

SENATE SUBSTITUTE
FOR
SENATE BILL NO. 745

AN ACT

To repeal sections 57.015, 57.201, 57.220, 57.250, 221.105, 488.5026, 544.216, 571.030, 571.101, 571.104, 571.111, and 650.350, RSMo, and to enact in lieu thereof twelve new sections relating to operations of the office of sheriff, with an existing penalty provision and an emergency clause for certain sections.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI,
AS FOLLOWS:

1 Section A. Sections 57.015, 57.201, 57.220, 57.250,
2 221.105, 488.5026, 544.216, 571.030, 571.101, 571.104, 571.111,
3 and 650.350, RSMo, are repealed and twelve new sections enacted
4 in lieu thereof, to be known as sections 57.015, 57.201, 57.220,
5 57.250, 221.105, 488.5026, 544.216, 571.030, 571.101, 571.104,
6 571.111, and 650.350, to read as follows:

7 57.015. [As used in this chapter] For purposes of section
8 57.275, the following words and terms shall have the following
9 meaning:

10 (1) "Deputy sheriff" or "officer", any deputy sheriff who
11 is employed full time by a law enforcement agency, authorized by
12 this chapter and certified pursuant to chapter 590. This term
13 shall not include an officer serving in probationary status or
14 one year, whichever is longer, upon initial employment. This
15 term shall not include any deputy sheriff with the rank of
16 lieutenant and above, or any chief deputies, under sheriffs and
17 the command staff as defined by the sheriff's department policy

1 and procedure manual;

2 (2) "Hearing", a closed meeting conducted by a hearing
3 board appointed by the sheriff for the purpose of receiving
4 evidence in order to determine the facts regarding the dismissal
5 of a deputy sheriff. Witnesses to the event that triggered the
6 dismissal may attend the hearing for the limited purpose of
7 providing testimony; the attorney for the deputy dismissed may
8 attend the hearing, but only to serve as an observer; the sheriff
9 and his or her attorney may attend the hearing, but only to serve
10 as an observer;

11 (3) "Hearing board", the individuals appointed by the
12 sheriff for the purpose of receiving evidence in order to
13 determine the facts regarding the dismissal of a deputy sheriff;
14 and

15 (4) "Law enforcement agency", any county sheriff's office
16 of this state that employs county law enforcement deputies
17 authorized by this chapter and certified by chapter 590.

18 57.201. 1. The sheriff of all counties of the first class
19 not having a charter form of government shall appoint such
20 deputies, assistants and other employees as he deems necessary
21 for the proper discharge of the duties of his office and may set
22 their compensation within the limits of the allocations made for
23 that purpose by the county commission. The compensation for the
24 deputies, assistants and employees shall be paid in equal
25 installments out of the county treasury in the same manner as
26 other county employees are paid.

27 2. The assistants and employees shall hold office at the
28 pleasure of the sheriff.

1 3. **[Deputies]** A deputy sheriff, as the term "deputy
2 sheriff" is defined under section 57.015 shall hold office
3 pursuant to the provisions of sections 57.015 and 57.275.

4 57.220. The sheriff, in a county of the second class, shall
5 be entitled to such a number of deputies as a majority of the
6 circuit judges of the circuit court shall deem necessary for the
7 prompt and proper discharge of the duties of the sheriff's
8 office; provided, however, such number of deputies appointed by
9 the sheriff shall not be less than one chief deputy sheriff and
10 one additional deputy for each five thousand inhabitants of the
11 county according to the last decennial census. Such deputies
12 shall be appointed by the sheriff, but no appointment shall
13 become effective until approved by a majority of the circuit
14 judges of the circuit court of the county. A majority of the
15 circuit judges of the circuit court, by agreement with the
16 sheriff, shall fix the salaries of such deputies. A statement of
17 the number of deputies allowed the sheriff, and their
18 compensation, together with the approval of any appointment by
19 such judges of the circuit court, shall be in writing and signed
20 by them and filed by the sheriff with the county commission.

21 **[Deputies]** A deputy sheriff as the term "deputy sheriff" is
22 defined under section 57.015 shall hold office pursuant to the
23 provisions of sections 57.015 and 57.275.

24 57.250. The sheriff in counties of the third and fourth
25 classifications shall be entitled to such number of deputies and
26 assistants, to be appointed by such official, with the approval
27 of a majority of the circuit judges of the circuit court, as such
28 judges shall deem necessary for the prompt and proper discharge

1 of such sheriff's duties relative to the enforcement of the
2 criminal law of this state. Such judges of the circuit court, in
3 their order permitting the sheriff to appoint deputies or
4 assistants, shall fix the compensation of such deputies or
5 assistants. The circuit judges shall annually review their order
6 fixing the number and compensation of the deputies and assistants
7 and in setting such number and compensation shall have due regard
8 for the financial condition of the county. Each such order shall
9 be entered of record and a certified copy thereof shall be filed
10 in the office of the county clerk at least fifteen days prior to
11 the date of the adoption of the county budget as prescribed by
12 section 50.610. The sheriff may at any time discharge any
13 assistant and may regulate the time of such person's employment.
14 [Deputies] A deputy sheriff as the term "deputy sheriff" is
15 defined under section 57.015 shall hold office pursuant to the
16 provisions of sections 57.015 and 57.275. At the request of the
17 sheriff, the presiding judge may order additional deputies in
18 cases where exigent or emergency circumstances require the need
19 for such additional deputies.

20 221.105. 1. The governing body of any county and of any
21 city not within a county shall fix the amount to be expended for
22 the cost of incarceration of prisoners confined in jails or
23 medium security institutions, which shall not exceed the amount
24 provided under subsection 3 of this section. The cost shall be
25 paid for with funds from the inmate prisoner detainee security
26 fund established under section 488.5026. If the fund does not
27 cover the entire cost, additional funds shall be appropriated
28 from the county's general revenue fund pursuant to the budget

1 adopted by the county commission. The per diem cost of
2 incarceration of these prisoners chargeable by the law to the
3 state shall be determined, subject to the review and approval of
4 the department of corrections.

5 2. When the final determination of any criminal prosecution
6 shall be such as to render the state liable for costs under
7 existing laws, it shall be the duty of the sheriff to certify to
8 the clerk of the circuit court or court of common pleas in which
9 the case was determined the total number of days any prisoner who
10 was a party in such case remained in the county jail. It shall
11 be the duty of the county commission to supply the cost per diem
12 for county prisons to the clerk of the circuit court on the first
13 day of each year, and thereafter whenever the amount may be
14 changed. It shall then be the duty of the clerk of the court in
15 which the case was determined to include in the bill of cost
16 against the state all fees which are properly chargeable to the
17 state. In any city not within a county it shall be the duty of
18 the superintendent of any facility boarding prisoners to certify
19 to the chief executive officer of such city not within a county
20 the total number of days any prisoner who was a party in such
21 case remained in such facility. It shall be the duty of the
22 superintendents of such facilities to supply the cost per diem to
23 the chief executive officer on the first day of each year, and
24 thereafter whenever the amount may be changed. It shall be the
25 duty of the chief executive officer to bill the state all fees
26 for boarding such prisoners which are properly chargeable to the
27 state. The chief executive may by notification to the department
28 of corrections delegate such responsibility to another duly sworn

1 official of such city not within a county. The clerk of the
2 court of any city not within a county shall not include such fees
3 in the bill of costs chargeable to the state. The department of
4 corrections shall revise its criminal cost manual in accordance
5 with this provision.

