
144 carry endorsement] **concealed carry permit** within three working days. [The sheriff shall issue
145 the certificate within forty-five calendar days if the criminal background check has not been
146 received, provided that the sheriff shall revoke any such certificate and endorsement within
147 twenty-four hours of receipt of any background check that results in a disqualifying record, and
148 shall notify the department of revenue.]

149 **(2) In the event the background checks prescribed by subdivision (1) of this section**
150 **are not completed within forty-five calendar days and no disqualifying information**
151 **concerning the applicant has otherwise come to the sheriff's attention, the sheriff shall**
152 **issue a provisional certificate of qualification, clearly designated on the certificate as such,**
153 **which the applicant shall sign in the presence of the sheriff or the sheriff's designee. This**

154 **certificate, when carried with a valid Missouri driver's or nondriver's license or a valid**
155 **military identification, shall permit the applicant to exercise the same rights in accordance**
156 **with the same conditions as pertain to a concealed carry permit issued under this section,**
157 **provided that it shall not serve as an alternative to an National Instant Criminal**
158 **background check required by 18 U.S.C. 922(t). The provisional certificate of qualification**
159 **shall remain valid until such time as the sheriff either issues or denies the certificate of**
160 **qualification under subsection 6 or 7. The sheriff shall revoke a provisional certificate**
161 **issued under this subsection within twenty-four hours of receipt of any background check**
162 **that identifies a disqualifying record, and shall notify the department of revenue. The**
163 **revocation of a provisional certification of qualification issued under this section shall be**
164 **proscribed in a manner consistent to the denial and review of an application under**
165 **subsection 6 of this section.**

166 6. The sheriff may refuse to approve an application for a [certificate of qualification for
167 a concealed carry endorsement] **concealed carry permit** if he or she determines that any of the
168 requirements specified in subsection 2 of this section have not been met, or if he or she has a
169 substantial and demonstrable reason to believe that the applicant has rendered a false statement
170 regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be
171 ineligible, the sheriff is required to deny the application, and notify the applicant in writing,
172 stating the grounds for denial and informing the applicant of the right to submit, within thirty
173 days, any additional documentation relating to the grounds of the denial. Upon receiving any
174 additional documentation, the sheriff shall reconsider his or her decision and inform the applicant
175 within thirty days of the result of the reconsideration. The applicant shall further be informed
176 in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section
177 571.114. After two additional reviews and denials by the sheriff, the person submitting the
178 application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

179 7. If the application is approved, the sheriff shall issue a [certificate of qualification for
180 a concealed carry endorsement] **concealed carry permit** to the applicant within a period not to
181 exceed three working days after his or her approval of the application. The applicant shall sign
182 the [certificate of qualification] **concealed carry permit** in the presence of the sheriff or his or
183 her designee and shall within seven days of receipt of the certificate of qualification take the
184 certificate of qualification to the department of revenue. Upon verification of the certificate of
185 qualification and completion of a driver's license or nondriver's license application pursuant to
186 chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with
187 an endorsement which identifies that the applicant has received a certificate of qualification to
188 carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is
189 otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any

190 other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall
191 expire three years from the date the certificate of qualification was issued pursuant to this
192 section. [The requirements for the director of revenue to issue a concealed carry endorsement
193 pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of
194 qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the
195 person issued such certificate to carry a concealed weapon pursuant to the requirements of
196 subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director
197 of revenue from October 11, 2003, until the concealed carry endorsement is issued by the
198 director of revenue on or after July 1, 2004, unless such certificate of qualification has been
199 suspended or revoked for cause.]

200 **8. The concealed carry permit shall specify only the following information:**

201 **(1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes,**
202 **and signature of the permit holder;**

203 **(2) The signature of the sheriff issuing the permit;**

204 **(3) The date of issuance; and**

205 **(4) The expiration date. The permit shall be no larger than two inches wide by**
206 **three and one-fourth inches long and shall be of a uniform style prescribed by the**
207 **department of public safety. The permit shall also be assigned a Missouri uniform law**
208 **enforcement system county code and shall be stored in sequential number.**

209 **9. (1) The sheriff shall keep a record of all applications for a [certificate of qualification**
210 **for a concealed carry endorsement] concealed carry permit or a provisional certificate of**
211 **qualification and his or her action thereon. Any record of an application that is incomplete**
212 **or denied for any reason shall be kept for a period not to exceed one year. Any record of**
213 **an application that was approved shall be kept for a period of one year after the expiration**
214 **and non-renewal of the permit. Beginning August 28, 2013, the department of revenue**
215 **shall not keep any record of an application for a concealed carry permit. Any information**
216 **collected by the department of revenue related to an application for a concealed carry**
217 **endorsement prior to August 28, 2013, shall be given to the sheriff of any county or city not**
218 **within a county in which the applicant resides to keep in accordance with the provisions**
219 **of this subsection. The department of revenue shall destroy any records and files in the**
220 **department's possession that are associated with any application for a concealed carry**
221 **endorsement by February 1, 2014.**

222 **(2) The sheriff shall report the issuance of a [certificate of qualification] concealed carry**
223 **permit or provisional certificate of qualification to the Missouri uniform law enforcement**
224 **system. All information on any such [certificate] permit that is protected information on any**
225 **driver's or nondriver's license shall have the same personal protection for purposes of sections**

226 571.101 to 571.121. An applicant's status as a holder of a [certificate of qualification] **concealed**
227 **carry permit, provisional certificate of qualification**, or a concealed carry endorsement **issued**
228 **prior to August 28, 2013**, shall not be public information and shall be considered personal
229 protected information. **Information retained under this subsection shall not be batch**
230 **processed for query and shall only be made available for a single entry query of an**
231 **individual in the event the individual is a subject of interest in an active criminal**
232 **investigation or is arrested for a crime.**

233

234 Any person who violates the provisions of this subsection by disclosing protected information
235 shall be guilty of a class A misdemeanor.

