

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 656
97TH GENERAL ASSEMBLY

5082H.03C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 21.750, 84.340, 571.030, 571.080, 571.101, 571.107, 571.111, 571.117, 590.010, and 590.205, RSMo, and to enact in lieu thereof fifteen new sections relating to firearms, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 21.750, 84.340, 571.030, 571.080, 571.101, 571.107, 571.111, 2 571.117, 590.010, and 590.205, RSMo, are repealed and fifteen new sections enacted in lieu 3 thereof, to be known as sections 21.750, 84.340, 160.665, 571.012, 571.030, 571.101, 571.107, 4 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207, and 590.750, to read as 5 follows:

21.750. 1. The general assembly hereby occupies and preempts the entire field of 2 legislation touching in any way firearms, components, ammunition and supplies to the complete 3 exclusion of any order, ordinance or regulation by any political subdivision of this state. Any 4 existing or future orders, ordinances or regulations in this field are hereby and shall be null and 5 void except as provided in subsection 3 of this section.

6 2. No county, city, town, village, municipality, or other political subdivision of this state 7 shall adopt any order, ordinance or regulation concerning in any way the sale, purchase, purchase 8 delay, transfer, ownership, use, keeping, possession, bearing, transportation, licensing, permit, 9 registration, taxation other than sales and compensating use taxes or other controls on firearms, 10 components, ammunition, and supplies except as provided in subsection 3 of this section.

11 3. **(1) Except as provided in subdivision (2) of this subsection**, nothing contained in 12 this section shall prohibit any ordinance of any political subdivision which conforms exactly with 13 any of the provisions of sections 571.010 to 571.070, with appropriate penalty provisions, or 14 which regulates the open carrying of firearms readily capable of lethal use or the discharge of

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.

15 firearms within a jurisdiction, provided such ordinance complies with the provisions of section
16 252.243. **No ordinance shall be construed to preclude the use of a firearm in the defense**
17 **of person or property, subject to the provisions of chapter 563.**

18 **(2) In any jurisdiction in which the open carrying of firearms is prohibited by**
19 **ordinance, the open carrying of firearms shall not be prohibited in accordance with the**
20 **following:**

21 **(a) Any person with a valid concealed carry endorsement or permit who is open**
22 **carrying a firearm shall be required to have a valid concealed carry endorsement or permit**
23 **from this state, or a permit from another state that is recognized by this state, in his or her**
24 **possession at all times;**

25 **(b) Any person open carrying a firearm in such jurisdiction shall display his or her**
26 **concealed carry endorsement or permit upon demand of a law enforcement officer;**

27 **(c) In the absence of any reasonable and articulable suspicion of criminal activity,**
28 **no person carrying a concealed or unconcealed firearm shall be disarmed or physically**
29 **restrained by a law enforcement officer unless under arrest; and**

30 **(d) Any person who violates this subdivision shall be subject to the penalty**
31 **provided in section 571.121.**

32 4. The lawful design, marketing, manufacture, distribution, or sale of firearms or
33 ammunition to the public is not an abnormally dangerous activity and does not constitute a public
34 or private nuisance.

35 5. No county, city, town, village or any other political subdivision nor the state shall
36 bring suit or have any right to recover against any firearms or ammunition manufacturer, trade
37 association or dealer for damages, abatement or injunctive relief resulting from or relating to the
38 lawful design, manufacture, marketing, distribution, or sale of firearms or ammunition to the
39 public. This subsection shall apply to any suit pending as of October 12, 2003, as well as any
40 suit which may be brought in the future. Provided, however, that nothing in this section shall
41 restrict the rights of individual citizens to recover for injury or death caused by the negligent or
42 defective design or manufacture of firearms or ammunition.

43 6. Nothing in this section shall prevent the state, a county, city, town, village or any other
44 political subdivision from bringing an action against a firearms or ammunition manufacturer or
45 dealer for breach of contract or warranty as to firearms or ammunition purchased by the state or
46 such political subdivision.

84.340. **Except as provided under section 590.750,** the police commissioner of the said
2 cities shall have power to regulate and license all private watchmen, private detectives and
3 private policemen, serving or acting as such in said cities, and no person shall act as such private
4 watchman, private detective or private policeman in said cities without first having obtained the

5 written license of the president or acting president of said police commissioners of the said cities,
6 under pain of being guilty of a misdemeanor.