6 3. Except as provided under subsection 6 of section
7 217.718, the actual costs chargeable to the state, including
8 those incurred for a prisoner who is incarcerated in the county
9 jail because the prisoner's parole or probation has been revoked
10 or because the prisoner has, or allegedly has, violated any
11 condition of the prisoner's parole or probation, and such parole
12 or probation is a consequence of a violation of a state statute,
13 or the prisoner is a fugitive from the Missouri department of
14 corrections or otherwise held at the request of the Missouri
15 department of corrections regardless of whether or not a warrant
16 has been issued shall be the actual cost of incarceration not to
17 exceed:

18 (1) Until July 1, 1996, seventeen dollars per day per
19 prisoner;

20 (2) On and after July 1, 1996, twenty dollars per day per
21 prisoner;

22 (3) On and after July 1, 1997, up to thirty-seven dollars
23 and fifty cents per day per prisoner, subject to appropriations,
24 but not less than the amount appropriated in the previous fiscal
25 year.

26 4. All fees collected from the state for a county jail
27 pursuant to this section shall be deposited to the credit of the
28 inmate prisoner detainee security fund in the county in which the

1 jail is located.

2 488.5026. 1. Upon approval of the governing body of a
3 city, county, or a city not within a county, a surcharge of two
4 dollars shall be assessed as costs in each court proceeding filed
5 in any court in any city, county, or city not within a county
6 adopting such a surcharge, in all criminal cases including
7 violations of any county ordinance or any violation of criminal
8 or traffic laws of the state, including an infraction and
9 violation of a municipal ordinance; except that no such fee shall
10 be collected in any proceeding in any court when the proceeding
11 or the defendant has been dismissed by the court or when costs
12 are to be paid by the state, county, or municipality. A
13 surcharge of two dollars shall be assessed as costs in a juvenile
14 court proceeding in which a child is found by the court to come
15 within the applicable provisions of subdivision (3) of subsection
16 1 of section 211.031.

17 2. Notwithstanding any other provision of law, the moneys
18 collected by clerks of the courts pursuant to the provisions of
19 subsection 1 of this section shall be collected and disbursed in
20 accordance with sections 488.010 to 488.020, and shall be payable
21 to the treasurer of the governmental unit authorizing such
22 surcharge.

23 3. The treasurer shall deposit funds generated by the
24 surcharge into the "Inmate Prisoner Detainee Security Fund".
25 Funds deposited shall be utilized to acquire and develop
26 biometric verification systems and information sharing to ensure
27 that inmates, prisoners, or detainees in a holding cell facility
28 or other detention facility or area which hold persons detained

1 only for a shorter period of time after arrest or after being
2 formally charged can be properly identified upon booking and
3 tracked within the local law enforcement administration system,
4 criminal justice administration system, or the local jail system.
5 Upon the installation of the information sharing or biometric
6 verification system, funds in the inmate prisoner detainee
7 security fund may also be used for the maintenance, repair, and
8 replacement of the information sharing or biometric verification
9 system, and also to pay for any expenses related to detention,
10 custody, and housing and other expenses for inmates, prisoners,
11 and detainees.

12 4. Each county shall have adopted the surcharge provided
13 under this section by July 31, 2014.

14 544.216. Any sheriff or deputy sheriff, any member of the
15 Missouri state highway patrol, and any county or municipal law
16 enforcement officer in this state, except those officers of a
17 political subdivision or municipality having a population of less
18 than two thousand persons or which does not have at least four
19 full-time nonelected peace officers unless such subdivision or
20 municipality has elected to come under and is operating pursuant
21 to the provisions of sections 590.100 to 590.150, may arrest on
22 view, and without a warrant, any person the officer sees
23 violating or who such officer has reasonable grounds to believe
24 has violated any ordinance or law of this state, including a
25 misdemeanor or infraction, [or has violated any ordinance] over
26 which such officer has jurisdiction. Peace officers of a
27 municipality shall have arrest powers, as described in this
28 section, upon lands which are leased or owned by the municipality

1 in an unincorporated area. Ordinances enacted by a municipality,
2 owning or leasing lands outside its boundaries, may be enforced
3 by peace officers of the municipality upon such owned or leased
4 lands. The power of arrest authorized by this section is in
5 addition to all other powers conferred upon law enforcement
6 officers, and shall not be construed so as to limit or restrict
7 any other power of a law enforcement officer.

8 571.030. 1. A person commits the crime of unlawful use of
9 weapons if he or she knowingly:

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

13 (2) Sets a spring gun; or

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

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

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

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

28 (7) Discharges or shoots a firearm at a mark, at any

1 object, or at random, on, along or across a public highway or
2 discharges or shoots a firearm into any outbuilding; or

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

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

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

19 2. Subdivisions (1), (8), and (10) of subsection 1 of this
20 section shall not apply to the persons described in this
21 subsection, regardless of whether such uses are reasonably
22 associated with or are necessary to the fulfillment of such
23 person's official duties except as otherwise provided in this
24 subsection. Subdivisions (3), (4), (6), (7), and (9) of
25 subsection 1 of this section shall not apply to or affect any of
26 the following persons, when such uses are reasonably associated
27 with or are necessary to the fulfillment of such person's
28 official duties, except as otherwise provided in this subsection:

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

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

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

19 (4) Those persons vested by article V, section 1 of the
20 Constitution of Missouri with the judicial power of the state and
21 those persons vested by Article III of the Constitution of the
22 United States with the judicial power of the United States, the
23 members of the federal judiciary;

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

26 (6) Any federal probation officer or federal flight deck
27 officer as defined under the federal flight deck officer program,
28 49 U.S.C. Section 44921 regardless of whether such officers are

1 on duty, or within the law enforcement agency's jurisdiction;

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

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

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

9 (10) Any prosecuting attorney or assistant prosecuting
10 attorney [or any], circuit attorney or assistant circuit
11 attorney, or any person appointed by a court to be a special
12 prosecutor who has completed the firearms safety training course
13 required under subsection 2 of section 571.111;

14 (11) Any member of a fire department or fire protection
15 district who is employed on a full-time basis as a fire
16 investigator and who has a valid concealed carry endorsement
17 issued prior to August 28, 2013, or a valid concealed carry
18 permit under section 571.111 when such uses are reasonably
19 associated with or are necessary to the fulfillment of such
20 person's official duties; and

21 (12) Upon the written approval of the governing body of a
22 fire department or fire protection district, any paid fire
23 department or fire protection district chief who is employed on a
24 full-time basis and who has a valid concealed carry endorsement,
25 when such uses are reasonably associated with or are necessary to
26 the fulfillment of such person's official duties.

