

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NOS. 294, 123, 125, 113, 271 & 215

AN ACT

To repeal sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 571.107, 571.111, and 571.117, RSMo, and to enact in lieu thereof thirteen new sections relating to firearms, with penalty provisions and a contingent effective date for certain sections.

---

---

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF MISSOURI, AS FOLLOWS:

1 Section A. Sections 50.535, 302.181, 407.500, 407.505,  
2 571.020, 571.030, 571.101, 571.107, 571.111, and 571.117, RSMo,  
3 are repealed and thirteen new sections enacted in lieu thereof,  
4 to be known as sections 50.535, 144.064, 302.181, 571.020,  
5 571.030, 571.063, 571.085, 571.087, 571.101, 571.107, 571.111,  
6 571.117, and 1, to read as follows:

7 50.535. 1. Notwithstanding the provisions of sections  
8 50.525 to 50.745, the fee collected pursuant to subsections 10  
9 and 11 of section 571.101 shall be deposited by the county  
10 treasurer into a separate interest-bearing fund to be known as  
11 the "County Sheriff's Revolving Fund" to be expended at the  
12 direction of the county or city sheriff or his or her designee as

1 provided in this section.

2 2. No prior approval of the expenditures from this fund  
3 shall be required by the governing body of the county or city not  
4 within a county, nor shall any prior audit or encumbrance of the  
5 fund be required before any expenditure is made by the sheriff  
6 from this fund. This fund shall only be used by law enforcement  
7 agencies for the purchase of equipment, to provide training, and  
8 to make necessary expenditures to process applications for  
9 concealed carry endorsements or renewals, including but not  
10 limited to the purchase of equipment, information and data  
11 exchange, training, fingerprinting and background checks,  
12 employment of additional personnel, and any expenditure  
13 necessitated by an action under section 571.114 or 571.117. If  
14 the moneys collected and deposited into this fund are not totally  
15 expended annually, then the unexpended balance shall remain in  
16 said fund and the balance shall be kept in said fund to  
17 accumulate from year to year. This fund may be audited by the  
18 state auditor's office or the appropriate auditing agency.

19 3. Notwithstanding any provision of this section to the  
20 contrary, the sheriff of every county, regardless of  
21 classification, is authorized to pay, from the sheriff's  
22 revolving fund, all reasonable and necessary costs and expenses  
23 for activities or services occasioned by compliance with sections  
24 571.101 to 571.121. Such was the intent of the general assembly  
25 in original enactment of this section and sections 571.101 to  
26 571.121, and it is made express by this section in light of the  
27 decision in Brooks v. State of Missouri, (Mo. Sup. Ct. February  
28 26, 2004). The application and renewal fees to be charged

1 pursuant to section 571.101 shall be based on the sheriff's good  
2 faith estimate, made during regular budgeting cycles, of the  
3 actual costs and expenses to be incurred by reason of compliance  
4 with sections 571.101 to 571.121. If the maximum fee permitted  
5 by section 571.101 is inadequate to cover the actual reasonable  
6 and necessary expenses in a given year, and there are not  
7 sufficient accumulated unexpended funds in the revolving fund, a  
8 sheriff may present specific and verified evidence of the  
9 unreimbursed expenses to the office of administration, which upon  
10 certification by the attorney general shall reimburse such  
11 sheriff for those expenses from an appropriation made for that  
12 purpose.

13 4. If pursuant to subsection 12 of section 571.101, the  
14 sheriff of a county of the first classification designates one or  
15 more chiefs of police of any town, city, or municipality within  
16 such county to accept and process applications for certificates  
17 of qualification to obtain a concealed carry endorsement, then  
18 that sheriff shall reimburse such chiefs of police, out of the  
19 moneys deposited into this fund, for any reasonable expenses  
20 related to accepting and processing such applications.

21 144.064. No sales tax levied under this chapter on any  
22 firearms or ammunition shall be levied at a rate that is higher  
23 than the sales tax levied under this chapter or any other excise  
24 tax levied on any sporting goods or equipment or any hunting  
25 equipment.

26 302.181. 1. The license issued pursuant to the provisions  
27 of sections 302.010 to 302.340 shall be in such form as the  
28 director shall prescribe, but the license shall be a card made of

1 plastic or other comparable material. All licenses shall be  
2 manufactured of materials and processes that will prohibit, as  
3 nearly as possible, the ability to reproduce, alter, counterfeit,  
4 forge, or duplicate any license without ready detection. All  
5 licenses shall bear the licensee's Social Security number, if the  
6 licensee has one, and if not, a notarized affidavit must be  
7 signed by the licensee stating that the licensee does not possess  
8 a Social Security number, or, if applicable, a certified  
9 statement must be submitted as provided in subsection 4 of this  
10 section. The license shall also bear the expiration date of the  
11 license, the classification of the license, the name, date of  
12 birth, residence address including the county of residence or a  
13 code number corresponding to such county established by the  
14 department, and brief description and colored photograph or  
15 digitized image of the licensee, and a facsimile of the signature  
16 of the licensee. The director shall provide by administrative  
17 rule the procedure and format for a licensee to indicate on the  
18 back of the license together with the designation for an  
19 anatomical gift as provided in section 194.240 the name and  
20 address of the person designated pursuant to sections 404.800 to  
21 404.865 as the licensee's attorney in fact for the purposes of a  
22 durable power of attorney for health care decisions. No license  
23 shall be valid until it has been so signed by the licensee. If  
24 any portion of the license is prepared by a private firm, any  
25 contract with such firm shall be made in accordance with the  
26 competitive purchasing procedures as established by the state  
27 director of the division of purchasing. For all licenses issued  
28 or renewed after March 1, 1992, the applicant's Social Security

1 number shall serve as the applicant's license number. Where the  
2 licensee has no Social Security number, or where the licensee is  
3 issued a license without a Social Security number in accordance  
4 with subsection 4 of this section, the director shall issue a  
5 license number for the licensee and such number shall also  
6 include an indicator showing that the number is not a Social  
7 Security number.

8 2. All film involved in the production of photographs for  
9 licenses shall become the property of the department of revenue.