**160.665. 1. Any school district within the state may designate one or more
2 elementary or secondary school teachers or administrators as a school protection officer.
3 The responsibilities and duties of a school protection officer are voluntary and shall be in
4 addition to the normal responsibilities and duties of the teacher or administrator. Any
5 compensation for additional duties relating to service as a school protection officer shall
6 be funded by the local school district, with no state funds used for such purpose.**

**7 2. Any person designated by a school district as a school protection officer shall be
8 authorized to carry concealed firearms in any school in the district. The school protection
9 officer shall not be permitted to allow any firearm out of his or her personal control while
10 such firearm is on school property. Any school protection officer who violates this
11 subsection may be removed immediately from the classroom and subject to employment
12 termination proceedings.**

**13 3. A school protection officer has the same authority to detain or use force against
14 any person on school property as provided to any other person under chapter 563.**

**15 4. Upon detention of a person under subsection 3 of this section, the school
16 protection officer shall immediately notify a school administrator and a school resource
17 officer, if such officer is present at the school. If the person detained is a student then the
18 parents or guardians of the student shall also be immediately notified by a school
19 administrator.**

**20 5. Any person detained by a school protection officer shall be turned over to a
21 school administrator or law enforcement officer as soon as practically possible and shall
22 not be detained by a school protection officer for more than one hour.**

**23 6. Any teacher or administrator of an elementary or secondary school who seeks
24 to be designated as a school protection officer shall request such designation in writing, and
25 submit it to the superintendent of the school district which employs him or her as a teacher
26 or administrator. Along with this request, the teacher or administrator shall also submit
27 proof that he or she has a valid concealed carry endorsement or permit, and all teachers
28 and administrators seeking the designation of school protection officer shall submit a
29 certificate of school protection officer training program completion from a training
30 program approved by the director of the department of public safety which demonstrates
31 that such person has successfully completed the training requirements established by the
32 POST commission under chapter 590 for school protection officers.**

**33 7. No school district may designate a teacher or administrator as a school
34 protection officer unless such person has successfully completed a school protection officer**

35 training program, which has been approved by the director of the department of public
36 safety. No school district shall allow a school protection officer to carry a concealed
37 firearm on school property unless the school protection officer has a valid concealed carry
38 endorsement or permit.

39 8. Any school district that designates a teacher or administrator as a school
40 protection officer shall, within thirty days, notify, in writing, the director of the department
41 of public safety of the designation, which shall include the following:

42 (1) The full name, date of birth, and address of the officer;

43 (2) The name of the school district; and

44 (3) The date such person was designated as a school protection officer.

45

46 Notwithstanding any other law, any identifying information collected under the authority
47 of this subsection shall not be considered public information and shall not be subject to a
48 request for public records made under chapter 610.

49 9. A school district may revoke the designation of a person as a school protection
50 officer for any reason and shall immediately notify the designated school protection officer
51 in writing of the revocation. The school district shall also within thirty days of the
52 revocation notify the director of the department of public safety in writing of the
53 revocation of the designation of such person as a school protection officer. A person who
54 has had the designation as school protection officer revoked has no right to appeal the
55 revocation decision.

56 10. The director of the department of public safety shall maintain a listing of all
57 persons designated by school districts as school protection officers and shall make this list
58 available to all law enforcement agencies.

59 571.012. 1. No health care professional licensed in this state, nor anyone under his
2 or her supervision, shall be required by law to:

3 (1) Inquire as to whether a patient owns or has access to a firearm;

4 (2) Document or maintain in a patient's medical records whether such patient owns
5 or has access to a firearm; or

6 (3) Notify any governmental entity of the identity of a patient based solely on the
7 patient's status as an owner of, or the patient's access to, a firearm.

8 2. No health care professional licensed in this state, nor anyone under his or her
9 supervision, nor any person or entity that has possession or control of medical records,
10 may disclose information gathered in a doctor/patient relationship about the status of a
11 patient as an owner of a firearm, unless by order of a court of appropriate jurisdiction, in
12 response to a threat to the health or safety of that patient or another person, as part of a

13 **referral to a mental health professional, or with the patient's express consent on a separate**
14 **document dealing solely with firearm ownership. The separate document shall not be filled**
15 **out as a matter of routine, but only when, in the judgment of the health care professional,**
16 **it is medically indicated or necessitated.**