27 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of
28 this section do not apply when the actor is transporting such

1 weapons in a nonfunctioning state or in an unloaded state when
2 ammunition is not readily accessible or when such weapons are not
3 readily accessible. Subdivision (1) of subsection 1 of this
4 section does not apply to any person twenty-one years of age or
5 older or eighteen years of age or older and a member of the
6 United States Armed Forces, or honorably discharged from the
7 United States Armed Forces, transporting a concealable firearm in
8 the passenger compartment of a motor vehicle, so long as such
9 concealable firearm is otherwise lawfully possessed, nor when the
10 actor is also in possession of an exposed firearm or projectile
11 weapon for the lawful pursuit of game, or is in his or her
12 dwelling unit or upon premises over which the actor has
13 possession, authority or control, or is traveling in a continuous
14 journey peaceably through this state. Subdivision (10) of
15 subsection 1 of this section does not apply if the firearm is
16 otherwise lawfully possessed by a person while traversing school
17 premises for the purposes of transporting a student to or from
18 school, or possessed by an adult for the purposes of facilitation
19 of a school-sanctioned firearm-related event or club event.

20 4. Subdivisions (1), (8), and (10) of subsection 1 of this
21 section shall not apply to any person who has a valid concealed
22 carry permit issued pursuant to sections 571.101 to 571.121, a
23 valid concealed carry endorsement issued before August 28, 2013,
24 or a valid permit or endorsement to carry concealed firearms
25 issued by another state or political subdivision of another
26 state.

27 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10)
28 of subsection 1 of this section shall not apply to persons who

1 are engaged in a lawful act of defense pursuant to section
2 563.031.

3 6. Notwithstanding any provision of this section to the
4 contrary, the state shall not prohibit any state employee from
5 having a firearm in the employee's vehicle on the state's
6 property provided that the vehicle is locked and the firearm is
7 not visible. This subsection shall only apply to the state as an
8 employer when the state employee's vehicle is on property owned
9 or leased by the state and the state employee is conducting
10 activities within the scope of his or her employment. For the
11 purposes of this subsection, "state employee" means an employee
12 of the executive, legislative, or judicial branch of the
13 government of the state of Missouri.

14 7. Nothing in this section shall make it unlawful for a
15 student to actually participate in school-sanctioned gun safety
16 courses, student military or ROTC courses, or other
17 school-sponsored or club-sponsored firearm-related events,
18 provided the student does not carry a firearm or other weapon
19 readily capable of lethal use into any school, onto any school
20 bus, or onto the premises of any other function or activity
21 sponsored or sanctioned by school officials or the district
22 school board.

23 8. Unlawful use of weapons is a class D felony unless
24 committed pursuant to subdivision (6), (7), or (8) of subsection
25 1 of this section, in which cases it is a class B misdemeanor, or
26 subdivision (5) or (10) of subsection 1 of this section, in which
27 case it is a class A misdemeanor if the firearm is unloaded and a
28 class D felony if the firearm is loaded, or subdivision (9) of

1 subsection 1 of this section, in which case it is a class B
2 felony, except that if the violation of subdivision (9) of
3 subsection 1 of this section results in injury or death to
4 another person, it is a class A felony.

5 9. Violations of subdivision (9) of subsection 1 of this
6 section shall be punished as follows:

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

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

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

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

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

25 11. Notwithstanding any other provision of law, no person
26 who pleads guilty to or is found guilty of a felony violation of
27 subsection 1 of this section shall receive a suspended imposition
28 of sentence if such person has previously received a suspended

1 imposition of sentence for any other firearms- or weapons-related
2 felony offense.

3 12. As used in this section "qualified retired peace
4 officer" means an individual who:

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

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

12 (3) Before such retirement, was regularly employed as a
13 peace officer for an aggregate of fifteen years or more, or
14 retired from service with such agency, after completing any
15 applicable probationary period of such service, due to a
16 service-connected disability, as determined by such agency;

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

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

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

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

26 13. The identification required by subdivision (1) of
27 subsection 2 of this section is:

28 (1) A photographic identification issued by the agency from

1 which the individual retired from service as a peace officer that
2 indicates that the individual has, not less recently than one
3 year before the date the individual is carrying the concealed
4 firearm, been tested or otherwise found by the agency to meet the
5 standards established by the agency for training and
6 qualification for active peace officers to carry a firearm of the
7 same type as the concealed firearm; or

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

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

17 571.101. 1. All applicants for concealed carry permits
18 issued pursuant to subsection 7 of this section must satisfy the
19 requirements of sections 571.101 to 571.121. If the said
20 applicant can show qualification as provided by sections 571.101
21 to 571.121, the county or city sheriff shall issue a concealed
22 carry permit authorizing the carrying of a concealed firearm on
23 or about the applicant's person or within a vehicle. A concealed
24 carry permit shall be valid for a period of five years from the
25 [date of issuance or renewal] last day of the month in which the
26 permit was issued or renewed. The concealed carry permit is
27 valid throughout this state. Although the permit is considered
28 valid in the state, a person who fails to renew his or her permit

1 within five years from the date of issuance or renewal shall not
2 be eligible for an exception to a National Instant Criminal
3 Background Check under federal regulations currently codified
4 under 27 CFR 478.102(d), relating to the transfer, sale, or
5 delivery of firearms from licensed dealers. A concealed carry
6 endorsement issued prior to August 28, 2013, shall continue for a
7 period of three years from the [date of issuance or renewal] last
8 day of the month in which the endorsement was issued or renewed
9 to authorize the carrying of a concealed firearm on or about the
10 applicant's person or within a vehicle in the same manner as a
11 concealed carry permit issued under subsection 7 of this section
12 on or after August 28, 2013.

