

FIRST REGULAR SESSION

HOUSE BILL NO. 813

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES JONES (117) (Sponsor) AND MUNZLINGER (Co-sponsor).

1904L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 571.104, RSMo, and to enact in lieu thereof one new section relating to sheriff's processing fees for concealed carry endorsements.

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

Section A. Section 571.104, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.104, to read as follows:

571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes ineligible for such concealed carry endorsement under the criteria established in subdivisions (2), (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

(2) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is issued against a person holding a concealed carry endorsement issued pursuant to sections 571.101 to 571.121 upon notification of said order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a concealed carry endorsement presents a risk of harm to themselves or others, then upon notification of such order, the holder of the concealed carry endorsement shall surrender the driver's license or nondriver's license containing the concealed carry endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or commitment.

(3) The official to whom the driver's license or nondriver's license containing the concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license

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.

18 upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's
19 license and clearly states the concealed carry endorsement has been suspended. The official shall
20 then transmit the driver's license or a nondriver's license containing the concealed carry
21 endorsement to the circuit court of the county issuing the order, warrant, discharge, or
22 commitment. The concealed carry endorsement issued pursuant to sections 571.101 to 571.121
23 shall be suspended until the order is terminated or until the arrest results in a dismissal of all
24 charges. Upon dismissal, the court holding the driver's license or nondriver's license containing
25 the concealed carry endorsement shall return it to the individual.

26 (4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
27 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
28 action and the driver's license or nondriver's license with the concealed carry endorsement to the
29 department of revenue. The department of revenue shall notify the sheriff of the county which
30 issued the certificate of qualification for a concealed carry endorsement and shall report the
31 change in status of the concealed carry endorsement to the Missouri uniform law enforcement
32 system. The director of revenue shall immediately remove the endorsement issued pursuant to
33 sections 571.101 to 571.121 from the individual's driving record within three days of the receipt
34 of the notice from the court. The director of revenue shall notify the licensee that he or she must
35 apply for a new license pursuant to chapter 302, RSMo, which does not contain such
36 endorsement. This requirement does not affect the driving privileges of the licensee. The notice
37 issued by the department of revenue shall be mailed to the last known address shown on the
38 individual's driving record. The notice is deemed received three days after mailing.

39 2. A concealed carry endorsement shall be renewed for a qualified applicant upon receipt
40 of the properly completed renewal application and the required renewal fee by the sheriff of the
41 county of the applicant's residence. The renewal application shall contain the same required
42 information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint
43 requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant
44 need only display his or her current driver's license or nondriver's license containing a concealed
45 carry endorsement. Upon successful completion of all renewal requirements, the sheriff shall
46 issue a certificate of qualification which contains the date such certificate was renewed.

47 3. A person who has been issued a certificate of qualification for a concealed carry
48 endorsement who fails to file a renewal application on or before its expiration date must pay an
49 additional late fee of ten dollars per month for each month it is expired for up to six months.
50 After six months, the sheriff who issued the expired certificate shall notify the director of
51 revenue that such certificate is expired. The director of revenue shall immediately cancel the
52 concealed carry endorsement and remove such endorsement from the individual's driving record
53 and notify the individual of such cancellation. The notice of cancellation of the endorsement

54 shall be conducted in the same manner as described in subsection 1 of this section. Any person
55 who has been issued a certificate of qualification for a concealed carry endorsement pursuant to
56 sections 571.101 to 571.121 who fails to renew his or her application within the six-month
57 period must reapply for a new certificate of qualification for a concealed carry endorsement and
58 pay the fee for a new application. The director of revenue shall not issue an endorsement on a
59 renewed driver's license or renewed nondriver's license unless the applicant for such license
60 provides evidence that he or she has renewed the certification of qualification for a concealed
61 carry endorsement in the manner provided for such renewal pursuant to sections 571.101 to
62 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a
63 concealed carry endorsement does not want to maintain the concealed carry endorsement, the
64 applicant shall inform the director at the time of license renewal of his or her desire to remove
65 the endorsement. When a driver's or nondriver's license applicant informs the director of his or
66 her desire to remove the concealed carry endorsement, the director shall renew the driver's
67 license or nondriver's license without the endorsement appearing on the license if the applicant
68 is otherwise qualified for such renewal.

69 4. Any person issued a concealed carry endorsement pursuant to sections 571.101 to
70 571.121 shall notify the department of revenue and the sheriffs of both the old and new
71 jurisdictions of the endorsement holder's change of residence within thirty days after the
72 changing of a permanent residence. The endorsement holder shall furnish proof to the
73 department of revenue and the sheriff in the new jurisdiction that the endorsement holder has
74 changed his or her residence. **The sheriff of the new jurisdiction may charge a processing**
75 **fee of not more than ten dollars for any costs associated with notification of a change in**
76 **residence.** The change of residence shall be made by the department of revenue onto the
77 individual's driving record and the new address shall be accessible by the Missouri uniform law
78 enforcement system within three days of receipt of the information.

79 5. Any person issued a driver's license or nondriver's license containing a concealed carry
80 endorsement pursuant to sections 571.101 to 571.121 shall notify the sheriff or his or her
81 designee of the endorsement holder's county or city of residence within seven days after actual
82 knowledge of the loss or destruction of his or her driver's license or nondriver's license
83 containing a concealed carry endorsement. The endorsement holder shall furnish a statement to
84 the sheriff that the driver's license or nondriver's license containing the concealed carry
85 endorsement has been lost or destroyed. After notification of the loss or destruction of a driver's
86 license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue
87 a new certificate of qualification within three working days of being notified by the concealed
88 carry endorsement holder of its loss or destruction. The reissued certificate of qualification shall
89 contain the same personal information, including expiration date, as the original certificate of

90 qualification. The applicant shall then take the certificate to the department of revenue, and the
91 department of revenue shall proceed on the certificate in the same manner as provided in
92 subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, RSMo,
93 the director of revenue shall issue a driver's license or nondriver's license containing a concealed
94 carry endorsement if the applicant is otherwise eligible to receive such license.

95 6. If a person issued a concealed carry endorsement changes his or her name, the person
96 to whom the endorsement was issued shall obtain a corrected certificate of qualification for a
97 concealed carry endorsement with a change of name from the sheriff who issued such certificate
98 upon the sheriff's verification of the name change. **The sheriff may charge a processing fee**
99 **of not more than ten dollars for any costs associated with obtaining a corrected certificate**
100 **of qualification.** The endorsement holder shall furnish proof of the name change to the
101 department of revenue and the sheriff within thirty days of changing his or her name and display
102 his or her current driver's license or nondriver's license containing a concealed carry
103 endorsement. The endorsement holder shall apply for a new driver's license or nondriver's
104 license containing his or her new name. Such application for a driver's license or nondriver's
105 license shall be made pursuant to chapter 302, RSMo. The director of revenue shall issue a
106 driver's license or nondriver's license with concealed carry endorsement with the endorsement
107 holder's new name if the applicant is otherwise eligible for such license. The director of revenue
108 shall take custody of the old driver's license or nondriver's license. The name change shall be
109 made by the department of revenue onto the individual's driving record and the new name shall
110 be accessible by the Missouri uniform law enforcement system within three days of receipt of
111 the information.

112 7. A concealed carry endorsement shall be automatically invalid after thirty days if the
113 endorsement holder has changed his or her name or changed his or her residence and not notified
114 the department of revenue and sheriff of a change of name or residence as required in subsections
115 4 and 6 of this section.

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