17 **3. Nothing in this section shall be construed as prohibiting or otherwise restricting**
18 **a health care professional from inquiring about and documenting whether or not a patient**
19 **owns or has access to a firearm if such inquiry or documentation is necessitated or**
20 **medically indicated by the health care professional's judgment and such inquiry or**
21 **documentation does not violate any other state or federal law.**

22 **4. No health care professional licensed in this state shall use an electronic medical**
23 **record program that requires, in order to complete and save a medical record, entry of**
24 **data regarding whether or not a patient owns, has access to, or lives in a home containing,**
25 **a firearm.**

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; **or**

29 **(11) Possesses a firearm while also knowingly in possession of a controlled substance**
30 **that is sufficient for a felony violation under 195.202.**

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

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

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

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

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

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

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

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

60 (8) Any corporate security advisor meeting the definition and fulfilling the requirements
61 of the regulations established by the [board of police commissioners under section 84.340]
62 **department of public safety under section 590.750;**

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

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

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

72 (12) Upon the written approval of the governing body of a fire department or fire
73 protection district, any paid fire department or fire protection district chief who is employed on
74 a full-time basis and who has a valid concealed carry endorsement **issued prior to August 28,**
75 **2013, or a valid concealed carry permit under section 571.111,** when such uses are reasonably
76 associated with or are necessary to the fulfillment of such person's official duties.

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

92 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
93 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121,

94 a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or
95 endorsement to carry concealed firearms issued by another state or political subdivision of
96 another state.

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

99 6. Notwithstanding any provision of this section to the contrary, the state shall not
100 prohibit any state employee from having a firearm in the employee's vehicle on the state's
101 property provided that the vehicle is locked and the firearm is not visible. This subsection shall
102 only apply to the state as an employer when the state employee's vehicle is on property owned
103 or leased by the state and the state employee is conducting activities within the scope of his or
104 her employment. For the purposes of this subsection, "state employee" means an employee of
105 the executive, legislative, or judicial branch of the government of the state of Missouri.

106 7. Nothing in this section shall make it unlawful for a student to actually participate in
107 school-sanctioned gun safety courses, student military or ROTC courses, or other
108 school-sponsored or club-sponsored firearm-related events, provided the student does not carry
109 a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or
110 onto the premises of any other function or activity sponsored or sanctioned by school officials
111 or the district school board.

112 8. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision
113 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or
114 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor
115 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of
116 subsection 1 of this section, in which case it is a class B felony, except that if the violation of
117 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is
118 a class A felony.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

163 (3) A certification issued by the state in which the individual resides that indicates that
164 the individual has, not less recently than one year before the date the individual is carrying the

165 concealed firearm, been tested or otherwise found by the state to meet the standards established
166 by the state for training and qualification for active peace officers to carry a firearm of the same
167 type as the concealed firearm.

571.101. 1. All applicants for concealed carry permits issued pursuant to subsection 7
2 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant
3 can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff
4 shall issue a concealed carry permit authorizing the carrying of a concealed firearm on or about
5 the applicant's person or within a vehicle. A concealed carry permit shall be valid for a period
6 of five years from the [date of issuance or renewal] **last day of the month in which the permit**
7 **was issued or renewed.** The concealed carry permit is valid throughout this state. **Although**
8 **the permit is considered valid in this state, a person who fails to renew his or her permit**
9 **within five years from the date of issuance or renewal shall not be eligible for an exception**
10 **to a National Instant Criminal Background Check under federal regulations currently**
11 **codified under 27 CFR 478.102(d) relating to the transfer, sale, or delivery of firearms**
12 **from licensed dealers.** A concealed carry endorsement issued prior to August 28, 2013, shall
13 continue for a period of three years from the [date of issuance or renewal] **last day of the month**
14 **in which the endorsement was issued or renewed** to authorize the carrying of a concealed
15 firearm on or about the applicant's person or within a vehicle in the same manner as a concealed
16 carry permit issued under subsection 7 of this section on or after August 28, 2013.