13 2. A concealed carry permit issued pursuant to subsection 7
14 of this section shall be issued by the sheriff or his or her
15 designee of the county or city in which the applicant resides, if
16 the applicant:

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

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

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

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

26 (a) Has assumed residency in this state;

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

28 or

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

3 (3) Has not pled guilty to or entered a plea of nolo
4 contendere or been convicted of a crime punishable by
5 imprisonment for a term exceeding one year under the laws of any
6 state or of the United States other than a crime classified as a
7 misdemeanor under the laws of any state and punishable by a term
8 of imprisonment of two years or less that does not involve an
9 explosive weapon, firearm, firearm silencer or gas gun;

10 (4) Has not been convicted of, pled guilty to or entered a
11 plea of nolo contendere to one or more misdemeanor offenses
12 involving crimes of violence within a five-year period
13 immediately preceding application for a concealed carry permit or
14 if the applicant has not been convicted of two or more
15 misdemeanor offenses involving driving while under the influence
16 of intoxicating liquor or drugs or the possession or abuse of a
17 controlled substance within a five-year period immediately
18 preceding application for a concealed carry permit;

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

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

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

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

11 (9) Submits a completed application for a permit as
12 described in subsection 3 of this section;

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

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

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

20 3. The application for a concealed carry permit issued by
21 the sheriff of the county of the applicant's residence shall
22 contain only the following information:

23 (1) The applicant's name, address, telephone number,
24 gender, date and place of birth, and, if the applicant is not a
25 United States citizen, the applicant's country of citizenship and
26 any alien or admission number issued by the Federal Bureau of
27 Customs and Immigration Enforcement or any successor agency;

28 (2) An affirmation that the applicant has assumed residency

1 in Missouri or is a member of the Armed Forces stationed in
2 Missouri or the spouse of such a member of the Armed Forces and
3 is a citizen or permanent resident of the United States;

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

8 (4) An affirmation that the applicant has not pled guilty
9 to or been convicted of a crime punishable by imprisonment for a
10 term exceeding one year under the laws of any state or of the
11 United States other than a crime classified as a misdemeanor
12 under the laws of any state and punishable by a term of
13 imprisonment of two years or less that does not involve an
14 explosive weapon, firearm, firearm silencer, or gas gun;

15 (5) An affirmation that the applicant has not been
16 convicted of, pled guilty to, or entered a plea of nolo
17 contendere to one or more misdemeanor offenses involving crimes
18 of violence within a five-year period immediately preceding
19 application for a permit or if the applicant has not been
20 convicted of two or more misdemeanor offenses involving driving
21 while under the influence of intoxicating liquor or drugs or the
22 possession or abuse of a controlled substance within a five-year
23 period immediately preceding application for a permit;

24 (6) An affirmation that the applicant is not a fugitive
25 from justice or currently charged in an information or indictment
26 with the commission of a crime punishable by imprisonment for a
27 term exceeding one year under the laws of any state or of the
28 United States other than a crime classified as a misdemeanor

1 under the laws of any state and punishable by a term of
2 imprisonment of two years or less that does not involve an
3 explosive weapon, firearm, firearm silencer or gas gun;

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

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

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

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

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

25 (12) A government-issued photo identification. This
26 photograph shall not be included on the permit and shall only be
27 used to verify the person's identity for permit renewal, or for
28 the issuance of a new permit due to change of address, or for a

1 lost or destroyed permit.

2 4. An application for a concealed carry permit shall be
3 made to the sheriff of the county or any city not within a county
4 in which the applicant resides. An application shall be filed in
5 writing, signed under oath and under the penalties of perjury,
6 and shall state whether the applicant complies with each of the
7 requirements specified in subsection 2 of this section. In
8 addition to the completed application, the applicant for a
9 concealed carry permit must also submit the following:

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

14 (2) A nonrefundable permit fee as provided by subsection 11
15 or 12 of this section.

16 5. (1) Before an application for a concealed carry permit
17 is approved, the sheriff shall make only such inquiries as he or
18 she deems necessary into the accuracy of the statements made in
19 the application. The sheriff may require that the applicant
20 display a Missouri driver's license or nondriver's license or
21 military identification and orders showing the person being
22 stationed in Missouri. In order to determine the applicant's
23 suitability for a concealed carry permit, the applicant shall be
24 fingerprinted. No other biometric data shall be collected from
25 the applicant. The sheriff shall [request a criminal background
26 check, including] conduct an inquiry of the National Instant
27 Criminal Background Check System[, through the appropriate law
28 enforcement agency] within three working days after submission of

1 the properly completed application for a concealed carry permit.
2 If no disqualifying record is identified by these checks at the
3 state level, the fingerprints shall be forwarded to the Federal
4 Bureau of Investigation for a national criminal history record
5 check. Upon receipt of the completed [background checks,] report
6 from the National Instant Criminal Background Check System and
7 the response from the Federal Bureau of Investigation national
8 criminal history record check, the sheriff shall examine the
9 results and, if no disqualifying information is identified, shall
10 issue a concealed carry permit within three working days.

11 (2) In the event the [background checks] report from the
12 National Instant Criminal Background Check System and the
13 response from the Federal Bureau of Investigation national
14 criminal history record check prescribed by subdivision (1) of
15 this subsection are not completed within forty-five calendar days
16 and no disqualifying information concerning the applicant has
17 otherwise come to the sheriff's attention, the sheriff shall
18 issue a provisional permit, clearly designated on the certificate
19 as such, which the applicant shall sign in the presence of the
20 sheriff or the sheriff's designee. This permit, when carried
21 with a valid Missouri driver's or nondriver's license or a valid
22 military identification, shall permit the applicant to exercise
23 the same rights in accordance with the same conditions as pertain
24 to a concealed carry permit issued under this section, provided
25 that it shall not serve as an alternative to an national instant
26 criminal background check required by 18 U.S.C. 922(t). The
27 provisional permit shall remain valid until such time as the
28 sheriff either issues or denies the certificate of qualification

1 under subsection 6 or 7 of this section. The sheriff shall
2 revoke a provisional permit issued under this subsection within
3 twenty-four hours of receipt of any [background check] report
4 that identifies a disqualifying record, and shall notify the
5 [Missouri uniform law enforcement] concealed carry permit system
6 established under subsection 5 of section 650.350. The
7 revocation of a provisional permit issued under this section
8 shall be proscribed in a manner consistent to the denial and
9 review of an application under subsection 6 of this section.

10 6. The sheriff may refuse to approve an application for a
11 concealed carry permit if he or she determines that any of the
12 requirements specified in subsection 2 of this section have not
13 been met, or if he or she has a substantial and demonstrable
14 reason to believe that the applicant has rendered a false
15 statement regarding any of the provisions of sections 571.101 to
16 571.121. If the applicant is found to be ineligible, the sheriff
17 is required to deny the application, and notify the applicant in
18 writing, stating the grounds for denial and informing the
19 applicant of the right to submit, within thirty days, any
20 additional documentation relating to the grounds of the denial.
21 Upon receiving any additional documentation, the sheriff shall
22 reconsider his or her decision and inform the applicant within
23 thirty days of the result of the reconsideration. The applicant
24 shall further be informed in writing of the right to appeal the
25 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.
26 After two additional reviews and denials by the sheriff, the
27 person submitting the application shall appeal the denial
28 pursuant to subsections 2, 3, 4, and 5 of section 571.114.