10 3. The license issued shall be carried at all times by the  
11 holder thereof while driving a motor vehicle, and shall be  
12 displayed upon demand of any officer of the highway patrol, or  
13 any police officer or peace officer, or any other duly authorized  
14 person, for inspection when demand is made therefor. Failure of  
15 any operator of a motor vehicle to exhibit his or her license to  
16 any duly authorized officer shall be presumptive evidence that  
17 such person is not a duly licensed operator.

18 4. The director of revenue shall issue a commercial or  
19 noncommercial driver's license without a Social Security number  
20 to an applicant therefor, who is otherwise qualified to be  
21 licensed, upon presentation to the director of a certified  
22 statement that the applicant objects to the display of the Social  
23 Security number on the license. The director shall assign an  
24 identification number, that is not based on a Social Security  
25 number, to the applicant which shall be displayed on the license  
26 in lieu of the Social Security number.

27 5. The director of revenue shall not issue a license  
28 without a facial photograph or digital image of the license

1 applicant, except as provided pursuant to subsection 8 of this  
2 section. A photograph or digital image of the applicant's full  
3 facial features shall be taken in a manner prescribed by the  
4 director. No photograph or digital image will be taken wearing  
5 anything which cloaks the facial features of the individual.

6 6. The department of revenue may issue a temporary license  
7 or a full license without the photograph or with the last  
8 photograph or digital image in the department's records to  
9 members of the armed forces, except that where such temporary  
10 license is issued it shall be valid only until the applicant  
11 shall have had time to appear and have his or her picture taken  
12 and a license with his or her photograph issued.

13 7. The department of revenue shall issue upon request a  
14 nondriver's license card containing essentially the same  
15 information and photograph or digital image, except as provided  
16 pursuant to subsection 8 of this section, as the driver's license  
17 upon payment of six dollars. All nondriver's licenses shall  
18 expire on the applicant's birthday in the sixth year after  
19 issuance. A person who has passed his or her seventieth birthday  
20 shall upon application be issued a nonexpiring nondriver's  
21 license card. Notwithstanding any other provision of this  
22 chapter, a nondriver's license containing a concealed carry  
23 endorsement shall expire three years from the date the  
24 certificate of qualification was issued pursuant to section  
25 571.101. The fee for nondriver's licenses issued for a period  
26 exceeding three years is six dollars or three dollars for  
27 nondriver's licenses issued for a period of three years or less.  
28 The nondriver's license card shall be used for identification

1 purposes only and shall not be valid as a license.

2 8. If otherwise eligible, an applicant may receive a  
3 driver's license or nondriver's license without a photograph or  
4 digital image of the applicant's full facial features except that  
5 such applicant's photograph or digital image shall be taken and  
6 maintained by the director and not printed on such license.

7 In order to qualify for a license without a photograph or digital  
8 image pursuant to this section the applicant must:

9 (1) Present a form provided by the department of revenue  
10 requesting the applicant's photograph be omitted from the license  
11 or nondriver's license due to religious affiliations. The form  
12 shall be signed by the applicant and another member of the  
13 religious tenant verifying the photograph or digital image  
14 exemption on the license or nondriver's license is required as  
15 part of their religious affiliation. The required signatures on  
16 the prescribed form shall be properly notarized;

17 (2) Provide satisfactory proof to the director that the  
18 applicant has been a U.S. citizen for at least five years and a  
19 resident of this state for at least one year, except that an  
20 applicant moving to this state possessing a valid driver's  
21 license from another state without a photograph, shall be exempt  
22 from the one-year state residency requirement. The director may  
23 establish rules necessary to determine satisfactory proof of  
24 citizenship and residency pursuant to this section;

25 (3) Applications for a driver's license or nondriver's  
26 license without a photograph or digital image must be made in  
27 person at a license office determined by the director. The  
28 director is authorized to limit the number of offices that may

1 issue a driver's or nondriver's license without a photograph or  
2 digital image pursuant to this section.

3 9. The department of revenue shall make available, at one  
4 or more locations within the state, an opportunity for  
5 individuals to have their full facial photograph taken by an  
6 employee of the department of revenue, or their designee, who is  
7 of the same sex as the individual being photographed, in a  
8 segregated location.

9 10. Beginning July 1, 2005, the director shall not issue a  
10 driver's license or a nondriver's license for a period that  
11 exceeds an applicant's lawful presence in the United States. The  
12 director may, by rule or regulation, establish procedures to  
13 verify the lawful presence of the applicant and establish the  
14 duration of any driver's license or nondriver's license issued  
15 under this section.

16 11. No rule or portion of a rule promulgated pursuant to  
17 the authority of this chapter shall become effective unless it is  
18 promulgated pursuant to the provisions of chapter 536.

19 571.020. 1. A person commits a crime if such person  
20 knowingly possesses, manufactures, transports, repairs, or sells:

21 (1) An explosive weapon;

22 (2) An explosive, incendiary or poison substance or  
23 material with the purpose to possess, manufacture or sell an  
24 explosive weapon;

25 (3) [A machine gun;

26 (4)] A gas gun;

27 [(5) A short barreled rifle or shotgun;

28 (6) A firearm silencer;

1           (7)] (4) A switchblade knife;

2           [(8)] (5) A bullet or projectile which explodes or  
3 detonates upon impact because of an independent explosive charge  
4 after having been shot from a firearm; or

5           [(9)] (6) Knuckles; or

6           (7) Any of the following in violation of federal law:

7           (a) A machine gun;

8           (b) A short barreled rifle or shotgun; or

9           (c) A firearm silencer.