236 [9.] **10.** Information regarding any holder of a [certificate of qualification] **concealed**
237 **carry permit**, or a concealed carry endorsement **issued prior to August 28, 2013**, is a closed
238 record. **No bulk download or batch data shall be preformed or distributed to any federal,**
239 **state, or private entity. Any state agency that has retained any documents or records,**
240 **including fingerprint records provided by an applicant for a concealed carry endorsement**
241 **prior to August 28, 2013, shall destroy such documents or records, upon successful issuance**
242 **of a permit.**

243 [10.] **11.** For processing an application for a [certificate of qualification for a concealed
244 carry endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121, the sheriff
245 in each county shall charge a nonrefundable fee [not to exceed] **of** one hundred dollars which
246 shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

247 [11.] **12.** For processing a renewal for a [certificate of qualification for a concealed carry
248 endorsement] **concealed carry permit** pursuant to sections 571.101 to 571.121, the sheriff in
249 each county shall charge a nonrefundable fee [not to exceed] **of** fifty dollars which shall be paid
250 to the treasury of the county to the credit of the sheriff's revolving fund.

251 [12.] **13.** For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include
252 the sheriff of any county or city not within a county or his or her designee and in counties of the
253 first classification the sheriff may designate the chief of police of any city, town, or municipality
254 within such county.

571.104. 1. (1) A concealed carry [endorsement] **permit** issued pursuant to sections
2 571.101 to 571.121, **and, if applicable, a concealed carry endorsement issued prior to**
3 **August 28, 2013**, shall be suspended or revoked if the concealed carry **permit or** endorsement
4 holder becomes ineligible for such [concealed carry] **permit or** endorsement under the criteria
5 established in subdivisions (2), (3), (4), (5), [and] (7), **and (11)** of subsection 2 of section
6 571.101 or upon the issuance of a valid full order of protection.

7 (2) When a valid full order of protection, or any arrest warrant, discharge, or
8 commitment for the reasons listed in subdivision (2), (3), (4), (5), [or] (7), **or (11)** of subsection
9 2 of section 571.101, is issued against a person holding a concealed carry [endorsement] **permit**
10 issued pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement issued prior**
11 **to August 28, 2013**, upon notification of said order, warrant, discharge or commitment or upon
12 an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding,
13 **emergency ninety-six hour commitment for evaluation**, or a full order of protection
14 proceeding ruling that a person holding a concealed carry **permit or** endorsement presents a risk
15 of harm to [themselves] **self** or others, then upon notification of such order, the holder of the
16 concealed carry **permit or** endorsement shall surrender the **permit, and, if applicable, the**
17 driver's license or nondriver's license containing the concealed carry endorsement to the court,
18 [to the] officer, or other official serving the order, warrant, discharge, or commitment.

19 (3) **In cases involving a concealed carry endorsement issued prior to August 28,**
20 **2013**, the official to whom the driver's license or nondriver's license containing the concealed
21 carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form,
22 approved by the director of revenue, that serves as a driver's license or a nondriver's license and
23 clearly states the concealed carry endorsement has been suspended. The official shall then
24 transmit the driver's license or a nondriver's license containing the concealed carry endorsement
25 to the circuit court of the county issuing the order, warrant, discharge, or commitment. The
26 concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **and, if**
27 **applicable, the concealed carry endorsement issued prior to August 28, 2013**, shall be
28 suspended until the order is terminated or until the arrest results in a dismissal of all charges.
29 Upon dismissal, the court holding the **permit and, if applicable, the** driver's license or
30 nondriver's license containing the concealed carry endorsement shall return [it] **such permit or**
31 **license** to the individual.

32 (4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
33 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
34 action and the **permit to the issuing county sheriff. If a concealed carry endorsement issued**
35 **prior to August 28, 2013, is revoked, the court shall forward the notice and the** driver's
36 license or nondriver's license with the concealed carry endorsement to the department of revenue.
37 The department of revenue shall notify the sheriff of the county which issued the certificate of
38 qualification for a concealed carry endorsement [and] . **The sheriff who issued the concealed**
39 **carry permit, or the certificate of qualification prior to August 28, 2013**, shall report the
40 change in status of the concealed carry **permit or** endorsement to the Missouri uniform law
41 enforcement system. The director of revenue shall immediately remove the endorsement issued
42 [pursuant to sections 571.101 to 571.121] **prior to August 28, 2013**, from the individual's

43 driving record within three days of the receipt of the notice from the court. The director of
44 revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter
45 302 which does not contain such endorsement. This requirement does not affect the driving
46 privileges of the licensee. The notice issued by the department of revenue shall be mailed to the
47 last known address shown on the individual's driving record. The notice is deemed received
48 three days after mailing.

