

SENATE BILL NO. 1171

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

4461S.011

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 571, RSMo, by adding thereto two new sections relating to the offense of community endangerment due to unsafe storage of a firearm, with penalty provisions.

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

Section A. Chapter 571, RSMo, is amended by adding thereto
2 two new sections, to be known as sections 571.400 and 571.401,
3 to read as follows:

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

3 (1) "Secure gun storage", a safe, gun safe, gun case,
4 lock box, or other device that is designed to be or can be
5 used to store a firearm and that is designed to be unlocked
6 only by means of a key, a combination, or other similar
7 means;

8 (2) "Unauthorized person", a person who is prohibited
9 from possessing a firearm under state or federal law.

10 2. A person commits the offense of community
11 endangerment due to unsafe storage of a firearm in the first
12 degree if a person stores or leaves a firearm in a location
13 where the person knows or reasonably should know that an
14 unauthorized person may gain access to the firearm and such
15 unauthorized person causes personal injury or death with the
16 firearm.

17 3. The offense of community endangerment due to unsafe
18 storage of a firearm in the first degree is a class C felony.

19 4. It shall not be a violation of this section if:

20 (1) The firearm is stored in a secure gun storage, or
21 other secured storage with a trigger lock or similar device
22 that is designed to prevent the unauthorized use or
23 discharge of the firearm;

24 (2) The unauthorized person is a minor who has the
25 permission of a parent or guardian to possess the firearm
26 and is supervised by a person eighteen years of age or older;

27 (3) The unauthorized person obtains or discharges the
28 firearm in a lawful act of self-defense pursuant to chapter
29 563; or

30 (4) The unauthorized person obtained the firearm as a
31 result of an unlawful entry and such unlawful entry is
32 reported to a law enforcement agency within five days of the
33 time he or she knew or reasonably should have known that the
34 firearm had been taken.

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

3 (1) "Secure gun storage", a safe, gun safe, gun case,
4 lock box, or other device that is designed to be or can be
5 used to store a firearm and that is designed to be unlocked
6 only by means of a key, a combination, or other similar
7 means;

8 (2) "Unauthorized person", a person who is prohibited
9 from possessing a firearm under state or federal law.

10 2. A person commits the offense of community
11 endangerment due to unsafe storage of a firearm in the
12 second degree if a person stores or leaves a firearm in a
13 location where the person knows or reasonably should know

14 that an unauthorized person may gain access to the firearm
15 and such unauthorized person:

16 (1) Causes the firearm to discharge;

17 (2) Carries, exhibits, or displays the firearm in a
18 public place in a manner that is intended to intimidate
19 another or that warrants alarm for the safety of other
20 persons; or

21 (3) Uses the firearm in the commission of a crime.

22 3. The offense of community endangerment due to unsafe
23 storage of a firearm in the second degree is a class D
24 felony.

25 4. It shall not be a violation of this section if:

26 (1) The firearm is stored in a secure gun storage, or
27 other secured storage with a trigger lock or similar device
28 that is designed to prevent the unauthorized use or
29 discharge of the firearm;

30 (2) The unauthorized person is a minor who has the
31 permission of a parent or guardian to possess the firearm
32 and is supervised by a person eighteen years of age or older;

33 (3) The unauthorized person obtains or discharges the
34 firearm in a lawful act of self-defense pursuant to chapter
35 563; or

36 (4) The unauthorized person obtains the firearm as a
37 result of an unlawful entry and such unlawful entry is
38 reported to a law enforcement agency within five days of the
39 time he or she knew or reasonably should have known that the
40 firearm had been taken.

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