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

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

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

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

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

28 (a) Has assumed residency in this state;

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

30 (c) The spouse of such member of the military stationed in Missouri and [twenty-one]
31 **nineteen** years of age;

32 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
33 crime punishable by imprisonment for a term exceeding one year under the laws of any state or

34 of the United States other than a crime classified as a misdemeanor under the laws of any state
35 and punishable by a term of imprisonment of two years or less that does not involve an explosive
36 weapon, firearm, firearm silencer or gas gun;

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

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

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

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

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

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

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

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

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

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

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

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

73 (3) An affirmation that the applicant is at least [twenty-one] **nineteen** years of age or is
74 eighteen years of age or older and a member of the United States Armed Forces or honorably
75 discharged from the United States Armed Forces;

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

81 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered
82 a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence
83 within a five-year period immediately preceding application for a permit or if the applicant has
84 not been convicted of two or more misdemeanor offenses involving driving while under the
85 influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance
86 within a five-year period immediately preceding application for a permit;

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

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

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

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

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

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

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

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

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

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

120 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall
121 make only such inquiries as he or she deems necessary into the accuracy of the statements made
122 in the application. The sheriff may require that the applicant display a Missouri driver's license
123 or nondriver's license or military identification and orders showing the person being stationed
124 in Missouri. In order to determine the applicant's suitability for a concealed carry permit, the
125 applicant shall be fingerprinted. No other biometric data shall be collected from the applicant.
126 The sheriff shall request a criminal background check, including an inquiry of the National
127 Instant Criminal Background Check System, through the appropriate law enforcement agency
128 within three working days after submission of the properly completed application for a concealed
129 carry permit. If no disqualifying record is identified by these checks at the state level, the
130 fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal
131 history record check. Upon receipt of the completed background checks, the sheriff shall
132 examine the results and, if no disqualifying information is identified, shall issue a concealed
133 carry permit within three working days.

134 (2) In the event the background checks prescribed by subdivision (1) of this subsection
135 are not completed within forty-five calendar days and no disqualifying information concerning
136 the applicant has otherwise come to the sheriff's attention, the sheriff shall issue a provisional
137 permit, clearly designated on the certificate as such, which the applicant shall sign in the
138 presence of the sheriff or the sheriff's designee. This permit, when carried with a valid Missouri
139 driver's or nondriver's license or a valid military identification, shall permit the applicant to
140 exercise the same rights in accordance with the same conditions as pertain to a concealed carry

141 permit issued under this section, provided that it shall not serve as an alternative to an national
142 instant criminal background check required by 18 U.S.C. 922(t). The provisional permit shall
143 remain valid until such time as the sheriff either issues or denies the certificate of qualification
144 under subsection 6 or 7 **of this section**. The sheriff shall revoke a provisional permit issued
145 under this subsection within twenty-four hours of receipt of any background check that identifies
146 a disqualifying record, and shall notify the Missouri uniform law enforcement system. The
147 revocation of a provisional permit issued under this section shall be proscribed in a manner
148 consistent to the denial and review of an application under subsection 6 of this section.

149 6. The sheriff may refuse to approve an application for a concealed carry permit if he or
150 she determines that any of the requirements specified in subsection 2 of this section have not
151 been met, or if he or she has a substantial and demonstrable reason to believe that the applicant
152 has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121.
153 If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify
154 the applicant in writing, stating the grounds for denial and informing the applicant of the right
155 to submit, within thirty days, any additional documentation relating to the grounds of the denial.
156 Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and
157 inform the applicant within thirty days of the result of the reconsideration. The applicant shall
158 further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4,
159 and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person
160 submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section
161 571.114.

162 7. If the application is approved, the sheriff shall issue a concealed carry permit to the
163 applicant within a period not to exceed three working days after his or her approval of the
164 application. The applicant shall sign the concealed carry permit in the presence of the sheriff or
165 his or her designee [and shall within seven days of receipt of the certificate of qualification take
166 the certificate of qualification to the department of revenue. Upon verification of the certificate
167 of qualification and completion of a driver's license or nondriver's license application pursuant
168 to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license
169 with an endorsement which identifies that the applicant has received a certificate of qualification
170 to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is
171 otherwise qualified to receive such driver's license or nondriver's license. Notwithstanding any
172 other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall
173 expire three years from the date the certificate of qualification was issued pursuant to this
174 section].

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

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

178 (2) The signature of the sheriff issuing the permit;

179 (3) The date of issuance; and

180 (4) The expiration date.

181 The permit shall be no larger than two inches wide by three and one-fourth inches long and shall
182 be of a uniform style prescribed by the department of public safety. The permit shall also be
183 assigned a Missouri uniform law enforcement system county code and shall be stored in
184 sequential number.

