

FIRST REGULAR SESSION

SENATE BILL NO. 217

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHUPP.

Pre-filed January 7, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0302S.02I

AN ACT

To repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions.

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

Section A. Section 571.060, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 571.060, to read as follows:

571.060. 1. A person commits the offense of unlawful transfer of weapons
2 if he **or she**:

3 (1) Knowingly sells, leases, loans, gives away or delivers a firearm or
4 ammunition for a firearm to any person who, under the provisions of section
5 571.070, is not lawfully entitled to possess such;

6 (2) Knowingly sells, leases, loans, gives away or delivers a blackjack to a
7 person less than eighteen years old without the consent of the child's custodial
8 parent or guardian, or recklessly, as defined in section 562.016, sells, leases,
9 loans, gives away or delivers any firearm to a person less than eighteen years old
10 without the consent of the child's custodial parent or guardian; provided, that this
11 does not prohibit the delivery of such weapons to any peace officer or member of
12 the Armed Forces or National Guard while performing his official duty; **[or]**

13 (3) Recklessly, as defined in section 562.016, sells, leases, loans, gives
14 away or delivers a firearm or ammunition for a firearm to a person who is
15 intoxicated; **or**

16 (4) **Is a "licensed dealer" as the term "licensed dealer" is defined**
17 **under section 571.063 and delivers a handgun, incidental to a sale,**
18 **without withholding delivery of the handgun for at least seventy-two**
19 **hours after application for its purchase has been made and upon**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 receipt of the purchaser's background check. However, this subdivision
21 does not apply to the sale of a firearm to a law enforcement officer in
22 the course of the officer's official duties if the seller of the firearm
23 knows that the person to whom he or she is selling the firearm is a law
24 enforcement officer. For purposes of this subdivision, "application"
25 means when the buyer and seller reach an agreement to purchase a
26 firearm.

27 2. Unlawful transfer of weapons under subdivision (1) or (4) of subsection
28 1 of this section is a class E felony; unlawful transfer of weapons under
29 subdivisions (2) [and] or (3) of subsection 1 of this section is a class A
30 misdemeanor.

✓

Bill

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