49 2. A concealed carry [endorsement] **permit** shall be renewed for a qualified applicant
50 upon receipt of the properly completed renewal application and the required renewal fee by the
51 sheriff of the county of the applicant's residence. The renewal application shall contain the same
52 required information as set forth in subsection 3 of section 571.101, except that in lieu of the
53 fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the
54 applicant need only display his or her current [driver's license or nondriver's license containing
55 a] concealed carry [endorsement] **permit**. [Upon successful completion of] **A name-based**
56 **background check, including an inquiry of the National Instant Criminal Background**
57 **Check System, shall be completed for each renewal application. The sheriff shall review**
58 **the results of the background check, and when the sheriff has determined the applicant has**
59 **successfully completed all renewal requirements and is not disqualified under any provision**
60 **of section 571.101, the sheriff shall issue a [certificate of qualification] new concealed carry**
61 **permit** which contains the date such [certificate] **permit** was renewed. **The process for**
62 **renewing a concealed carry endorsement issued prior to August 28, 2013, shall be the same**
63 **as the process for renewing a permit, except that in lieu of the fingerprint requirement of**
64 **subsection 5 of section 571.101 and the firearms safety training, the applicant need only**
65 **display his or her current driver's license or nondriver's license containing an**
66 **endorsement. Upon successful completion of all renewal requirements, the sheriff shall**
67 **issue a new concealed carry permit as provided under this subsection.**

68 3. A person who has been issued a [certificate] **concealed carry permit, or a certificate**
69 **of qualification for a concealed carry endorsement prior to August 28, 2013, who fails to file**
70 **a renewal application for a concealed carry permit on or before its expiration date must pay**
71 **an additional late fee of ten dollars per month for each month it is expired for up to six months.**
72 **After six months, the sheriff who issued the expired concealed carry permit or certificate of**
73 **qualification shall notify the Missouri uniform law enforcement system and the individual**
74 **that such permit is expired and cancelled. If the person has a concealed carry endorsement**
75 **issued prior to August 28, 2013, the sheriff who issued the certificate of qualification for**
76 **the endorsement shall notify the director of revenue that such certificate is expired regardless**
77 **of whether the endorsement holder has applied for a concealed carry permit under**
78 **subsection 2 of this section. The director of revenue shall immediately [cancel the concealed**

79 carry endorsement and] remove such endorsement from the individual's driving record and notify
80 the individual [of such cancellation] **that his or her driver's license or nondriver's license has**
81 **expired.** The notice [of cancellation of the endorsement] shall be conducted in the same manner
82 as described in subsection 1 of this section. Any person who has been issued a [certificate of
83 qualification for a concealed carry endorsement] **concealed carry permit** pursuant to sections
84 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28, 2013,** who
85 fails to renew his or her application within the six-month period must reapply for a new
86 [certificate of qualification for a concealed carry endorsement] **concealed carry permit** and pay
87 the fee for a new application. [The director of revenue shall not issue an endorsement on a
88 renewed driver's license or renewed nondriver's license unless the applicant for such license
89 provides evidence that he or she has renewed the certification of qualification for a concealed
90 carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to
91 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a
92 concealed carry endorsement does not want to maintain the concealed carry endorsement, the
93 applicant shall inform the director at the time of license renewal of his or her desire to remove
94 the endorsement. When a driver's or nondriver's license applicant informs the director of his or
95 her desire to remove the concealed carry endorsement, the director shall renew the driver's
96 license or nondriver's license without the endorsement appearing on the license if the applicant
97 is otherwise qualified for such renewal.]

98 4. Any person issued a concealed carry [endorsement] **permit** pursuant to sections
99 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28, 2013,** shall
100 notify [the department of revenue and] the sheriffs of both the old and new jurisdictions of the
101 **permit or** endorsement holder's change of residence within thirty days after the changing of a
102 permanent residence. The **permit or** endorsement holder shall furnish proof to [the department
103 of revenue and] the sheriff in the new jurisdiction that the **permit or** endorsement holder has
104 changed his or her residence. The sheriff of the new jurisdiction [may] **shall** charge a processing
105 fee of [not more than] ten dollars for any costs associated with notification of a change in
106 residence. **If the person has a concealed carry endorsement issued prior to August 28, 2013,**
107 **the endorsement holder shall also furnish proof to the department of revenue of his or her**
108 **residence change. In such cases,** the change of residence shall be made by the department of
109 revenue onto the individual's driving record [and] . **The sheriff shall report the residence**
110 **change to the Missouri uniform law enforcement system, and** the new address shall be
111 accessible by the Missouri uniform law enforcement system within three days of receipt of the
112 information.

113 5. Any person issued a [driver's license or nondriver's license containing a] concealed
114 carry [endorsement] **permit** pursuant to sections 571.101 to 571.121, **or a concealed carry**

115 **endorsement issued prior to August 28, 2013**, shall notify the sheriff or his or her designee of
116 the **permit or** endorsement holder's county or city of residence within seven days after actual
117 knowledge of the loss or destruction of his or her **permit or** driver's license or nondriver's license
118 containing a concealed carry endorsement. The **permit or** endorsement holder shall furnish a
119 statement to the sheriff that the **permit or** driver's license or nondriver's license containing the
120 concealed carry endorsement has been lost or destroyed. After notification of the loss or
121 destruction of a **permit or** driver's license or nondriver's license containing a concealed carry
122 endorsement, the sheriff **shall charge a processing fee of ten dollars for costs associated with**
123 **placing a lost or destroyed permit or driver's license or nondriver's license containing a**
124 **concealed carry endorsement and** shall reissue a new [certificate of qualification] **concealed**
125 **carry permit** within three working days of being notified by the concealed carry **permit or**
126 endorsement holder of its loss or destruction. The [reissued certificate of qualification] **new**
127 **concealed carry permit** shall contain the same personal information, including expiration date,
128 as the original [certificate of qualification]. The applicant shall then take the certificate to the
129 department of revenue, and the department of revenue shall proceed on the certificate in the same
130 manner as provided in subsection 7 section 571.101. Upon application for a license pursuant to
131 chapter 302, the director of revenue shall issue a driver's license or nondriver's license containing
132 a concealed carry endorsement if the applicant is otherwise eligible to receive such license]
133 **concealed carry permit.**