1 7. If the application is approved, the sheriff shall issue
2 a concealed carry permit to the applicant within a period not to
3 exceed three working days after his or her approval of the
4 application. The applicant shall sign the concealed carry permit
5 in the presence of the sheriff or his or her designee [and shall
6 within seven days of receipt of the certificate of qualification
7 take the certificate of qualification to the department of
8 revenue. Upon verification of the certificate of qualification
9 and completion of a driver's license or nondriver's license
10 application pursuant to chapter 302, the director of revenue
11 shall issue a new driver's license or nondriver's license with an
12 endorsement which identifies that the applicant has received a
13 certificate of qualification to carry concealed weapons issued
14 pursuant to sections 571.101 to 571.121 if the applicant is
15 otherwise qualified to receive such driver's license or
16 nondriver's license. Notwithstanding any other provision of
17 chapter 302, a nondriver's license with a concealed carry
18 endorsement shall expire three years from the date the
19 certificate of qualification was issued pursuant to this
20 section].

21 8. The concealed carry permit shall specify only the
22 following information:

- 23 (1) Name, address, date of birth, gender, height, weight,
24 color of hair, color of eyes, and signature of the permit holder;
25 (2) The signature of the sheriff issuing the permit;
26 (3) The date of issuance; and
27 (4) The expiration date.

1 The permit shall be no larger than two and one-eighth inches wide
2 by three and [~~one-fourth~~] three-eighths inches long and shall be
3 of a uniform style prescribed by the department of public safety.
4 The permit shall also be assigned a [Missouri uniform law
5 enforcement] concealed carry permit system county code and shall
6 be stored in sequential number.

7 9. (1) The sheriff shall keep a record of all applications
8 for a concealed carry permit or a provisional permit and his or
9 her action thereon. Any record of an application that is
10 incomplete or denied for any reason shall be kept for a period
11 not to exceed one year. Any record of an application that was
12 approved shall be kept for a period of one year after the
13 expiration and nonrenewal of the permit. [Beginning August 28,
14 2013, the department of revenue shall not keep any record of an
15 application for a concealed carry permit. Any information
16 collected by the department of revenue related to an application
17 for a concealed carry endorsement prior to August 28, 2013, shall
18 be given to the members of MoSMART, created under section
19 650.350, for the dissemination of the information to the sheriff
20 of any county or city not within a county in which the applicant
21 resides to keep in accordance with the provisions of this
22 subsection.]

23 (2) The sheriff shall report the issuance of a concealed
24 carry permit or provisional permit to the [Missouri uniform law
25 enforcement] concealed carry permit system. All information on
26 any such permit that is protected information on any driver's or
27 nondriver's license shall have the same personal protection for
28 purposes of sections 571.101 to 571.121. An applicant's status

1 as a holder of a concealed carry permit, provisional permit, or a
2 concealed carry endorsement issued prior to August 28, 2013,
3 shall not be public information and shall be considered personal
4 protected information. Information retained in the concealed
5 carry permit system under this subsection shall not be [batch
6 processed for query] distributed to any federal, state, or
7 private entities and shall only be made available for a single
8 entry query of an individual in the event the individual is a
9 subject of interest in an active criminal investigation or is
10 arrested for a crime. A sheriff may access the concealed carry
11 permit system for administrative purposes to issue a permit,
12 verify the accuracy of permit holder information, change the name
13 or address of a permit holder, suspend or revoke a permit, cancel
14 an expired permit, or cancel a permit upon receipt of a certified
15 death certificate for the permit holder. Any person who violates
16 the provisions of this [subsection] subdivision by disclosing
17 protected information shall be guilty of a class A misdemeanor.

18 10. Information regarding any holder of a concealed carry
19 permit, or a concealed carry endorsement issued prior to August
20 28, 2013, is a closed record. No bulk download or batch data
21 shall be [performed or] distributed to any federal, state, or
22 private entity, except to MoSMART [as provided under subsection 9
23 of this section] or a designee thereof. Any state agency that
24 has retained any documents or records, including fingerprint
25 records provided by an applicant for a concealed carry
26 endorsement prior to August 28, 2013, shall destroy such
27 documents or records, upon successful issuance of a permit.

28 11. For processing an application for a concealed carry

1 permit pursuant to sections 571.101 to 571.121, the sheriff in
2 each county shall charge a nonrefundable fee not to exceed one
3 hundred dollars which shall be paid to the treasury of the county
4 to the credit of the sheriff's revolving fund.

5 12. For processing a renewal for a concealed carry permit
6 pursuant to sections 571.101 to 571.121, the sheriff in each
7 county shall charge a nonrefundable fee not to exceed fifty
8 dollars which shall be paid to the treasury of the county to the
9 credit of the sheriff's revolving fund.

10 13. For the purposes of sections 571.101 to 571.121, the
11 term "sheriff" shall include the sheriff of any county or city
12 not within a county or his or her designee and in counties of the
13 first classification the sheriff may designate the chief of
14 police of any city, town, or municipality within such county.

15 14. For the purposes of this chapter, "concealed carry
16 permit" shall include any concealed carry endorsement issued by
17 the department of revenue before January 1, 2014, and any
18 concealed carry document issued by any sheriff or under the
19 authority of any sheriff after December 31, 2013.

20 571.104. 1. [(1) A concealed carry permit issued pursuant
21 to sections 571.101 to 571.121, and, if applicable,] A concealed
22 carry endorsement issued prior to August 28, 2013, shall be
23 suspended or revoked if the concealed carry [permit or]
24 endorsement holder becomes ineligible for such [permit or]
25 endorsement under the criteria established in subdivisions [(2),]
26 (3), (4), (5), [(7)] (8), and (11) of subsection 2 of section
27 571.101 or upon the issuance of a valid full order of protection.
28 The following procedures shall be followed:

1 [(2)] (1) When a valid full order of protection, or any
2 arrest warrant, discharge, or commitment for the reasons listed
3 in subdivision [(2),] (3), (4), (5), [(7)] (8), or (11) of
4 subsection 2 of section 571.101, is issued against a person
5 holding [a concealed carry permit issued pursuant to sections
6 571.101 to 571.121, or] a concealed carry endorsement issued
7 prior to August 28, 2013, upon notification of said order,
8 warrant, discharge or commitment or upon an order of a court of
9 competent jurisdiction in a criminal proceeding, a commitment
10 proceeding or a full order of protection proceeding ruling that a
11 person holding a concealed carry [permit or] endorsement presents
12 a risk of harm to themselves or others, then upon notification of
13 such order, the holder of the concealed carry [permit or]
14 endorsement shall surrender [the permit, and, if applicable,] the
15 driver's license or nondriver's license containing the concealed
16 carry endorsement to the court, officer, or other official
17 serving the order, warrant, discharge, or commitment.

