

SECOND REGULAR SESSION

SENATE BILL NO. 1018

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

5511S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 571.014, RSMo, and to enact in lieu thereof two new sections relating to a voluntary self-exclusion list for the purchase of firearms, with penalty provisions.

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

Section A. Section 571.014, RSMo, is repealed and two new
2 sections enacted in lieu thereof, to be known as sections
3 571.014 and 571.515, to read as follows:

571.014. 1. A person commits the crime of unlawful
2 refusal to transfer by denying sale of a firearm to a
3 nonlicensee, who is otherwise not prohibited from possessing
4 a firearm under state or federal law, solely on the basis
5 that the nonlicensee purchased a firearm that was later the
6 subject of a trace request by law enforcement.

7 2. Violation of subsection 1 of this section shall be
8 a class A misdemeanor.

9 3. Notwithstanding any other provision of law to the
10 contrary, **other than the provisions of section 571.515**, no
11 federal firearms dealer licensed under 18 U.S.C. Section 923
12 who engages in the sale of firearms within this state shall
13 fail or refuse to complete the sale of a firearm to a
14 customer in every case in which the sale is authorized by
15 federal law.

16 4. The provisions of this section shall not apply to
17 any individual federal firearms license holder, his agents,

18 or employees to the extent they chose in their individual
19 judgment to not complete the sale or transfer of a firearm
20 for articulable reasons specific to that transaction, so
21 long as those reasons are not based on the race, gender,
22 religion, creed of the buyer.

571.515. 1. As used in this section, the following
2 terms shall mean:

3 (1) "Contact person", the person designated as a
4 contact pursuant to subsection 3 of this section by the
5 person voluntarily waiving the right to purchase a firearm;

6 (2) "Department", the Missouri department of public
7 safety;

8 (3) "Voluntary waiver", a voluntary waiver of the
9 right to purchase a firearm as described in this section.

10 2. (1) A person may voluntarily waive the right to
11 purchase a firearm. While such waiver is in effect, no
12 person shall sell or otherwise transfer a firearm to a
13 person who voluntarily waived the right to purchase a
14 firearm.

15 (2) The department shall promulgate forms for a person
16 to file either in person or electronically for a voluntary
17 waiver, to update contact information, and to revoke a
18 voluntary waiver.

19 3. (1) To voluntarily waive the right to purchase a
20 firearm, a person shall file a voluntary waiver with the
21 department. The department shall verify the person's
22 identity prior to accepting the voluntary waiver.

23 (2) A person who voluntarily waives the right to
24 purchase a firearm may designate one or more contact persons
25 who will be contacted, pursuant to this section, if the
26 person attempts to purchase a firearm while the voluntary

27 waiver is in effect or if the person revokes the voluntary
28 waiver.

29 (3) The department shall immediately notify the person
30 who filed the voluntary waiver and each contact person when
31 the department accepts the filer's voluntary waiver.

32 (4) No later than twenty-four hours after accepting a
33 voluntary waiver, the department shall enter the voluntary
34 waiver into the national instant criminal background check
35 system and any other federal or state computer-based systems
36 used by law enforcement agencies or others to identify
37 prohibited purchasers of firearms.

38 (5) All forms or records filed pursuant to this
39 section shall be confidential and shall be closed records
40 under chapter 610.

41 4. Within twenty-four hours of an attempted transfer
42 of a firearm to a person with a voluntary waiver, the
43 department shall notify each contact person for such person.

44 5. (1) To revoke a voluntary waiver, a person shall
45 file for revocation with the department. The department
46 shall verify the person's identity prior to accepting the
47 revocation. The waiver shall remain in effect for thirty
48 days after the department accepts the revocation.

49 (2) The department shall notify each contact person of
50 the revocation no later than twenty-four hours after the
51 department receives the revocation request.

52 (3) Thirty days after the department accepts the
53 revocation, and unless the person is otherwise ineligible to
54 possess a firearm pursuant to state or federal law, the
55 department shall remove the person's information from the
56 national instant criminal background check system and any
57 other federal or state computer-based systems in which the
58 person was entered and that are used by law enforcement

59 agencies or others to identify prohibited purchasers of
60 firearms, and the department shall destroy all records of
61 the voluntary waiver.

62 6. The submission of a voluntary waiver shall be made
63 only by the person to whom the voluntary waiver shall
64 apply. Any person that attempts to submit a voluntary
65 waiver on behalf of another person shall be guilty of a
66 class A misdemeanor.

67 7. The department may promulgate rules to implement
68 the provisions of this section. Any rule or portion of a
69 rule, as that term is defined in section 536.010, that is
70 created under the authority delegated in this section shall
71 become effective only if it complies with and is subject to
72 all of the provisions of chapter 536 and, if applicable,
73 section 536.028. This section and chapter 536 are
74 nonseverable and if any of the powers vested with the
75 general assembly pursuant to chapter 536 to review, to delay
76 the effective date, or to disapprove and annul a rule are
77 subsequently held unconstitutional, then the grant of
78 rulemaking authority and any rule proposed or adopted after
79 August 28, 2026, shall be invalid and void.

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