185 9. (1) The sheriff shall keep a record of all applications for a concealed carry permit or
186 a provisional permit and his or her action thereon. Any record of an application that is
187 incomplete or denied for any reason shall be kept for a period not to exceed one year. Any
188 record of an application that was approved shall be kept for a period of one year after the
189 expiration and nonrenewal of the permit. Beginning August 28, 2013, the department of revenue
190 shall not keep any record of an application for a concealed carry permit. Any information
191 collected by the department of revenue related to an application for a concealed carry
192 endorsement prior to August 28, 2013, shall be given to the members of MoSMART, created
193 under section 650.350, for the dissemination of the information to the sheriff of any county or
194 city not within a county in which the applicant resides to keep in accordance with the provisions
195 of this subsection.

196 (2) The sheriff shall report the issuance of a concealed carry permit or provisional permit
197 to the Missouri uniform law enforcement system. All information on any such permit that is
198 protected information on any driver's or nondriver's license shall have the same personal
199 protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a
200 concealed carry permit, provisional permit, or a concealed carry endorsement issued prior to
201 August 28, 2013, shall not be public information and shall be considered personal protected
202 information. Information retained under this subsection shall not be batch processed for query
203 and shall only be made available for a single entry query of an individual in the event the
204 individual is a subject of interest in an active criminal investigation or is arrested for a crime.
205 Any person who violates the provisions of this subsection by disclosing protected information
206 shall be guilty of a class A misdemeanor.

207 10. Information regarding any holder of a concealed carry permit, or a concealed carry
208 endorsement issued prior to August 28, 2013, is a closed record. No bulk download or batch data
209 shall be performed or distributed to any federal, state, or private entity, except to MoSMART as
210 provided under subsection 9 of this section. Any state agency that has retained any documents
211 or records, including fingerprint records provided by an applicant for a concealed carry

212 endorsement prior to August 28, 2013, shall destroy such documents or records, upon successful
213 issuance of a permit.

214 11. For processing an application for a concealed carry permit pursuant to sections
215 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one
216 hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's
217 revolving fund.

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

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

225 14. For the purposes of this chapter, "concealed carry permit" shall include any
226 concealed carry endorsement issued by the department of revenue before January 1, 2014, and
227 any concealed carry document issued by any sheriff or under the authority of any sheriff after
228 December 31, 2013.

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

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

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

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

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

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

48 (6) The general assembly, supreme court, county or municipality may by rule,
49 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
50 permit or endorsement holders in that portion of a building owned, leased or controlled by that
51 unit of government. Any portion of a building in which the carrying of concealed firearms is
52 prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted
53 area. The statute, rule or ordinance shall exempt any building used for public housing by private
54 persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled
55 by that unit of government from any restriction on the carrying or possession of a firearm. The

56 statute, rule or ordinance shall not specify any criminal penalty for its violation but may specify
57 that persons violating the statute, rule or ordinance may be denied entrance to the building,
58 ordered to leave the building and if employees of the unit of government, be subjected to
59 disciplinary measures for violation of the provisions of the statute, rule or ordinance. The
60 provisions of this subdivision shall not apply to any other unit of government;

61 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
62 premises, which portion is primarily devoted to that purpose, without the consent of the owner
63 or manager. The provisions of this subdivision shall not apply to the licensee of said
64 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant
65 open to the general public having dining facilities for not less than fifty persons and that receives
66 at least fifty-one percent of its gross annual income from the dining facilities by the sale of food.
67 This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the
68 establishment and shall not be a criminal offense so long as the firearm is not removed from the
69 vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision
70 authorizes any individual who has been issued a concealed carry permit or endorsement to
71 possess any firearm while intoxicated;

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

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

77 (10) Any higher education institution or elementary or secondary school facility without
78 the consent of the governing body of the higher education institution or a school official or the
79 district school board, **unless the person with the concealed carry endorsement or permit is**
80 **a teacher or administrator of an elementary or secondary school who has been designated**
81 **by his or her school district as a school protection officer and is carrying a firearm in a**
82 **school within that district, in which case no consent is required.** Possession of a firearm in
83 a vehicle on the premises of any higher education institution or elementary or secondary school
84 facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or
85 brandished while the vehicle is on the premises;

86 (11) Any portion of a building used as a child care facility without the consent of the
87 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a
88 family home from owning or possessing a firearm or a concealed carry permit or endorsement;

89 (12) Any riverboat gambling operation accessible by the public without the consent of
90 the owner or manager pursuant to rules promulgated by the gaming commission. Possession of
91 a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal

92 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle
93 is on the premises;

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

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

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

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

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

122 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of
123 subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant
124 to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28,
125 2013, shall not be a criminal act but may subject the person to denial to the premises or removal
126 from the premises. If such person refuses to leave the premises and a peace officer is summoned,
127 such person may be issued a citation for an amount not to exceed one hundred dollars for the first

128 offense. If a second citation for a similar violation occurs within a six-month period, such person
129 shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if
130 applicable, endorsement to carry concealed firearms shall be suspended for a period of one year.
131 If a third citation for a similar violation is issued within one year of the first citation, such person
132 shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed
133 carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for
134 a concealed carry permit for a period of three years. Upon conviction of charges arising from
135 a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which
136 issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement
137 issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the
138 certificate of qualification for a concealed carry endorsement and the department of revenue.
139 The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate
140 of qualification for a concealed carry endorsement. If the person holds an endorsement, the
141 department of revenue shall issue a notice of such suspension or revocation of the concealed
142 carry endorsement and take action to remove the concealed carry endorsement from the
143 individual's driving record. The director of revenue shall notify the licensee that he or she must
144 apply for a new license pursuant to chapter 302 which does not contain such endorsement. The
145 notice issued by the department of revenue shall be mailed to the last known address shown on
146 the individual's driving record. The notice is deemed received three days after mailing.

571.111. 1. An applicant for a concealed carry permit shall demonstrate knowledge of
2 firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed
3 carry 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, that includes instruction on the justifiable use of force as
19 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 **either** a revolver [and] **or** a semiautomatic pistol and
32 demonstrated his or her marksmanship with [both] **either firearm**;

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 concealed carry permit from the sheriff
37 of the individual's county of residence;

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

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

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

44 (10) A live fire test administered to the applicant while the instructor was present of
45 twenty rounds from [each handgun] **either a revolver or a semiautomatic pistol** from a
46 standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent
47 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 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 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 **per certified instructor** in the classroom portion
63 of the course or more than 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 concealed carry permit pursuant to sections 571.101 to 571.121
66 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 submit
77 a copy of a training instructor certificate, course outline bearing notarized signature of instructor,
78 and recent photograph of [his or herself] **the instructor** to the sheriff of the county in which [he
79 or she] **the instructor** resides. Each sheriff shall collect an annual registration fee of ten dollars
80 from each qualified instructor who chooses to submit such information and shall retain a
81 database of qualified instructors. This information shall be a closed record except for access by
82 any 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 classes
87 and issuing certificates.

571.117. 1. Any person who has knowledge that another person, who was issued a
2 concealed carry permit pursuant to sections 571.101 to 571.121, or concealed carry endorsement

3 prior to August 28, 2013, never was or no longer is eligible for such permit or endorsement under
4 the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the
5 small claims court to revoke that person's concealed carry permit or endorsement. The petition
6 shall be in a form substantially similar to the petition for revocation of concealed carry permit
7 or endorsement provided in this section. Appeal forms shall be provided by the clerk of the
8 small claims court free of charge to any person:

9 SMALL CLAIMS COURT

10 In the Circuit Court of, Missouri

11, PLAINTIFF

12)

13)

14 vs.) Case Number

15)

16, DEFENDANT,

17 Carry Permit or Endorsement Holder

18, DEFENDANT,

19 Sheriff of Issuance

20

21 PETITION FOR REVOCATION OF A CONCEALED CARRY PERMIT OR
22 CONCEALED CARRY ENDORSEMENT

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

30 (CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

31 Defendant is not at least [twenty-one] **nineteen** years of age or at least eighteen years of
32 age and a member of the United States Armed Forces or honorably discharged from the
33 United States Armed Forces.