18 [(3) In cases involving a concealed carry endorsement
19 issued prior to August 28, 2013,] The official to whom the
20 driver's license or nondriver's license containing the concealed
21 carry endorsement is surrendered shall issue a receipt to the
22 licensee for the license upon a form, approved by the director of
23 revenue, that serves as a driver's license or a nondriver's
24 license and clearly states the concealed carry endorsement has
25 been suspended. The official shall then transmit the driver's
26 license or a nondriver's license containing the concealed carry
27 endorsement to the circuit court of the county issuing the order,
28 warrant, discharge, or commitment. [The concealed carry permit

1 issued pursuant to sections 571.101 to 571.121, and, if
2 applicable,] The concealed carry endorsement issued prior to
3 August 28, 2013, shall be suspended until the order is terminated
4 or until the arrest results in a dismissal of all charges. The
5 official to whom the endorsement is surrendered shall
6 administratively suspend the endorsement in the concealed carry
7 permit system established under subsection 5 of section 650.350
8 until such time as the order is terminated or until the charges
9 are dismissed. Upon dismissal, the court holding the [permit
10 and, if applicable, the] driver's license or nondriver's license
11 containing the concealed carry endorsement shall return such
12 [permit or] license to the individual, and the official to whom
13 the endorsement was surrendered shall administratively return the
14 endorsement to good standing within the concealed carry permit
15 system.

16 [(4)] (2) Any conviction, discharge, or commitment
17 specified in sections 571.101 to 571.121 shall result in a
18 revocation. Upon conviction, the court shall forward a notice of
19 conviction or action [and the permit to the issuing county
20 sheriff. If a concealed carry endorsement issued prior to August
21 28, 2013, is revoked, the court shall forward the notice] and the
22 driver's license or nondriver's license with the concealed carry
23 endorsement to the department of revenue. The department of
24 revenue shall notify the sheriff of the county which issued the
25 certificate of qualification for a concealed carry endorsement.
26 The sheriff who issued the [concealed carry permit, or the]
27 certificate of qualification prior to August 28, 2013, shall
28 report the change in status of the [concealed carry permit or]

1 endorsement to the [Missouri uniform law enforcement] concealed
2 carry permit system established under subsection 5 of section
3 650.350. The director of revenue shall immediately remove the
4 endorsement issued prior to August 28, 2013, from the
5 individual's driving record within three days of the receipt of
6 the notice from the court. The director of revenue shall notify
7 the licensee that he or she must apply for a new license pursuant
8 to chapter 302 which does not contain such endorsement. This
9 requirement does not affect the driving privileges of the
10 licensee. The notice issued by the department of revenue shall
11 be mailed to the last known address shown on the individual's
12 driving record. The notice is deemed received three days after
13 mailing.

14 2. A concealed carry permit issued pursuant to sections
15 571.101 to 571.121 after August 28, 2013, shall be suspended or
16 revoked if the concealed carry permit holder becomes ineligible
17 for such permit or endorsement under the criteria established in
18 subdivisions (3), (4), (5), (8), and (11) of subsection 2 of
19 section 571.101 or upon the issuance of a valid full order of
20 protection. The following procedures shall be followed:

21 (1) When a valid full order of protection or any arrest
22 warrant, discharge, or commitment for the reasons listed in
23 subdivision (3), (4), (5), (8), or (11) of subsection 2 of
24 section 571.101 is issued against a person holding a concealed
25 carry permit, upon notification of said order, warrant,
26 discharge, or commitment or upon an order of a court of competent
27 jurisdiction in a criminal proceeding, a commitment proceeding,
28 or a full order of protection proceeding ruling that a person

1 holding a concealed carry permit presents a risk of harm to
2 themselves or others, then upon notification of such order, the
3 holder of the concealed carry permit shall surrender the permit
4 to the court, officer, or other official serving the order,
5 warrant, discharge, or commitment. The permit shall be suspended
6 until the order is terminated or until the arrest results in a
7 dismissal of all charges. The official to whom the permit is
8 surrendered shall administratively suspend the permit in the
9 concealed carry permit system until the order is terminated or
10 the charges are dismissed. Upon dismissal, the court holding the
11 permit shall return such permit to the individual and the
12 official to whom the permit was surrendered shall
13 administratively return the permit to good standing within the
14 concealed carry permit system.

15 (2) Any conviction, discharge, or commitment specified in
16 sections 571.101 to 571.121 shall result in a revocation. Upon
17 conviction, the court shall forward a notice of conviction or
18 action and the permit to the issuing county sheriff. The sheriff
19 who issued the concealed carry permit shall report the change in
20 status of the concealed carry permit to the concealed carry
21 permit system.

22 [2.] 3. A concealed carry permit shall be renewed for a
23 qualified applicant upon receipt of the properly completed
24 renewal application and the required renewal fee by the sheriff
25 of the county of the applicant's residence. The renewal
26 application shall contain the same required information as set
27 forth in subsection 3 of section 571.101, except that in lieu of
28 the fingerprint requirement of subsection 5 of section 571.101

1 and the firearms safety training, the applicant need only display
2 his or her current concealed carry permit. A name-based
3 [background check, including an] inquiry of the National Instant
4 Criminal Background Check System, shall be completed for each
5 renewal application. The sheriff shall review the results of the
6 [background check] report from the National Instant Criminal
7 Background Check System, and when the sheriff has determined the
8 applicant has successfully completed all renewal requirements and
9 is not disqualified under any provision of section 571.101, the
10 sheriff shall issue a new concealed carry permit which contains
11 the date such permit was renewed. The process for renewing a
12 concealed carry endorsement issued prior to August 28, 2013,
13 shall be the same as the process for renewing a permit, except
14 that in lieu of the fingerprint requirement of subsection 5 of
15 section 571.101 and the firearms safety training, the applicant
16 need only display his or her current driver's license or
17 nondriver's license containing an endorsement. Upon successful
18 completion of all renewal requirements, the sheriff shall issue a
19 new concealed carry permit as provided under this subsection.

20 [3.] 4. A person who has been issued a concealed carry
21 permit, or a certificate of qualification for a concealed carry
22 endorsement prior to August 28, 2013, who fails to file a renewal
23 application for a concealed carry permit on or before its
24 expiration date must pay an additional late fee of ten dollars
25 per month for each month it is expired for up to six months.
26 After six months, the sheriff who issued the expired concealed
27 carry permit or certificate of qualification shall notify the
28 [Missouri uniform law enforcement] concealed carry permit system

1 [and the individual] that such permit is expired and cancelled.
2 If the person has a concealed carry endorsement issued prior to
3 August 28, 2013, the sheriff who issued the certificate of
4 qualification for the endorsement shall notify the director of
5 revenue that such certificate is expired regardless of whether
6 the endorsement holder has applied for a concealed carry permit
7 under subsection 2 of this section. The director of revenue
8 shall immediately remove such endorsement from the individual's
9 driving record and notify the individual that his or her driver's
10 license or nondriver's license has expired. The notice shall be
11 conducted in the same manner as described in subsection 1 of this
12 section. Any person who has been issued a concealed carry permit
13 pursuant to sections 571.101 to 571.121, or a concealed carry
14 endorsement issued prior to August 28, 2013, who fails to renew
15 his or her application within the six-month period must reapply
16 for a new concealed carry permit and pay the fee for a new
17 application.