134 6. If a person issued a concealed carry **permit, or** endorsement **issued prior to August**
135 **28, 2013**, changes his or her name, the person to whom the **permit or** endorsement was issued
136 shall obtain a corrected [certificate of qualification for a concealed carry endorsement] **or new**
137 **concealed carry permit** with a change of name from the sheriff who issued [such certificate]
138 **the original concealed carry permit or the original certificate of qualification for an**
139 **endorsement** upon the sheriff's verification of the name change. The sheriff may charge a
140 processing fee of [not more than] ten dollars for any costs associated with obtaining a corrected
141 [certificate of qualification] **or new concealed carry permit.** The **permit or** endorsement
142 holder shall furnish proof of the name change to the [department of revenue and the] sheriff
143 within thirty days of changing his or her name and display his or her **concealed carry permit**
144 **or** current driver's license or nondriver's license containing a concealed carry endorsement. [The
145 endorsement holder shall apply for a new driver's license or nondriver's license containing his
146 or her new name. Such application for a driver's license or nondriver's license shall be made
147 pursuant to chapter 302. The director of revenue shall issue a driver's license or nondriver's
148 license with concealed carry endorsement with the endorsement holder's new name if the
149 applicant is otherwise eligible for such license. The director of revenue shall take custody of the
150 old driver's license or nondriver's license. The name change shall be made by the department of

151 revenue onto the individual's driving record] **The sheriff shall report the name change to the**
152 **Missouri uniform law enforcement system**, and the new name shall be accessible by the
153 Missouri uniform law enforcement system within three days of receipt of the information.

154 7. A concealed carry **permit and, if applicable**, endorsement shall be automatically
155 invalid after thirty days if the **permit or** endorsement holder has changed his or her name or
156 changed his or her residence and not notified the [department of revenue and] sheriff [of a
157 change of name or residence] as required in subsections 4 and 6 of this section.

571.107. 1. A concealed carry [endorsement] **permit** issued pursuant to sections
2 571.101 to 571.121, **a valid concealed carry endorsement issued prior to August 28, 2013**,
3 or a concealed carry endorsement or permit issued by another state or political subdivision of
4 another state shall authorize the person in whose name the permit or endorsement is issued to
5 carry concealed firearms on or about his or her person or vehicle throughout the state. No
6 [driver's license or nondriver's license containing a] concealed carry [endorsement] **permit** issued
7 pursuant to sections 571.101 to 571.121, **valid concealed carry endorsement issued prior to**
8 **August 28, 2013**, or a concealed carry endorsement or permit issued by another state or political
9 subdivision of another state shall authorize any person to carry concealed firearms into:

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

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

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

21 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any
22 courtrooms, administrative offices, libraries or other rooms of any such court whether or not such
23 court solely occupies the building in question. This subdivision shall also include, but not be
24 limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of
25 the courts or offices listed in this subdivision are temporarily conducting any business within the
26 jurisdiction of such courts or offices, and such other locations in such manner as may be
27 specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this
28 subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section
29 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4),

30 and (10) of subsection 2 of section 571.030, or such other persons who serve in a law
31 enforcement capacity for a court as may be specified by supreme court rule pursuant to
32 subdivision (6) of this subsection from carrying a concealed firearm within any of the areas
33 described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the
34 areas listed in this subdivision shall not be a criminal offense so long as the firearm is not
35 removed from the vehicle or brandished while the vehicle is on the premises;

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

49 (6) The general assembly, supreme court, county or municipality may by rule,
50 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
51 **permit or** endorsement holders in that portion of a building owned, leased or controlled by that
52 unit of government. Any portion of a building in which the carrying of concealed firearms is
53 prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted
54 area. The statute, rule or ordinance shall exempt any building used for public housing by private
55 persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled
56 by that unit of government from any restriction on the carrying or possession of a firearm. The
57 statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify
58 that persons violating the statute, rule or ordinance may be denied entrance to the building,
59 ordered to leave the building and if employees of the unit of government, be subjected to
60 disciplinary measures for violation of the provisions of the statute, rule or ordinance. The
61 provisions of this subdivision shall not apply to any other unit of government;

62 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
63 premises, which portion is primarily devoted to that purpose, without the consent of the owner
64 or manager. The provisions of this subdivision shall not apply to the licensee of said
65 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant

66 open to the general public having dining facilities for not less than fifty persons and that receives
67 at least fifty-one percent of its gross annual income from the dining facilities by the sale of food.
68 This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the
69 establishment and shall not be a criminal offense so long as the firearm is not removed from the
70 vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision
71 authorizes any individual who has been issued a concealed carry **permit or** endorsement to
72 possess any firearm while intoxicated;

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

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

78 (10) Any higher education institution or elementary or secondary school facility without
79 the consent of the governing body of the higher education institution or a school official or the
80 district school board. Possession of a firearm in a vehicle on the premises of any higher
81 education institution or elementary or secondary school facility shall not be a criminal offense
82 so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
83 premises;

84 (11) Any portion of a building used as a child care facility without the consent of the
85 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a
86 family home from owning or possessing a firearm or a [driver's license or nondriver's license
87 containing a] concealed carry **permit or** endorsement;

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

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

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

101 (15) Any private property whose owner has posted the premises as being off-limits to
102 concealed firearms by means of one or more signs displayed in a conspicuous place of a
103 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less
104 than one inch. The owner, business or commercial lessee, manager of a private business
105 enterprise, or any other organization, entity, or person may prohibit persons holding a concealed
106 carry **permit or** endorsement from carrying concealed firearms on the premises and may prohibit
107 employees, not authorized by the employer, holding a concealed carry **permit or** endorsement
108 from carrying concealed firearms on the property of the employer. If the building or the premises
109 are open to the public, the employer of the business enterprise shall post signs on or about the
110 premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on
111 the premises shall not be a criminal offense so long as the firearm is not removed from the
112 vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees
113 or other persons holding a concealed carry **permit or** endorsement from carrying a concealed
114 firearm in vehicles owned by the employer;