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

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

37 Defendant has pled guilty to or been convicted of a crime punishable by imprisonment
38 for a term exceeding two years under the laws of any state or of the United States other

- 39 than a crime classified as a misdemeanor under the laws of any state and punishable by
40 a term of imprisonment of one year or less that does not involve an explosive weapon,
41 firearm, firearm silencer, or gas gun.
- 42 Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to
43 one or more misdemeanor offenses involving crimes of violence within a five-year period
44 immediately preceding application for a concealed carry permit issued pursuant to
45 sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to
46 August 28, 2013, or if the applicant has been convicted of two or more misdemeanor
47 offenses involving driving while under the influence of intoxicating liquor or drugs or
48 the possession or abuse of a controlled substance within a five-year period immediately
49 preceding application for a concealed carry permit issued pursuant to sections 571.101
50 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013.
- 51 Defendant is a fugitive from justice or currently charged in an information or indictment
52 with the commission of a crime punishable by imprisonment for a term exceeding one
53 year under the laws of any state of the United States other than a crime classified as a
54 misdemeanor under the laws of any state and punishable by a term of imprisonment of
55 two years or less that does not involve an explosive weapon, firearm, firearm silencer,
56 or gas gun.
- 57 Defendant has been discharged under dishonorable conditions from the United States
58 Armed Forces.
- 59 Defendant is reasonably believed by the sheriff to be a danger to self or others based on
60 previous, documented pattern.
- 61 Defendant is adjudged mentally incompetent at the time of application or for five years
62 prior to application, or has been committed to a mental health facility, as defined in
63 section 632.005, RSMo, or a similar institution located in another state, except that a
64 person whose release or discharge from a facility in this state pursuant to chapter 632,
65 RSMo, or a similar discharge from a facility in another state, occurred more than five
66 years ago without subsequent recommitment may apply.
- 67 Defendant failed to submit a completed application for a concealed carry permit issued
68 pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued
69 prior to August 28, 2013.
- 70 Defendant failed to submit to or failed to clear the required background check. (Note:
71 This does not apply if the defendant has submitted to a background check and been
72 issued a provisional permit pursuant to subdivision (2) of subsection 5 of section
73 571.101, and the results of the background check are still pending.)

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

77 Defendant is otherwise disqualified from possessing a firearm [pursuant to 18 U.S.C.
78 922(g)] **under section 571.070** because (specify reason):

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

83, PLAINTIFF

84 2. If at the hearing the plaintiff shows that the defendant was not eligible for the
85 concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry
86 endorsement issued prior to August 28, 2013, at the time of issuance or renewal or is no longer
87 eligible for a concealed carry permit or the concealed carry endorsement, the court shall issue an
88 appropriate order to cause the revocation of the concealed carry permit and, if applicable, the
89 concealed carry endorsement. Costs shall not be assessed against the sheriff.

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

101 4. Any person aggrieved by any final judgment rendered by a small claims court in a
102 petition for revocation of a concealed carry permit or concealed carry endorsement may have a
103 right to trial de novo as provided in sections 512.180 to 512.320.

104 5. The office of the county sheriff or any employee or agent of the county sheriff shall
105 not be liable for damages in any civil action arising from alleged wrongful or improper granting,
106 renewing, or failure to revoke a concealed carry permit issued pursuant to sections 571.101 to
107 571.121, or a certificate of qualification for a concealed carry endorsement issued prior to August
108 28, 2013, so long as the sheriff acted in good faith.

571.510. 1. For purposes of this section, the terms “authority” or “housing authority” shall mean any of the corporations created by or pursuant to the authority of section 99.040 and any entity or agent associated with such authority that administers or uses public moneys provided by the United States Department of Housing and Urban Development to fund very low, lower, and moderate income public rental housing assistance. For purposes of this section, the term “lessee” means a lessee of residential premises.

2. Notwithstanding any provision of law to the contrary, no housing authority, authority, or lessor receiving public funds from a housing authority or authority shall prohibit a lessee or a member of the lessee’s immediate household or guest from personally possessing firearms within an individual residence, common areas, or from carrying or transporting firearms to and from such residence in a manner allowed by law. Any provision of a lease, policy, rule, or agreement in violation of this section shall be void and unenforceable.

3. No housing authority, authority, or lessor under this section shall be liable in tort or any other civil action for damages caused by a lessee’s possession or use of a firearm on property owned by the lessor, unless a housing authority, authority, or lessor or an officer, agent, or employee of such housing authority, authority, or lessor:

(1) Violated section 571.060 or otherwise caused the lessee, the household member, or guest to engage in any unsafe or illegal actions with a firearm; or

(2) Engaged in acts or failures to act which were manifestly outside the scope of employment, duties, or responsibilities or were committed maliciously, in bad faith, or in a wanton and reckless manner.