18 [4.] 5. Any person issued a concealed carry permit pursuant
19 to sections 571.101 to 571.121, or a concealed carry endorsement
20 issued prior to August 28, 2013, shall notify the [sheriffs of
21 both the old and new jurisdictions] sheriff of the new
22 jurisdiction of the permit or endorsement holder's change of
23 residence within thirty days after the changing of a permanent
24 residence to a location outside the county of permit issuance.
25 The permit or endorsement holder shall furnish proof to the
26 sheriff in the new jurisdiction that the permit or endorsement
27 holder has changed his or her residence. The sheriff in the new
28 jurisdiction shall notify the sheriff in the old jurisdiction of

1 the permit holder's change of address and the sheriff in the old
2 jurisdiction shall transfer any information on file for the
3 permit holder to the sheriff in the new jurisdiction within
4 thirty days. The sheriff of the new jurisdiction may charge a
5 processing fee of not more than ten dollars for any costs
6 associated with notification of a change in residence. [If the
7 person has a concealed carry endorsement issued prior to August
8 28, 2013, the endorsement holder shall also furnish proof to the
9 department of revenue of his or her residence change. In such
10 cases, the change of residence shall be made by the department of
11 revenue onto the individual's driving record.] The sheriff shall
12 report the residence change to the [Missouri uniform law
13 enforcement system, and] concealed carry permit system, take
14 possession and destroy the old permit, and then issue a new
15 permit to the permit holder. The new address shall be accessible
16 by the [Missouri uniform law enforcement] concealed carry permit
17 system within three days of receipt of the information. If the
18 person has a concealed carry endorsement issued prior to August
19 28, 2013, the endorsement holder shall also furnish proof to the
20 department of revenue of his or her residence change. In such
21 cases, the change of residence shall be made by the department of
22 revenue onto the individual's driving record.

23 [5.] 6. Any person issued a concealed carry permit pursuant
24 to sections 571.101 to 571.121, or a concealed carry endorsement
25 issued prior to August 28, 2013, shall notify the sheriff or his
26 or her designee of the permit or endorsement holder's county or
27 city of residence within seven days after actual knowledge of the
28 loss or destruction of his or her permit or driver's license or

1 nondriver's license containing a concealed carry endorsement.
2 The permit or endorsement holder shall furnish a statement to the
3 sheriff that the permit or driver's license or nondriver's
4 license containing the concealed carry endorsement has been lost
5 or destroyed. After notification of the loss or destruction of a
6 permit or driver's license or nondriver's license containing a
7 concealed carry endorsement, the sheriff may charge a processing
8 fee of ten dollars for costs associated with ~~[placing]~~ replacing
9 a lost or destroyed permit or driver's license or nondriver's
10 license containing a concealed carry endorsement and shall
11 reissue a new concealed carry permit within three working days of
12 being notified by the concealed carry permit or endorsement
13 holder of its loss or destruction. The new concealed carry
14 permit shall contain the same personal information, including
15 expiration date, as the original concealed carry permit.

16 [6.] 7. If a person issued a concealed carry permit, or
17 endorsement issued prior to August 28, 2013, changes his or her
18 name, the person to whom the permit or endorsement was issued
19 shall obtain a corrected or new concealed carry permit with a
20 change of name from the sheriff who issued the original concealed
21 carry permit or the original certificate of qualification for an
22 endorsement upon the sheriff's verification of the name change.
23 The sheriff may charge a processing fee of not more than ten
24 dollars for any costs associated with obtaining a corrected or
25 new concealed carry permit. The permit or endorsement holder
26 shall furnish proof of the name change to the sheriff within
27 thirty days of changing his or her name and display his or her
28 concealed carry permit or current driver's license or nondriver's

1 license containing a concealed carry endorsement. The sheriff
2 shall report the name change to the [Missouri uniform law
3 enforcement] concealed carry permit system, and the new name
4 shall be accessible by the [Missouri uniform law enforcement]
5 concealed carry permit system within three days of receipt of the
6 information.

7 [7.] 8. The person with a concealed carry permit, or
8 endorsement issued prior to August 28, 2013, shall notify the
9 sheriff of a name or address change within thirty days of the
10 change. A concealed carry permit and, if applicable, endorsement
11 shall be automatically invalid after [thirty] one hundred eighty
12 days if the permit or endorsement holder has changed his or her
13 name or changed his or her residence and not notified the sheriff
14 as required in subsections [4] 5 and [6] 7 of this section. The
15 sheriff shall assess a late penalty of ten dollars per month for
16 each month, up to six months and not to exceed sixty dollars, for
17 the failure to notify the sheriff of the change of name or
18 address within thirty days.

19 571.111. 1. An applicant for a concealed carry permit
20 shall demonstrate knowledge of firearms safety training. This
21 requirement shall be fully satisfied if the applicant for a
22 concealed carry permit:

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

27 (2) Submits a photocopy of a certificate that shows the
28 applicant completed a firearms safety course given by or under

1 the supervision of any state, county, municipal, or federal law
2 enforcement agency; or

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

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

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

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

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

23 2. A certificate of firearms safety training course
24 completion may be issued to any applicant by any qualified
25 firearms safety instructor. On the certificate of course
26 completion the qualified firearms safety instructor shall affirm
27 that the individual receiving instruction has taken and passed a
28 firearms safety course of at least eight hours in length taught

1 by the instructor that included:

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

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

8 (3) The basic principles of marksmanship;

9 (4) Care and cleaning of concealable firearms;

10 (5) Safe storage of firearms at home;

11 (6) The requirements of this state for obtaining a
12 concealed carry permit from the sheriff of the individual's
13 county of residence;

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

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

18 (9) A live firing exercise of sufficient duration for each
19 applicant to fire both a revolver and a semiautomatic pistol,
20 from a standing position or its equivalent, a minimum of twenty
21 rounds from each handgun at a distance of seven yards from a B-27
22 silhouette target or an equivalent target;

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

27 3. A qualified firearms safety instructor shall not give a
28 grade of passing to an applicant for a concealed carry permit

1 who:

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

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

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

10 4. Qualified firearms safety instructors who provide
11 firearms safety instruction to any person who applies for a
12 concealed carry permit shall:

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

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

18 (3) Not have more than forty students per certified
19 instructor in the classroom portion of the course or more than
20 five students per range officer engaged in range firing.