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

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

121 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of
122 subsection 1 of this section by any individual who holds a concealed carry [endorsement] **permit**
123 issued pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement issued prior**
124 **to August 28, 2013**, shall not be a criminal act but may subject the person to denial to the
125 premises or removal from the premises. If such person refuses to leave the premises and a peace
126 officer is summoned, such person may be issued a citation for an amount not to exceed one
127 hundred dollars for the first offense. If a second citation for a similar violation occurs within a
128 six-month period, such person shall be fined an amount not to exceed two hundred dollars and
129 his or her **permit, and, if applicable**, endorsement to carry concealed firearms shall be
130 suspended for a period of one year. If a third citation for a similar violation is issued within one
131 year of the first citation, such person shall be fined an amount not to exceed five hundred dollars
132 and shall have his or her concealed carry **permit, and, if applicable**, endorsement revoked and
133 such person shall not be eligible for a concealed carry [endorsement] **permit** for a period of three
134 years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the
135 court shall notify the sheriff of the county which issued the **concealed carry permit, or, if the**
136 **person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the**

137 **court shall notify the sheriff of the county which issued the** certificate of qualification for a
138 concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke
139 **the concealed carry permit or, if applicable, the** certificate of qualification for a concealed
140 carry endorsement [and] . **If the person holds an endorsement,** the department of revenue shall
141 issue a notice of such suspension or revocation of the concealed carry endorsement and take
142 action to remove the concealed carry endorsement from the individual's driving record. The
143 director of revenue shall notify the licensee that he or she must apply for a new license pursuant
144 to chapter 302 which does not contain such endorsement. [A concealed carry endorsement
145 suspension pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal
146 of his or her driver's license.] The notice issued by the department of revenue shall be mailed
147 to the last known address shown on the individual's driving record. The notice is deemed
148 received three days after mailing.

571.111. 1. An applicant for a concealed carry [endorsement] **permit** shall demonstrate
2 knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant
3 for a concealed carry [endorsement] **permit**:

4 (1) Submits a photocopy of a certificate of firearms safety training course completion,
5 as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as
6 defined in subsection 5 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant completed a firearms
8 safety course given by or under the supervision of any state, county, municipal, or federal law
9 enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

11 (4) Submits proof that the applicant currently holds any type of valid peace officer
12 license issued under the requirements of chapter 590; or

13 (5) Submits proof that the applicant is currently allowed to carry firearms in accordance
14 with the certification requirements of section 217.710; or

15 (6) Submits proof that the applicant is currently certified as any class of corrections
16 officer by the Missouri department of corrections and has passed at least one eight-hour firearms
17 training course, approved by the director of the Missouri department of corrections under the
18 authority granted to him or her by section 217.105, that includes instruction on the justifiable use
19 of force as prescribed in chapter 563; or

20 (7) Submits a photocopy of a certificate of firearms safety training course completion
21 that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of
22 subsection 2 of this section that were in effect on the date it was issued.

23 2. A certificate of firearms safety training course completion may be issued to any
24 applicant by any qualified firearms safety instructor. On the certificate of course completion the

25 qualified firearms safety instructor shall affirm that the individual receiving instruction has taken
26 and passed a firearms safety course of at least eight hours in length taught by the instructor that
27 included:

28 (1) Handgun safety in the classroom, at home, on the firing range and while carrying the
29 firearm;

30 (2) A physical demonstration performed by the applicant that demonstrated his or her
31 ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or
32 her marksmanship with both;

33 (3) The basic principles of marksmanship;

34 (4) Care and cleaning of concealable firearms;

35 (5) Safe storage of firearms at home;

36 (6) The requirements of this state for obtaining a [certificate of qualification for a
37 concealed carry endorsement] **concealed carry permit** from the sheriff of the individual's county
38 of residence [and a concealed carry endorsement issued by the department of revenue];

39 (7) The laws relating to firearms as prescribed in this chapter;

40 (8) The laws relating to the justifiable use of force as prescribed in chapter 563;

41 (9) A live firing exercise of sufficient duration for each applicant to fire both a revolver
42 and a semiautomatic pistol, from a standing position or its equivalent, a minimum of [fifty]
43 **twenty** rounds from each handgun at a distance of seven yards from a B-27 silhouette target or
44 an equivalent target;

45 (10) A live fire test administered to the applicant while the instructor was present of
46 twenty rounds from each handgun from a standing position or its equivalent at a distance from
47 a B-27 silhouette target, or an equivalent target, of seven yards.

48 3. A qualified firearms safety instructor shall not give a grade of passing to an applicant
49 for a concealed carry [endorsement] **permit** who:

50 (1) Does not follow the orders of the qualified firearms instructor or cognizant range
51 officer; or

52 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety
53 instructor, poses a danger to the applicant or to others; or

54 (3) During the live fire testing portion of the course fails to hit the silhouette portion of
55 the targets with at least fifteen rounds, with both handguns.

56 4. Qualified firearms safety instructors who provide firearms safety instruction to any
57 person who applies for a concealed carry [endorsement] **permit** shall:

58 (1) Make the applicant's course records available upon request to the sheriff of the
59 county in which the applicant resides;

60 (2) Maintain all course records on students for a period of no less than four years from
61 course completion date; and

62 (3) Not have more than forty students in the classroom portion of the course or more than
63 five students per range officer engaged in range firing.

64 5. A firearms safety instructor shall be considered to be a qualified firearms safety
65 instructor by any sheriff issuing a [certificate of qualification for a concealed carry endorsement]
66 **concealed carry permit** pursuant to sections 571.101 to 571.121 if the instructor:

67 (1) Is a valid firearms safety instructor certified by the National Rifle Association
68 holding a rating as a personal protection instructor or pistol marksmanship instructor; or

69 (2) Submits a photocopy of a **notarized** certificate from a firearms safety instructor's
70 course offered by a local, state, or federal governmental agency; or

71 (3) Submits a photocopy of a **notarized** certificate from a firearms safety instructor
72 course approved by the department of public safety; or

73 (4) Has successfully completed a firearms safety instructor course given by or under the
74 supervision of any state, county, municipal, or federal law enforcement agency; or

75 (5) Is a certified police officer firearms safety instructor.

76 6. Any firearms safety instructor **qualified under subsection 5 of this section may**
77 **submit a notarized National Rifle Association training instructor certificate, course outline,**
78 **and recent photograph of his or herself to the sheriff of the county in which he or she**
79 **resides. Each sheriff shall collect an annual registration fee of ten dollars from each**
80 **qualified instructor who chooses to submit such information and shall retain a database**
81 **of qualified instructors. This information shall be a closed record except for access to any**
82 **sheriff.**

83 7. **Any firearms safety instructor** who knowingly provides any sheriff with any false
84 information concerning an applicant's performance on any portion of the required training and
85 qualification shall be guilty of a class C misdemeanor. **A violation of the provisions of this**
86 **section shall result in the person being prohibited from instructing concealed carry permit**
87 **classes and issuing certificates.**

571.114. 1. In any case when the sheriff refuses to issue a [certificate of qualification]
2 **concealed carry permit** or to act on an application for such [certificate] **permit**, the denied
3 applicant shall have the right to appeal the denial within thirty days of receiving written notice
4 of the denial. Such appeals shall be heard in small claims court as defined in section 482.300,
5 and the provisions of sections 482.300, 482.310 and 482.335 shall apply to such appeals.

6 2. A denial of or refusal to act on an application for a [certificate of qualification]
7 **concealed carry permit** may be appealed by filing with the clerk of the small claims court a
8 copy of the sheriff's written refusal and a form substantially similar to the appeal form provided

9 in this section. Appeal forms shall be provided by the clerk of the small claims court free of
10 charge to any person:

11 SMALL CLAIMS COURT

12 In the Circuit Court of, Missouri

13, Denied Applicant

14)

15)

16 vs.) Case Number

17)

18)

19, Sheriff

20 Return Date

21 APPEAL OF A DENIAL

22 OF [CERTIFICATE OF

23 QUALIFICATION FOR A

24 CONCEALED CARRY ENDORSEMENT] **A CONCEALED CARRY PERMIT**

25 The denied applicant states that his or her properly completed application for a [certificate of
26 qualification for a concealed carry endorsement] **concealed carry permit** was denied by the
27 sheriff of County, Missouri, without just cause. The denied applicant affirms that all
28 of the statements in the application are true.

29, Denied Applicant

30 3. The notice of appeal in a denial of a [certificate of qualification for a concealed carry
31 endorsement] **concealed carry permit** appeal shall be made to the sheriff in a manner and form
32 determined by the small claims court judge.

33 4. If at the hearing the person shows he or she is entitled to the requested [certificate of
34 qualification for a] concealed carry [endorsement] **permit**, the court shall issue an appropriate
35 order to cause the issuance of the [certificate of qualification for a] concealed carry
36 [endorsement] **permit**. Costs shall not be assessed against the sheriff unless the action of the
37 sheriff is determined by the judge to be arbitrary and capricious.

38 5. Any person aggrieved by any final judgment rendered by a small claims court in a
39 denial of a [certificate of qualification for a] concealed carry [endorsement] **permit** appeal may
40 have a right to trial de novo as provided in sections 512.180 to 512.320.

571.117. 1. Any person who has knowledge that another person, who was issued a
2 [certificate of qualification for a] concealed carry [endorsement] **permit** pursuant to sections
3 571.101 to 571.121, **or concealed carry endorsement prior to August 28, 2013**, never was or
4 no longer is eligible for such **permit or** endorsement under the criteria established in sections

5 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that
 6 person's [certificate of qualification for a concealed carry endorsement and such person's]
 7 concealed carry **permit or** endorsement. The petition shall be in a form substantially similar to
 8 the petition for revocation of concealed carry **permit or** endorsement provided in this section.
 9 Appeal forms shall be provided by the clerk of the small claims court free of charge to any
 10 person:

SMALL CLAIMS COURT

11 In the Circuit Court of, Missouri

12, PLAINTIFF

13)

14)

15 vs.) Case Number

16)

17, DEFENDANT,

18 Carry **Permit or** Endorsement Holder

19, DEFENDANT,

20 Sheriff of Issuance

PETITION FOR REVOCATION

21 OF [CERTIFICATE OF QUALIFICATION] A **CONCEALED CARRY PERMIT**

22 OR CONCEALED CARRY ENDORSEMENT

23 Plaintiff states to the court that the defendant,, has a [certificate of qualification
 24 or a] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121,
 25 RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**, and that the
 26 defendant's [certificate of qualification] **concealed carry permit** or concealed carry endorsement
 27 should now be revoked because the defendant either never was or no longer is eligible for such
 28 a [certificate] **permit** or endorsement pursuant to the provisions of sections 571.101 to 571.121,
 29 RSMo, specifically plaintiff states that defendant,, never was or no longer is eligible
 30 for such [certificate] **permit** or endorsement for one or more of the following reasons:

31 (CHECK BELOW EACH REASON

32 THAT APPLIES TO THIS DEFENDANT)

33 Defendant is not at least twenty-one years of age or at least eighteen years of age and
 34 a member of the United States Armed Forces or honorably discharged from the United States
 35 Armed Forces.