10           2. A person does not commit a crime pursuant to this  
11 section if his conduct involved any of the items in subdivisions  
12 (1) to (6) of subsection 1, the item was possessed in conformity  
13 with any applicable federal law, and the conduct:

14           (1) Was incident to the performance of official duty by the  
15 armed forces, national guard, a governmental law enforcement  
16 agency, or a penal institution; or

17           (2) Was incident to engaging in a lawful commercial or  
18 business transaction with an organization enumerated in  
19 subdivision (1) of this section; or

20           (3) Was incident to using an explosive weapon in a manner  
21 reasonably related to a lawful industrial or commercial  
22 enterprise; or

23           (4) Was incident to displaying the weapon in a public  
24 museum or exhibition; or

25           (5) Was incident to **[dealing with]** using the weapon **[solely**  
26 **as a curio, ornament, or keepsake, or to using it]** in a manner  
27 reasonably related to a lawful dramatic performance**;** but if the  
28 weapon is a type described in subdivision (1) or (4) of

1 subsection 1 of this section it must be in such a nonfunctioning  
2 condition that it cannot readily be made operable. No short  
3 barreled rifle, short barreled shotgun, machine gun, or firearm  
4 silencer may be possessed, manufactured, transported, repaired or  
5 sold as a curio, ornament, or keepsake, unless such person is an  
6 importer, manufacturer, dealer, or collector licensed by the  
7 Secretary of the Treasury pursuant to the Gun Control Act of  
8 1968, U.S.C., Title 18, or unless such firearm is an antique  
9 firearm as defined in subsection 3 of section 571.080, or unless  
10 such firearm has been designated a collectors item by the  
11 Secretary of the Treasury pursuant to the U.S.C., Title 26,  
12 Section 5845(a)].

13 3. A crime pursuant to subdivision (1), (2), (3) [, (4), (5)  
14 or (6)] or (7) of subsection 1 of this section is a class C  
15 felony; a crime pursuant to subdivision [(7), (8) or (9)] (4),  
16 (5) or (6) of subsection 1 of this section is a class A  
17 misdemeanor.

18 571.030. 1. A person commits the crime of unlawful use of  
19 weapons if he or she knowingly:

20 (1) Carries concealed upon or about his or her person a  
21 knife, a firearm, a blackjack or any other weapon readily capable  
22 of lethal use; or

23 (2) Sets a spring gun; or

24 (3) Discharges or shoots a firearm into a dwelling house, a  
25 railroad train, boat, aircraft, or motor vehicle as defined in  
26 section 302.010, or any building or structure used for the  
27 assembling of people; or

28 (4) Exhibits, in the presence of one or more persons, any

1 weapon readily capable of lethal use in an angry or threatening  
2 manner; or

3 (5) Has a firearm or projectile weapon readily capable of  
4 lethal use on his or her person, while he or she is intoxicated,  
5 and handles or otherwise uses such firearm or projectile weapon  
6 in either a negligent or unlawful manner or discharges such  
7 firearm or projectile weapon unless acting in self-defense;

8 (6) Discharges a firearm within one hundred yards of any  
9 occupied schoolhouse, courthouse, or church building; or

10 (7) Discharges or shoots a firearm at a mark, at any  
11 object, or at random, on, along or across a public highway or  
12 discharges or shoots a firearm into any outbuilding; or

13 (8) Carries a firearm or any other weapon readily capable  
14 of lethal use into any church or place where people have  
15 assembled for worship, or into any election precinct on any  
16 election day, or into any building owned or occupied by any  
17 agency of the federal government, state government, or political  
18 subdivision thereof; or

19 (9) Discharges or shoots a firearm at or from a motor  
20 vehicle, as defined in section 301.010, discharges or shoots a  
21 firearm at any person, or at any other motor vehicle, or at any  
22 building or habitable structure, unless the person was lawfully  
23 acting in self-defense; or

24 (10) Carries a firearm, whether loaded or unloaded, or any  
25 other weapon readily capable of lethal use into any school, onto  
26 any school bus, or onto the premises of any function or activity  
27 sponsored or sanctioned by school officials or the district  
28 school board.

1           2. Subdivisions (1), (8), and (10) of subsection 1 of this  
2 section shall not apply to the persons described in this  
3 subsection, regardless of whether such uses are reasonably  
4 associated with or are necessary to the fulfillment of such  
5 person's official duties except as otherwise provided in this  
6 subsection. Subdivisions [(1),] (3), (4), (6), (7), [(8),] and  
7 (9) [and (10)] of subsection 1 of this section shall not apply to  
8 or affect any of the following persons, when such uses are  
9 reasonably associated with or are necessary to the fulfillment of  
10 such person's official duties, except as otherwise provided in  
11 this subsection:

12           (1) All state, county and municipal peace officers who have  
13 completed the training required by the police officer standards  
14 and training commission pursuant to sections 590.030 to 590.050  
15 and who possess the duty and power of arrest for violation of the  
16 general criminal laws of the state or for violation of ordinances  
17 of counties or municipalities of the state, whether such officers  
18 are on or off duty, and whether such officers are within or  
19 outside of the law enforcement agency's jurisdiction, or all  
20 qualified retired peace officers, as defined in subsection [10]  
21 11 of this section, and who carry the identification defined in  
22 subsection [11] 12 of this section, or any person summoned by  
23 such officers to assist in making arrests or preserving the peace  
24 while actually engaged in assisting such officer;

25           (2) Wardens, superintendents and keepers of prisons,  
26 penitentiaries, jails and other institutions for the detention of  
27 persons accused or convicted of crime;

28           (3) Members of the armed forces or national guard while

1 performing their official duty;

2 (4) Those persons vested by article V, section 1 of the  
3 Constitution of Missouri with the judicial power of the state and  
4 those persons vested by Article III of the Constitution of the  
5 United States with the judicial power of the United States, the  
6 members of the federal judiciary;

7 (5) Any person whose bona fide duty is to execute process,  
8 civil or criminal;

9 (6) Any federal probation officer or federal flight deck  
10 officer as defined under the federal flight deck officer program,  
11 49 U.S.C. Section 44921 regardless of whether such officers are  
12 on duty, or within the law enforcement agency's jurisdiction;

13 (7) Any state probation or parole officer, including  
14 supervisors and members of the board of probation and parole;

15 (8) Any corporate security advisor meeting the definition  
16 and fulfilling the requirements of the regulations established by  
17 the board of police commissioners under section 84.340;

18 (9) Any coroner, deputy coroner, medical examiner, or  
19 assistant medical examiner; [and]

20 (10) Any prosecuting attorney or assistant prosecuting  
21 attorney or any circuit attorney or assistant circuit attorney  
22 who has completed the firearms safety training course required  
23 under subsection 2 of section 571.111[.]; and

24 (11) Any member of a fire department or fire protection  
25 district, who is employed on a full-time basis as a fire  
26 investigator and who has a valid concealed carry endorsement  
27 under section 571.111 when such uses are reasonably associated  
28 with or are necessary to the fulfillment of such person's

1 official duties.

2 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of  
3 this section do not apply when the actor is transporting such  
4 weapons in a nonfunctioning state or in an unloaded state when  
5 ammunition is not readily accessible or when such weapons are not  
6 readily accessible. Subdivision (1) of subsection 1 of this  
7 section does not apply to any person twenty-one years of age or  
8 older transporting a concealable firearm in the passenger  
9 compartment of a motor vehicle, so long as such concealable  
10 firearm is otherwise lawfully possessed, nor when the actor is  
11 also in possession of an exposed firearm or projectile weapon for  
12 the lawful pursuit of game, or is in his or her dwelling unit or  
13 upon premises over which the actor has possession, authority or  
14 control, or is traveling in a continuous journey peaceably  
15 through this state. Subdivision (10) of subsection 1 of this  
16 section does not apply if the firearm is otherwise lawfully  
17 possessed by a person while traversing school premises for the  
18 purposes of transporting a student to or from school, or  
19 possessed by an adult for the purposes of facilitation of a  
20 school-sanctioned firearm-related event or club event.

21 4. Subdivisions (1), (8), and (10) of subsection 1 of this  
22 section shall not apply to any person who has a valid concealed  
23 carry endorsement issued pursuant to sections 571.101 to 571.121  
24 or a valid permit or endorsement to carry concealed firearms  
25 issued by another state or political subdivision of another  
26 state.

27 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10)  
28 of subsection 1 of this section shall not apply to persons who

1 are engaged in a lawful act of defense pursuant to section  
2 563.031.

3 6. Nothing in this section shall make it unlawful for a  
4 student to actually participate in school-sanctioned gun safety  
5 courses, student military or ROTC courses, or other  
6 school-sponsored or club-sponsored firearm-related events,  
7 provided the student does not carry a firearm or other weapon  
8 readily capable of lethal use into any school, onto any school  
9 bus, or onto the premises of any other function or activity  
10 sponsored or sanctioned by school officials or the district  
11 school board.

12 7. Unlawful use of weapons is a class D felony unless  
13 committed pursuant to subdivision (6), (7), or (8) of subsection  
14 1 of this section, in which cases it is a class B misdemeanor, or  
15 subdivision (5) or (10) of subsection 1 of this section, in which  
16 case it is a class A misdemeanor if the firearm is unloaded and a  
17 class D felony if the firearm is loaded, or subdivision (9) of  
18 subsection 1 of this section, in which case it is a class B  
19 felony, except that if the violation of subdivision (9) of  
20 subsection 1 of this section results in injury or death to  
21 another person, it is a class A felony.

22 8. Violations of subdivision (9) of subsection 1 of this  
23 section shall be punished as follows:

24 (1) For the first violation a person shall be sentenced to  
25 the maximum authorized term of imprisonment for a class B felony;

26 (2) For any violation by a prior offender as defined in  
27 section 558.016, a person shall be sentenced to the maximum  
28 authorized term of imprisonment for a class B felony without the

1 possibility of parole, probation or conditional release for a  
2 term of ten years;

3 (3) For any violation by a persistent offender as defined  
4 in section 558.016, a person shall be sentenced to the maximum  
5 authorized term of imprisonment for a class B felony without the  
6 possibility of parole, probation, or conditional release;

7 (4) For any violation which results in injury or death to  
8 another person, a person shall be sentenced to an authorized  
9 disposition for a class A felony.

10 9. Any person knowingly aiding or abetting any other person  
11 in the violation of subdivision (9) of subsection 1 of this  
12 section shall be subject to the same penalty as that prescribed  
13 by this section for violations by other persons.

14 10. Notwithstanding any other provision of law, no person  
15 who pleads guilty to or is found guilty of a felony violation of  
16 subsection 1 of this section shall receive a suspended imposition  
17 of sentence if such person has previously received a suspended  
18 imposition of sentence for any other firearms or weapons related  
19 felony offense.

20 11. As used in this section "qualified retired peace  
21 officer" means an individual who:

22 (1) Retired in good standing from service with a public  
23 agency as a peace officer, other than for reasons of mental  
24 instability;

25 (2) Before such retirement, was authorized by law to engage  
26 in or supervise the prevention, detection, investigation, or  
27 prosecution of, or the incarceration of any person for, any  
28 violation of law, and had statutory powers of arrest;

1 (3) Before such retirement, was regularly employed as a  
2 peace officer for an aggregate of fifteen years or more, or  
3 retired from service with such agency, after completing any  
4 applicable probationary period of such service, due to a  
5 service-connected disability, as determined by such agency;

6 (4) Has a nonforfeitable right to benefits under the  
7 retirement plan of the agency if such a plan is available;

8 (5) During the most recent twelve-month period, has met, at  
9 the expense of the individual, the standards for training and  
10 qualification for active peace officers to carry firearms;

11 (6) Is not under the influence of alcohol or another  
12 intoxicating or hallucinatory drug or substance; and

13 (7) Is not prohibited by federal law from receiving a  
14 firearm.

15 [11.] 12. The identification required by subdivision (1) of  
16 subsection 2 of this section is:

17 (1) A photographic identification issued by the agency from  
18 which the individual retired from service as a peace officer that  
19 indicates that the individual has, not less recently than one  
20 year before the date the individual is carrying the concealed  
21 firearm, been tested or otherwise found by the agency to meet the  
22 standards established by the agency for training and  
23 qualification for active peace officers to carry a firearm of the  
24 same type as the concealed firearm; or

25 (2) A photographic identification issued by the agency from  
26 which the individual retired from service as a peace officer; and

27 (3) A certification issued by the state in which the  
28 individual resides that indicates that the individual has, not

1 less recently than one year before the date the individual is  
2 carrying the concealed firearm, been tested or otherwise found by  
3 the state to meet the standards established by the state for  
4 training and qualification for active peace officers to carry a  
5 firearm of the same type as the concealed firearm.

6 571.063. 1. As used in this section the following terms  
7 shall mean:

8 (1) "Ammunition", any cartridge, shell, or projectile  
9 designed for use in a firearm;

10 (2) "Licensed dealer", a person who is licensed under 18  
11 U.S.C. Section 923 to engage in the business of dealing in  
12 firearms;

13 (3) "Materially false information", any information that  
14 portrays an illegal transaction as legal or a legal transaction  
15 as illegal;

16 (4) "Private seller", a person who sells or offers for sale  
17 any firearm, as defined in section 571.010, or ammunition.

18 2. A person commits the crime of fraudulent purchase of a  
19 firearm if such person:

20 (1) Knowingly solicits, persuades, encourages or entices a  
21 licensed dealer or private seller of firearms or ammunition to  
22 transfer a firearm or ammunition under circumstances which the  
23 person knows would violate the laws of this state or the United  
24 States; or

25 (2) Provides to a licensed dealer or private seller of  
26 firearms or ammunition what the person knows to be materially  
27 false information with intent to deceive the dealer or seller  
28 about the legality of a transfer of a firearm or ammunition; or

1 (3) Willfully procures another to violate the provisions of  
2 subdivision (1) or (2) of this subsection.

3 3. Fraudulent purchase of a firearm is a class D felony.

4 4. This section shall not apply to criminal investigations  
5 conducted by the United States Bureau of Alcohol, Tobacco,  
6 Firearms and Explosives, authorized agents of such  
7 investigations, or to a peace officer, as defined in section  
8 542.261, acting at the explicit direction of the United States  
9 Bureau of Alcohol, Tobacco, Firearms and Explosives.

10 571.085. Residents of the state of Missouri may purchase  
11 firearms in any state, provided that such residents conform to  
12 the applicable provisions of the Federal Gun Control Act of 1968,  
13 and regulations thereunder, as administered by the United States  
14 Secretary of the Treasury, and provided further that such  
15 residents conform to the provisions of law applicable to such  
16 purchase in the state of Missouri and in the state in which the  
17 purchase is made.

18 571.087. Residents of any state may purchase firearms in  
19 the state of Missouri, provided that such residents conform to  
20 the applicable provisions of the Federal Gun Control Act of 1968,  
21 and regulations thereunder, as administered by the United States  
22 Secretary of the Treasury, and provided further that such  
23 residents conform to the provisions of law applicable to such  
24 purchase in the state of Missouri and in the state in which such  
25 persons reside.

26 571.101. 1. All applicants for concealed carry  
27 endorsements issued pursuant to subsection 7 of this section must  
28 satisfy the requirements of sections 571.101 to 571.121. If the

1 said applicant can show qualification as provided by sections  
2 571.101 to 571.121, the county or city sheriff shall issue a  
3 certificate of qualification for a concealed carry endorsement.  
4 Upon receipt of such certificate, the certificate holder shall  
5 apply for a driver's license or nondriver's license with the  
6 director of revenue in order to obtain a concealed carry  
7 endorsement. Any person who has been issued a concealed carry  
8 endorsement on a driver's license or nondriver's license and such  
9 endorsement or license has not been suspended, revoked, canceled,  
10 or denied may carry concealed firearms on or about his or her  
11 person or within a vehicle. A concealed carry endorsement shall  
12 be valid for a period of three years from the date of issuance or  
13 renewal. The concealed carry endorsement is valid throughout  
14 this state.

15 2. A certificate of qualification for a concealed carry  
16 endorsement issued pursuant to subsection 7 of this section shall  
17 be issued by the sheriff or his or her designee of the county or  
18 city in which the applicant resides, if the applicant:

19 (1) Is at least [twenty-three] twenty-one years of age, is  
20 a citizen of the United States and either:

21 (a) Has assumed residency in this state; or

22 (b) Is a member of the armed forces stationed in Missouri,  
23 or the spouse of such member of the military;

24 (2) Has not pled guilty to or entered a plea of nolo  
25 contendere or been convicted of a crime punishable by  
26 imprisonment for a term exceeding one year under the laws of any  
27 state or of the United States other than a crime classified as a  
28 misdemeanor under the laws of any state and punishable by a term

1 of imprisonment of one year or less that does not involve an  
2 explosive weapon, firearm, firearm silencer or gas gun;

3 (3) Has not been convicted of, pled guilty to or entered a  
4 plea of nolo contendere to one or more misdemeanor offenses  
5 involving crimes of violence within a five-year period  
6 immediately preceding application for a certificate of  
7 qualification for a concealed carry endorsement or if the  
8 applicant has not been convicted of two or more misdemeanor  
9 offenses involving driving while under the influence of  
10 intoxicating liquor or drugs or the possession or abuse of a  
11 controlled substance within a five-year period immediately  
12 preceding application for a certificate of qualification for a  
13 concealed carry endorsement;

14 (4) Is not a fugitive from justice or currently charged in  
15 an information or indictment with the commission of a crime  
16 punishable by imprisonment for a term exceeding one year under  
17 the laws of any state of the United States other than a crime  
18 classified as a misdemeanor under the laws of any state and  
19 punishable by a term of imprisonment of two years or less that  
20 does not involve an explosive weapon, firearm, firearm silencer,  
21 or gas gun;

22 (5) Has not been discharged under dishonorable conditions  
23 from the United States armed forces;

24 (6) Has not engaged in a pattern of behavior, documented in  
25 public records, that causes the sheriff to have a reasonable  
26 belief that the applicant presents a danger to himself or others;

27 (7) Is not adjudged mentally incompetent at the time of  
28 application or for five years prior to application, or has not

1 been committed to a mental health facility, as defined in section  
2 632.005, or a similar institution located in another state  
3 following a hearing at which the defendant was represented by  
4 counsel or a representative;

5 (8) Submits a completed application for a certificate of  
6 qualification as ~~defined~~ described in subsection 3 of this  
7 section;

8 (9) Submits an affidavit attesting that the applicant  
9 complies with the concealed carry safety training requirement  
10 pursuant to subsections 1 and 2 of section 571.111;

11 (10) Is not the respondent of a valid full order of  
12 protection which is still in effect.

13 3. The application for a certificate of qualification for a  
14 concealed carry endorsement issued by the sheriff of the county  
15 of the applicant's residence shall contain only the following  
16 information:

17 (1) The applicant's name, address, telephone number,  
18 gender, and date and place of birth;

19 (2) An affirmation that the applicant has assumed residency  
20 in Missouri or is a member of the armed forces stationed in  
21 Missouri or the spouse of such a member of the armed forces and  
22 is a citizen of the United States;

23 (3) An affirmation that the applicant is at least  
24 ~~twenty-three~~ twenty-one years of age;

25 (4) An affirmation that the applicant has not pled guilty  
26 to or been convicted of a crime punishable by imprisonment for a  
27 term exceeding one year under the laws of any state or of the  
28 United States other than a crime classified as a misdemeanor

1 under the laws of any state and punishable by a term of  
2 imprisonment of one year or less that does not involve an  
3 explosive weapon, firearm, firearm silencer, or gas gun;

4 (5) An affirmation that the applicant has not been  
5 convicted of, pled guilty to, or entered a plea of nolo  
6 contendere to one or more misdemeanor offenses involving crimes  
7 of violence within a five-year period immediately preceding  
8 application for a certificate of qualification to obtain a  
9 concealed carry endorsement or if the applicant has not been  
10 convicted of two or more misdemeanor offenses involving driving  
11 while under the influence of intoxicating liquor or drugs or the  
12 possession or abuse of a controlled substance within a five-year  
13 period immediately preceding application for a certificate of  
14 qualification to obtain a concealed carry endorsement;

15 (6) An affirmation that the applicant is not a fugitive  
16 from justice or currently charged in an information or indictment  
17 with the commission of a crime punishable by imprisonment for a  
18 term exceeding one year under the laws of any state or of the  
19 United States other than a crime classified as a misdemeanor  
20 under the laws of any state and punishable by a term of  
21 imprisonment of two years or less that does not involve an  
22 explosive weapon, firearm, firearm silencer or gas gun;

23 (7) An affirmation that the applicant has not been  
24 discharged under dishonorable conditions from the United States  
25 armed forces;

26 (8) An affirmation that the applicant is not adjudged  
27 mentally incompetent at the time of application or for five years  
28 prior to application, or has not been committed to a mental

1 health facility, as defined in section 632.005, or a similar  
2 institution located in another state, except that a person whose  
3 release or discharge from a facility in this state pursuant to  
4 chapter 632, or a similar discharge from a facility in another  
5 state, occurred more than five years ago without subsequent  
6 recommitment may apply;

7 (9) An affirmation that the applicant has received firearms  
8 safety training that meets the standards of applicant firearms  
9 safety training defined in subsection 1 or 2 of section 571.111;

10 (10) An affirmation that the applicant, to the applicant's  
11 best knowledge and belief, is not the respondent of a valid full  
12 order of protection which is still in effect; and

13 (11) A conspicuous warning that false statements made by  
14 the applicant will result in prosecution for perjury pursuant to  
15 the laws of the state of Missouri.

16 4. An application for a certificate of qualification for a  
17 concealed carry endorsement shall be made to the sheriff of the  
18 county or any city not within a county in which the applicant  
19 resides. An application shall be filed in writing, signed under  
20 oath and under the penalties of perjury, and shall state whether  
21 the applicant complies with each of the requirements specified in  
22 subsection 2 of this section. In addition to the completed  
23 application, the applicant for a certificate of qualification for  
24 a concealed carry endorsement must also submit the following:

25 (1) A photocopy of a firearms safety training certificate  
26 of completion or other evidence of completion of a firearms  
27 safety training course that meets the standards established in  
28 subsection 1 or 2 of section 571.111; and

1           (2) A nonrefundable certificate of qualification fee as  
2 provided by subsection 10 or 11 of this section.

3           5. Before an application for a certificate of qualification  
4 for a concealed carry endorsement is approved, the sheriff shall  
5 make only such inquiries as he or she deems necessary into the  
6 accuracy of the statements made in the application. The sheriff  
7 may require that the applicant display a Missouri driver's  
8 license or nondriver's license or military identification and  
9 orders showing the person being stationed in Missouri. In order  
10 to determine the applicant's suitability for a certificate of  
11 qualification for a concealed carry endorsement, the applicant  
12 shall be fingerprinted. The sheriff shall request a criminal  
13 background check through the appropriate law enforcement agency  
14 within three working days after submission of the properly  
15 completed application for a certificate of qualification for a  
16 concealed carry endorsement. If no disqualifying record is  
17 identified by the fingerprint check at the state level, the  
18 fingerprints shall be forwarded to the Federal Bureau of  
19 Investigation for a national criminal history record check. Upon  
20 receipt of the completed background check, the sheriff shall  
21 issue a certificate of qualification for a concealed carry  
22 endorsement within three working days. The sheriff shall issue  
23 the certificate within forty-five calendar days if the criminal  
24 background check has not been received, provided that the sheriff  
25 shall revoke any such certificate and endorsement within  
26 twenty-four hours of receipt of any background check that results  
27 in a disqualifying record, and shall notify the department of  
28 revenue.

1           6. The sheriff may refuse to approve an application for a  
2 certificate of qualification for a concealed carry endorsement if  
3 he or she determines that any of the requirements specified in  
4 subsection 2 of this section have not been met, or if he or she  
5 has a substantial and demonstrable reason to believe that the  
6 applicant has rendered a false statement regarding any of the  
7 provisions of sections 571.101 to 571.121. If the applicant is  
8 found to be ineligible, the sheriff is required to deny the  
9 application, and notify the applicant in writing, stating the  
10 grounds for denial and informing the applicant of the right to  
11 submit, within thirty days, any additional documentation relating  
12 to the grounds of the denial. Upon receiving any additional  
13 documentation, the sheriff shall reconsider his or her decision  
14 and inform the applicant within thirty days of the result of the  
15 reconsideration. The applicant shall further be informed in  
16 writing of the right to appeal the denial pursuant to subsections  
17 2, 3, 4, and 5 of section 571.114. After two additional reviews  
18 and denials by the sheriff, the person submitting the application  
19 shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of  
20 section 571.114.

21           7. If the application is approved, the sheriff shall issue  
22 a certificate of qualification for a concealed carry endorsement  
23 to the applicant within a period not to exceed three working days  
24 after his or her approval of the application. The applicant  
25 shall sign the certificate of qualification in the presence of  
26 the sheriff or his or her designee and shall within seven days of  
27 receipt of the certificate of qualification take the certificate  
28 of qualification to the department of revenue. Upon verification

1 of the certificate of qualification and completion of a driver's  
2 license or nondriver's license application pursuant to chapter  
3 302, the director of revenue shall issue a new driver's license  
4 or nondriver's license with an endorsement which identifies that  
5 the applicant has received a certificate of qualification to  
6 carry concealed weapons issued pursuant to sections 571.101 to  
7 571.121 if the applicant is otherwise qualified to receive such  
8 driver's license or nondriver's license. Notwithstanding any  
9 other provision of chapter 302, a nondriver's license with a  
10 concealed carry endorsement shall expire three years from the  
11 date the certificate of qualification was issued pursuant to this  
12 section The requirements for the director of revenue to issue a  
13 concealed carry endorsement pursuant to this subsection shall not  
14 be effective until July 1, 2004, and the certificate of  
15 qualification issued by a county sheriff pursuant to subsection 1  
16 of this section shall allow the person issued such certificate to  
17 carry a concealed weapon pursuant to the requirements of  
18 subsection 1 of section 571.107 in lieu of the concealed carry  
19 endorsement issued by the director of revenue from October 11,  
20 2003, until the concealed carry endorsement is issued by the  
21 director of revenue on or after July 1, 2004, unless such  
22 certificate of qualification has been suspended or revoked for  
23 cause.

24 8. The sheriff shall keep a record of all applications for  
25 a certificate of qualification for a concealed carry endorsement  
26 and his or her action thereon. The sheriff shall report the  
27 issuance of a certificate of qualification to the Missouri  
28 uniform law enforcement system. All information on any such

1 certificate that is protected information on any driver's or  
2 nondriver's license shall have the same personal protection for  
3 purposes of sections 571.101 to 571.121. An applicant's status  
4 as a holder of a certificate of qualification or a concealed  
5 carry endorsement shall not be public information and shall be  
6 considered personal protected information. Any person who  
7 violates the provisions of this subsection by disclosing  
8 protected information shall be guilty of a class A misdemeanor.

9 9. Information regarding any holder of a certificate of  
10 qualification or a concealed carry endorsement is a closed  
11 record.

12 10. For processing an application for a certificate of  
13 qualification for a concealed carry endorsement pursuant to  
14 sections 571.101 to 571.121, the sheriff in each county shall  
15 charge a nonrefundable fee not to exceed one hundred dollars  
16 which shall be paid to the treasury of the county to the credit  
17 of the sheriff's revolving fund.

18 11. For processing a renewal for a certificate of  
19 qualification for a concealed carry endorsement pursuant to  
20 sections 571.101 to 571.121, the sheriff in each county shall  
21 charge a nonrefundable fee not to exceed fifty dollars which  
22 shall be paid to the treasury of the county to the credit of the  
23 sheriff's revolving fund.

24 12. For the purposes of sections 571.101 to 571.121, the  
25 term "sheriff" shall include the sheriff of any county or city  
26 not within a county or his or her designee and in counties of the  
27 first classification the sheriff may designate the chief of  
28 police of any city, town, or municipality within such county.

1           571.107. 1. A concealed carry endorsement issued pursuant  
2 to sections 571.101 to 571.121 or a concealed carry endorsement  
3 or permit issued by another state or political subdivision of  
4 another state shall authorize the person in whose name the permit  
5 or endorsement is issued to carry concealed firearms on or about  
6 his or her person or vehicle throughout the state. No driver's  
7 license or nondriver's license containing a concealed carry  
8 endorsement issued pursuant to sections 571.101 to 571.121 or a  
9 concealed carry endorsement or permit issued by another state or  
10 political subdivision of another state shall authorize any person  
11 to carry concealed firearms into:

12           (1) Any police, sheriff, or highway patrol office or  
13 station without the consent of the chief law enforcement officer  
14 in charge of that office or station. Possession of a firearm in  
15 a vehicle on the premises of the office or station shall not be a  
16 criminal offense so long as the firearm is not removed from the  
17 vehicle or brandished while the vehicle is on the premises;

18           (2) Within twenty-five feet of any polling place on any  
19 election day. Possession of a firearm in a vehicle on the  
20 premises of the polling place shall not be a criminal offense so  
21 long as the firearm is not removed from the vehicle or brandished  
22 while the vehicle is on the premises;

23           (3) The facility of any adult or juvenile detention or  
24 correctional institution, prison or jail. Possession of a  
25 firearm in a vehicle on the premises of any adult, juvenile  
26 detention, or correctional institution, prison or jail shall not  
27 be a criminal offense so long as the firearm is not removed from  
28 the vehicle or brandished while the vehicle is on the premises;

1           (4) Any courthouse solely occupied by the circuit,  
2 appellate or supreme court, or any courtrooms, administrative  
3 offices, libraries or other rooms of any such court whether or  
4 not such court solely occupies the building in question. This  
5 subdivision shall also include, but not be limited to, any  
6 juvenile, family, drug, or other court offices, any room or  
7 office wherein any of the courts or offices listed in this  
8 subdivision are temporarily conducting any business within the  
9 jurisdiction of such courts or offices, and such other locations  
10 in such manner as may be specified by supreme court rule pursuant  
11 to subdivision (6) of this subsection. Nothing in this  
12 subdivision shall preclude those persons listed in subdivision  
13 (1) of subsection 2 of section 571.030 while within their  
14 jurisdiction and on duty, those persons listed in subdivisions  
15 (2), (4), and (10) of subsection 2 of section 571.030, or such  
16 other persons who serve in a law enforcement capacity for a court  
17 as may be specified by supreme court rule pursuant to subdivision  
18 (6) of this subsection from carrying a concealed firearm within  
19 any of the areas described in this subdivision. Possession of a  
20 firearm in a vehicle on the premises of any of the areas listed  
21 in this subdivision shall not be a criminal offense so long as  
22 the firearm is not removed from the vehicle or brandished while  
23 the vehicle is on the premises;

24           (5) Any meeting of the governing body of a unit of local  
25 government; or any meeting of the general assembly or a committee  
26 of the general assembly, except that nothing in this subdivision  
27 shall preclude a member of the body holding a valid concealed  
28 carry endorsement from carrying a concealed firearm at a meeting

1 of the body which he or she is a member. Possession of a firearm  
2 in a vehicle on the premises shall not be a criminal offense so  
3 long as the firearm is not removed from the vehicle or brandished  
4 while the vehicle is on the premises. Nothing in this  
5 subdivision shall preclude a member of the general assembly, a  
6 full-time employee of the general assembly employed under section  
7 17, article III, Constitution of Missouri, legislative employees  
8 of the general assembly as determined under section 21.155, or  
9 statewide elected officials and their employees, holding a valid  
10 concealed carry endorsement, from carrying a concealed firearm in  
11 the state capitol building or at a meeting whether of the full  
12 body of a house of the general assembly or a committee thereof,  
13 that is held in the state capitol building;

14 (6) The general assembly, supreme court, county or  
15 municipality may by rule, administrative regulation, or ordinance  
16 prohibit or limit the carrying of concealed firearms by  
17 endorsement holders in that portion of a building owned, leased  
18 or controlled by that unit of government. Any portion of a  
19 building in which the carrying of concealed firearms is  
20 prohibited or limited shall be clearly identified by signs posted  
21 at the entrance to the restricted area. The statute, rule or  
22 ordinance shall exempt any building used for public housing by  
23 private persons, highways or rest areas, firing ranges, and  
24 private dwellings owned, leased, or controlled by that unit of  
25 government from any restriction on the carrying or possession of  
26 a firearm. The statute, rule or ordinance shall not specify any  
27 criminal penalty for its violation but may specify that persons  
28 violating the statute, rule or ordinance may be denied entrance

1 to the building, ordered to leave the building and if employees  
2 of the unit of government, be subjected to disciplinary measures  
3 for violation of the provisions of the statute, rule or  
4 ordinance. The provisions of this subdivision shall not apply to  
5 any other unit of government;

6 (7) Any establishment licensed to dispense intoxicating  
7 liquor for consumption on the premises, which portion is  
8 primarily devoted to that purpose, without the consent of the  
9 owner or manager. The provisions of this subdivision shall not  
10 apply to the licensee of said establishment. The provisions of  
11 this subdivision shall not apply to any bona fide restaurant open  
12 to the general public having dining facilities for not less than  
13 fifty persons and that receives at least fifty-one percent of its  
14 gross annual income from the dining facilities by the sale of  
15 food. This subdivision does not prohibit the possession of a  
16 firearm in a vehicle on the premises of the establishment and  
17 shall not be a criminal offense so long as the firearm is not  
18 removed from the vehicle or brandished while the vehicle is on  
19 the premises. Nothing in this subdivision authorizes any  
20 individual who has been issued a concealed carry endorsement to  
21 possess any firearm while intoxicated;

22 (8) Any area of an airport to which access is controlled by  
23 the inspection of persons and property. Possession of a firearm  
24 in a vehicle on the premises of the airport shall not be a  
25 criminal offense so long as the firearm is not removed from the  
26 vehicle or brandished while the vehicle is on the premises;

27 (9) Any place where the carrying of a firearm is prohibited  
28 by federal law;

1           (10) Any higher education institution or elementary or  
2 secondary school facility without the consent of the governing  
3 body of the higher education institution or a school official or  
4 the district school board. Possession of a firearm in a vehicle  
5 on the premises of any higher education institution or elementary  
6 or secondary school facility shall not be a criminal offense so  
7 long as the firearm is not removed from the vehicle or brandished  
8 while the vehicle is on the premises;

9           (11) Any portion of a building used as a child-care  
10 facility without the consent of the manager. Nothing in this  
11 subdivision shall prevent the operator of a child-care facility  
12 in a family home from owning or possessing a firearm or a  
13 driver's license or nondriver's license containing a concealed  
14 carry endorsement;

15           (12) Any riverboat gambling operation accessible by the  
16 public without the consent of the owner or manager pursuant to  
17 rules promulgated by the gaming commission. Possession of a  
18 firearm in a vehicle on the premises of a riverboat gambling  
19 operation shall not be a criminal offense so long as the firearm  
20 is not removed from the vehicle or brandished while the vehicle  
21 is on the premises;

22           (13) Any gated area of an amusement park. Possession of a  
23 firearm in a vehicle on the premises of the amusement park shall  
24 not be a criminal offense so long as the firearm is not removed  
25 from the vehicle or brandished while the vehicle is on the  
26 premises;

27           (14) Any church or other place of religious worship without  
28 the consent of the minister or person or persons representing the

1 religious organization that exercises control over the place of  
2 religious worship. Possession of a firearm in a vehicle on the  
3 premises shall not be a criminal offense so long as the firearm  
4 is not removed from the vehicle or brandished while the vehicle  
5 is on the premises;

6 (15) Any private property whose owner has posted the  
7 premises as being off-limits to concealed firearms by means of  
8 one or more signs displayed in a conspicuous place of a minimum  
9 size of eleven inches by fourteen inches with the writing thereon  
10 in letters of not less than one inch. The owner, business or  
11 commercial lessee, manager of a private business enterprise, or  
12 any other organization, entity, or person may prohibit persons  
13 holding a concealed carry endorsement from carrying concealed  
14 firearms on the premises and may prohibit employees, not  
15 authorized by the employer, holding a concealed carry endorsement  
16 from carrying concealed firearms on the property of the employer.  
17 If the building or the premises are open to the public, the  
18 employer of the business enterprise shall post signs on or about  
19 the premises if carrying a concealed firearm is prohibited.  
20 Possession of a firearm in a vehicle on the premises shall not be  
21 a criminal offense so long as the firearm is not removed from the  
22 vehicle or brandished while the vehicle is on the premises. An  
23 employer may prohibit employees or other persons holding a  
24 concealed carry endorsement from carrying a concealed firearm in  
25 vehicles owned by the employer;

26 (16) