

HCS HB 1383 -- BUSINESS PREMISES SAFETY ACT

SPONSOR: Bruns (Cox)

COMMITTEE ACTION: Voted "do pass" by the Committee on Crime Prevention and Public Safety by a vote of 8 to 0.

This substitute establishes the Business Premises Safety Act which prohibits business owners and operators from restricting any person from lawfully possessing a firearm in a motor vehicle. Business owners, operators, merchants, and shopkeepers do not have a duty to guard against the criminal act of a third party unless they know or have reason to know that the acts are occurring or are about to occur that could pose imminent injury to a person or that the same criminal acts have occurred on the premises within the prior 24 months and is likely to occur again. In either case, it will be their duty to use reasonable care to protect against the acts.

FISCAL NOTE: No impact on state funds in FY 2009, FY 2010, and FY 2011.

PROPOSERS: Supporters say that the bill is needed to limit the liability of a property owner in certain situations when he or she feels there is a threat on his or her property.

Testifying for the bill were Representative Cox; Missouri Chamber of Commerce and Industry; Missouri Retailers Association; Missouri Grocers' Association; and National Rifle Association of America.

OPPOSERS: There was no opposition voiced to the committee.