36 Defendant is not a citizen **or permanent resident** of the United States.

37 Defendant had not resided in this state prior to issuance of the permit and does not
 38 qualify as a military member or spouse of a military member stationed in Missouri.
 39
 40

41 Defendant has pled guilty to or been convicted of a crime punishable by imprisonment
42 for a term exceeding [one year] **two years** under the laws of any state or of the United States
43 other than a crime classified as a misdemeanor under the laws of any state and punishable by a
44 term of imprisonment of one year or less that does not involve an explosive weapon, firearm,
45 firearm silencer, or gas gun.

46 Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere
47 to one or more misdemeanor offenses involving crimes of violence within a five-year period
48 immediately preceding application for a [certificate of qualification or] concealed carry
49 [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed**
50 **carry endorsement issued prior to August 28, 2013**, or if the applicant has been convicted of
51 two or more misdemeanor offenses involving driving while under the influence of intoxicating
52 liquor or drugs or the possession or abuse of a controlled substance within a five-year period
53 immediately preceding application for a [certificate of qualification or a] concealed carry
54 [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed**
55 **carry endorsement issued prior to August 28, 2013**.

56 Defendant is a fugitive from justice or currently charged in an information or
57 indictment with the commission of a crime punishable by imprisonment for a term exceeding one
58 year under the laws of any state of the United States other than a crime classified as a
59 misdemeanor under the laws of any state and punishable by a term of imprisonment of [one year]
60 **two years** or less that does not involve an explosive weapon, firearm, firearm silencer, or gas
61 gun.

62 Defendant has been discharged under dishonorable conditions from the United States
63 Armed Forces.

64 Defendant is reasonably believed by the sheriff to be a danger to self or others based
65 on previous, documented pattern.

66 Defendant is adjudged mentally incompetent at the time of application or for five years
67 prior to application, or has been committed to a mental health facility, as defined in section
68 632.005, RSMo, or a similar institution located in another state, except that a person whose
69 release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar
70 discharge from a facility in another state, occurred more than five years ago without subsequent
71 recommitment may apply.

72 Defendant failed to submit a completed application for a [certificate of qualification
73 or] concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121,
74 RSMo, **or a concealed carry endorsement issued prior to August 28, 2013**.

75 Defendant failed to submit to or failed to clear the required background check. **(Note:**
 76 **This does not apply if the defendant has submitted to a background check and been issued**
 77 **a provisional certificate of qualification pursuant to subdivision (2) of subsection 5 of**
 78 **section 571.101, and the results of the background check are still pending.)**

79 Defendant failed to submit an affidavit attesting that the applicant complies with the
 80 concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

81 **Defendant is otherwise disqualified from possessing a firearm pursuant to 18**
 82 **U.S.C. 922(g) because {specify reason}:**

83 The plaintiff subject to penalty for perjury states that the information contained in this petition
 84 is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the
 85 petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent
 86 named herein.

87, PLAINTIFF

88 2. If at the hearing the plaintiff shows that the defendant was not eligible for the
 89 [certificate of qualification or the] concealed carry [endorsement] **permit** issued pursuant to
 90 sections 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28,**
 91 **2013,** at the time of issuance or renewal or is no longer eligible for a [certificate of qualification]
 92 **concealed carry permit** or the concealed carry endorsement [issued pursuant to the provisions
 93 of sections 571.101 to 571.121], the court shall issue an appropriate order to cause the revocation
 94 of the [certificate of qualification or] **concealed carry permit and, if applicable, the** concealed
 95 carry endorsement. Costs shall not be assessed against the sheriff.

96 3. The finder of fact, in any action brought against [an] **a permit or** endorsement holder
 97 pursuant to subsection 1 of this section, shall make findings of fact and the court shall make
 98 conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such
 99 an action acted without justification or with malice or primarily with an intent to harass the
 100 **permit or** endorsement holder or that there was no reasonable basis to bring the action, the court
 101 shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in
 102 defending the action including, but not limited to, attorney's fees, deposition costs, and lost
 103 wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs
 104 and fees, the extent and type of fees and costs to be awarded should be liberally calculated in
 105 defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's
 106 fees shall be presumed to be at least one hundred fifty dollars per hour.

107 4. Any person aggrieved by any final judgment rendered by a small claims court in a
 108 petition for revocation of a [certificate of qualification] **concealed carry permit** or concealed
 109 carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

110 5. The office of the county sheriff or any employee or agent of the county sheriff shall

111 not be liable for damages in any civil action arising from alleged wrongful or improper granting,
112 renewing, or failure to revoke a [certificate of qualification or a] concealed carry [endorsement]
113 **permit** issued pursuant to sections 571.101 to 571.121, **or a certificate of qualification for a**
114 **concealed carry endorsement issued prior to August 28, 2013**, so long as the sheriff acted in
115 good faith.

571.121. 1. Any person issued a concealed carry [endorsement] **permit** pursuant to
2 sections 571.101 to 571.121, **or a concealed carry endorsement issued prior to August 28,**
3 **2013**, shall carry the concealed carry **permit or** endorsement at all times the person is carrying
4 a concealed firearm and shall display the concealed carry **permit and a state or federal**
5 **government-issued photo identification or the** endorsement upon the request of any peace
6 officer. Failure to comply with this subsection shall not be a criminal offense but the concealed
7 carry **permit or** endorsement holder may be issued a citation for an amount not to exceed
8 thirty-five dollars.

9 2. Notwithstanding any other provisions of law, the director of revenue, by carrying out
10 his or her requirement to issue a driver's or nondriver's license reflecting that a concealed carry
11 permit has been granted **under the law as it existed prior to August 28, 2013**, shall bear no
12 liability and shall be immune from any claims for damages resulting from any determination
13 made regarding the qualification of any person for such permit or for any actions stemming from
14 the conduct of any person issued such a permit. By issuing the permit on the driver's or
15 nondriver's license, the director of revenue [is] **was** merely acting as a scrivener for any
16 determination made by the sheriff that the person [is] **was** qualified for the permit.

571.500. No state agency or department, or contractor or agent working for the
2 **state, shall construct, enable by providing or sharing records to, maintain, participate in,**
3 **develop, or cooperate with or enable the federal government in developing a database or**
4 **record of the number or type of firearms, ammunition, or firearms accessories that an**
5 **individual possesses.**

650.350. 1. There is hereby created within the department of public safety the "Missouri
2 Sheriff Methamphetamine Relief Taskforce" (MoSMART). MoSMART shall be composed of
3 five sitting sheriffs. Every two years, the Missouri Sheriffs' Association board of directors will
4 submit twenty names of sitting sheriffs to the governor. The governor shall appoint five
5 members from the list of twenty names, having no more than three from any one political party,
6 to serve a term of two years on MoSMART. The members shall elect a chair from among their
7 membership. Members shall receive no compensation for the performance of their duties
8 pursuant to this section, but each member shall be reimbursed from the MoSMART fund for
9 actual and necessary expenses incurred in carrying out duties pursuant to this section.

10 2. MoSMART shall meet no less than twice each calendar year with additional meetings
11 called by the chair upon the request of at least two members. A majority of the appointed
12 members shall constitute a quorum.

13 3. A special fund is hereby created in the state treasury to be known as the "MoSMART
14 Fund". The state treasurer shall invest the moneys in such fund in the manner authorized by law.
15 All moneys received for MoSMART from interest, state, and federal moneys shall be deposited
16 to the credit of the fund. The director of the department of public safety shall distribute at least
17 fifty percent but not more than one hundred percent of the fund annually in the form of grants
18 approved by MoSMART.

19 4. Except for money deposited into the deputy sheriff salary supplementation fund
20 created under section 57.278, all moneys appropriated to or received by MoSMART shall be
21 deposited and credited to the MoSMART fund. The department of public safety shall only be
22 reimbursed for actual and necessary expenses for the administration of MoSMART, which shall
23 be no less than one percent and which shall not exceed two percent of all moneys appropriated
24 to the fund, except that the department shall not receive any amount of the money deposited into
25 the deputy sheriff salary supplementation fund for administrative purposes. The provisions of
26 section 33.080 to the contrary notwithstanding, moneys in the MoSMART fund shall not lapse
27 to general revenue at the end of the biennium.

28 **5. A special fund is hereby created in the state treasury to be known as the**
29 **“Conceal Carry Permit Fund”.** **The state treasurer shall invest the moneys in such fund**
30 **in the manner authorized by law. All moneys shall be deposited to the credit of the fund.**
31 **The director of the department of public safety shall distribute at least fifty percent but not**
32 **more than one hundred percent of the fund annually in the form of grants approved by**
33 **MoSMART. The department of public safety shall administer all MoSMART grant**
34 **deposits under this section. Grant funds deposited into the fund created under this section**
35 **shall be spent first to ensure county law enforcement agencies’ ability to comply with the**
36 **issuance of conceal carry endorsements including, but not limited to, equipment, records**
37 **management hardware and software, personnel, supplies, and other services.**

38 6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created
39 under the authority delegated in this section shall become effective only if it complies with and
40 is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section
41 and chapter 536 are nonseverable and if any of the powers vested with the general assembly
42 pursuant to chapter 536 to review, to delay the effective date or to disapprove and annul a rule
43 are subsequently held unconstitutional, then the grant of rulemaking authority and any rule
44 proposed or adopted after August 28, 2003, shall be invalid and void.

45 [6.] 7. Any county law enforcement entity or established task force with a memorandum
46 of understanding and protocol may apply for grants from the MoSMART fund on an application
47 to be developed by the department of public safety with the approval of MoSMART. All
48 applications shall be evaluated by MoSMART and approved or denied based upon the level of
49 funding designated for methamphetamine enforcement before 1997 and upon current need and
50 circumstances. No applicant shall receive a MoSMART grant in excess of one hundred thousand
51 dollars per year. The department of public safety shall monitor all MoSMART grants.

52 [7.] 8. MoSMART's anti-methamphetamine funding priorities are as follows:

53 (1) Sheriffs who are participating in coordinated multijurisdictional task forces and have
54 their task forces apply for funding;

55 (2) Sheriffs whose county has been designated HIDTA counties, yet have received no
56 HIDTA or narcotics assistance program funding; and

57 (3) Sheriffs without HIDTA designations or task forces, whose application justifies the
58 need for MoSMART funds to eliminate methamphetamine labs.

59 [8.] 9. MoSMART shall administer the deputy sheriff salary supplementation fund as
60 provided under section 57.278.

2 [571.102. The repeal and reenactment of sections 302.181 and 571.101
3 shall become effective on the date the director of the department of revenue
4 begins to issue nondriver licenses with conceal carry endorsements that expire
5 three years from the dates the certificates of qualification were issued, or on
6 January 1, 2013, whichever occurs first. If the director of revenue begins issuing
7 nondriver licenses with conceal carry endorsements that expire three years from
8 the dates the certificates of qualification were issued under the authority granted
9 under sections 302.181 and 571.101 prior to January 1, 2013, the director of the
department of revenue shall notify the revisor of statutes of such fact.]

✓