21 5. A firearms safety instructor shall be considered to be a
22 qualified firearms safety instructor by any sheriff issuing a
23 concealed carry permit pursuant to sections 571.101 to 571.121 if
24 the instructor:

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

28 (2) Submits a photocopy of a notarized certificate from a

1 firearms safety instructor's course offered by a local, state, or
2 federal governmental agency; or

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

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

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

11 6. Any firearms safety instructor qualified under
12 subsection 5 of this section may submit a copy of a training
13 instructor certificate, course outline bearing the notarized
14 signature of the instructor, and a recent photograph of [his or
15 herself] the instructor to the sheriff of the county in which [he
16 or she] the instructor resides. [Each] The sheriff shall review
17 the training instructor certificate along with the course outline
18 and verify the firearms safety instructor is qualified and the
19 course meets the requirements provided under this section. If
20 the sheriff verifies the firearms safety instructor is qualified
21 and the course meets the requirements provided under this
22 section, the sheriff shall collect an annual registration fee of
23 ten dollars from each qualified instructor who chooses to submit
24 such information and [shall retain a] submit the registration to
25 the Missouri sheriff methamphetamine relief taskforce. The
26 Missouri sheriff methamphetamine relief taskforce, or its
27 designated agent, shall create and maintain a statewide database
28 of qualified instructors. This information shall be a closed

1 record except for access by any sheriff. Firearms safety
2 instructors may register annually and the registration is only
3 effective for the calendar year in which the instructor
4 registered. Any sheriff may access the statewide database
5 maintained by the Missouri sheriff methamphetamine relief
6 taskforce to verify the firearms safety instructor is qualified
7 and the course offered by the instructor meets the requirements
8 provided under this section. Unless a sheriff has reason to
9 believe otherwise, a sheriff shall presume a firearms safety
10 instructor is qualified to provide firearms safety instruction in
11 counties throughout the state under this section if the
12 instructor is registered on the statewide database of qualified
13 instructors.

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

21 650.350. 1. There is hereby created within the department
22 of public safety the "Missouri Sheriff Methamphetamine Relief
23 Taskforce" (MoSMART). MoSMART shall be composed of five sitting
24 sheriffs. Every two years, the Missouri Sheriffs' Association
25 board of directors will submit twenty names of sitting sheriffs
26 to the governor. The governor shall appoint five members from
27 the list of twenty names, having no more than three from any one
28 political party, to serve a term of two years on MoSMART. The

1 members shall elect a chair from among their membership. Members
2 shall receive no compensation for the performance of their duties
3 pursuant to this section, but each member shall be reimbursed
4 from the MoSMART fund for actual and necessary expenses incurred
5 in carrying out duties pursuant to this section.

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

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

18 4. Except for money deposited into the deputy sheriff
19 salary supplementation fund created under section 57.278 or money
20 deposited into the concealed carry permit fund created under
21 subsection 5 of this section, all moneys [appropriate]
22 appropriated to or received by MoSMART shall be deposited and
23 credited to the MoSMART fund. The department of public safety
24 shall only be reimbursed for actual and necessary expenses for
25 the administration of MoSMART, which shall be no less than one
26 percent and which shall not exceed two percent of all moneys
27 appropriated to the fund, except that the department shall not
28 receive any amount of the money deposited into the deputy sheriff

1 salary supplementation fund for administrative purposes. The
2 provisions of section 33.080 to the contrary notwithstanding,
3 moneys in the MoSMART fund shall not lapse to general revenue at
4 the end of the biennium.

5 5. A special fund is hereby created in the state treasury
6 to be known as the "Concealed Carry Permit Fund". The state
7 treasurer shall invest the moneys in such fund in the manner
8 authorized by law. All moneys appropriated by the general
9 assembly to the fund shall be deposited to the credit of the
10 fund. The director of the department of public safety shall
11 annually distribute all moneys in the fund in the form of grants
12 approved by MoSMART. The department of public safety shall
13 administer all MoSMART grant deposits under this section. Grant
14 funds deposited into the fund created under this section shall be
15 spent first to ensure county law enforcement agencies' ability to
16 comply with the issuance of concealed carry permits including,
17 but not limited to, equipment, records management hardware and
18 software, personnel, supplies, and other services. MoSMART shall
19 provide grants as authorized by the general assembly to sheriffs,
20 and any designee that is created and authorized to support
21 sheriffs in the creation, maintenance, and operation of a
22 statewide concealed carry permit system for Missouri sheriffs and
23 law enforcement purposes. The concealed carry permit system
24 shall consist of a server network accessible by all Missouri
25 sheriffs and law enforcement agencies for purposes that do not
26 conflict with this chapter. All equipment, software, and
27 services necessary to create, maintain, and operate the concealed
28 carry permit system shall be the property of the sheriffs and

1 MoSMART's designee. A designee of MoSMART and the sheriffs may
2 administer and operate the concealed carry permit system
3 utilizing policies and procedures established by MoSMART by way
4 of a memorandum of understanding and MoSMART protocol. Any
5 equipment, software, or services provided to a sheriff as part of
6 the concealed carry permit system shall become property of
7 MoSMART's designee and the sheriff's office and MoSMART shall not
8 be responsible for the maintenance or replacement of such
9 equipment, software, or services. Notwithstanding the provisions
10 of section 33.080 to the contrary, any moneys remaining in the
11 fund at the end of the biennium shall not revert to the credit of
12 the general revenue fund. The state treasurer shall invest
13 moneys in the fund in the same manner as other funds are
14 invested. Any interest and moneys earned on such investments
15 shall be credited to the fund.

16 6. Any rule or portion of a rule, as that term is defined
17 in section 536.010, that is created under the authority delegated
18 in this section shall become effective only if it complies with
19 and is subject to all of the provisions of chapter 536 and, if
20 applicable, section 536.028. This section and chapter 536 are
21 nonseverable and if any of the powers vested with the general
22 assembly pursuant to chapter 536 to review, to delay the
23 effective date or to disapprove and annul a rule are subsequently
24 held unconstitutional, then the grant of rulemaking authority and
25 any rule proposed or adopted after August 28, 2003, shall be
26 invalid and void.

27 7. Any county law enforcement entity or established task
28 force with a memorandum of understanding and protocol may apply

1 for grants from the MoSMART fund on an application to be
2 developed by the department of public safety with the approval of
3 MoSMART. All applications shall be evaluated by MoSMART and
4 approved or denied based upon the level of funding designated for
5 methamphetamine enforcement before 1997 and upon current need and
6 circumstances. No applicant shall receive a MoSMART grant in
7 excess of one hundred thousand dollars per year. The department
8 of public safety shall monitor all MoSMART grants.

9 8. MoSMART's anti-methamphetamine funding priorities are as
10 follows:

11 (1) Sheriffs who are participating in coordinated
12 multijurisdictional task forces and have their task forces apply
13 for funding;

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

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

20 9. MoSMART shall administer the deputy sheriff salary
21 supplementation fund as provided under section 57.278.

22 [10. Beginning August 28, 2013, the department of revenue
23 shall begin transferring any records related to the issuance of a
24 concealed carry permit to MoSMART for dissemination to the
25 sheriff of the county or city not within a county in which the
26 applicant or permit holder resides.]

27 Section B. Because of the need for adequate funding for
28 county jails to ensure public safety, the repeal and reenactment

1 of sections 221.105 and 488.5026 of this act is deemed necessary
2 for the immediate preservation of the public health, welfare,
3 peace and safety, and is hereby declared to be an emergency act
4 within the meaning of the constitution, and the repeal and
5 reenactment of sections 221.105 and 488.5026 of this act shall be
6 in full force and effect on July 1, 2014 or upon its passage and
7 approval, whichever later occurs.