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

(1) "Commission", when not obviously referring to the POST commission, means a grant of authority to act as a peace officer;

(2) "Director", the director of the Missouri department of public safety or his or her designated agent or representative;

(3) "Peace officer", a law enforcement officer of the state or any political subdivision of the state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace officer by state statute;

(4) "POST commission", the peace officer standards and training commission;

(5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per week;

(6) "School protection officer", an elementary or secondary school teacher or administrator who has been designated as a school protection officer by a school district.

590.200. 1. The POST commission shall:

- 2 **(1) Establish minimum standards for the training of school protection officers;**
3 **(2) Set the minimum number of hours of training required for a school protection**
4 **officer; and**
5 **(3) Set the curriculum for school protection officer training programs.**
6 **2. At a minimum this training shall include:**
7 **(1) Instruction specific to the prevention of incidents of violence in schools;**
8 **(2) The handling of emergency or violent crisis situations in school settings;**
9 **(3) A review of state criminal law;**
10 **(4) Training involving the use of defensive force;**
11 **(5) Training involving the use of deadly force; and**
12 **(6) Instruction in the proper use of self-defense spray devices.**

590.205. 1. The POST commission shall establish minimum standards for school
2 protection officer training instructors, training centers, and training programs.

3 2. The director shall develop and maintain a list of approved school protection officer
4 training instructors, training centers, and training programs. The director shall not place any
5 instructor, training center, or training program on its approved list unless such instructor, training
6 center, or training program meets all of the POST commission requirements under this section
7 and section 590.200. The director shall make this approved list available to every school district
8 in the state. The required training to become a school protection officer shall be provided by
9 those firearm instructors, private and public, who have successfully completed a department of
10 public safety POST certified law enforcement firearms instructor school.

11 3. Each person seeking entrance into a school protection officer training center or training
12 program shall submit a fingerprint card and authorization for a criminal history background
13 check to include the records of the Federal Bureau of Investigation to the training center or
14 training program where such person is seeking entrance. The training center or training program
15 shall cause a criminal history background check to be made and shall cause the resulting report
16 to be forwarded to the school district where the elementary school teacher or administrator is
17 seeking to be designated as a school protection officer.

18 4. No person shall be admitted to a school protection officer training center or training
19 program unless such person submits proof to the training center or training program that he or
20 she has a valid concealed carry endorsement **or permit**.

21 5. A certificate of school protection officer training program completion may be issued
22 to any applicant by any approved school protection officer training instructor. On the certificate
23 of program completion the approved school protection officer training instructor shall affirm that
24 the individual receiving instruction has taken and passed a school protection officer training

25 program that meets the requirements of this section and section 590.200 and [that] **indicate**
26 **whether** the individual has a valid concealed carry endorsement **or permit**. The instructor shall
27 also provide a copy of such certificate to the director of the department of public safety.

590.207. Notwithstanding any other provision of law, any person designated as a
2 **school protection officer under the provisions of section 160.665 who allows any such**
3 **firearm out of his or her personal control while that firearm is on school property as**
4 **provided under subsection 2 of section 160.665 shall be guilty of a class B misdemeanor**
5 **and may be subject to employment termination proceedings within the school district.**

590.750. 1. The department of public safety shall have the sole authority to regulate
2 **and license all corporate security advisors. The authority and jurisdiction of a corporate**
3 **security advisor shall be limited only by the geographical limits of the state, unless the**
4 **corporate security advisor's license is recognized by the laws or regulations of another state**
5 **or the federal government.**

6 **2. Acting as a corporate security advisor without a license from the department of**
7 **public safety is a class A misdemeanor.**

8 **3. The director may promulgate rules to implement the provisions of this section**
9 **under chapter 536 and section 590.190.**

10 **4. Any corporate security advisor licensed as of February 1, 2014 shall not be**
11 **required to apply for a new license from the department until the advisor's license expires**
12 **or is otherwise revoked.**

2 [571.080. A person commits the crime of transfer of a concealable
3 firearm if such person violates 18 U.S.C. Section 922(b) or 18 U.S.C. Section
922(x).]

Section B. Because of the need to provide for the regulation and licensure of corporate
2 security advisors, the repeal and reenactment of sections 84.340 and 571.030 and the enactment
3 of section 590.750 of this act is deemed necessary for the immediate preservation of the public
4 health, welfare, peace, and safety, and is hereby declared to be an emergency act within the
5 meaning of the constitution, and the repeal and reenactment of sections 84.340 and 571.030 and
6 the enactment of section 590.750 of this act shall be in full force and effect upon its passage and
7 approval.

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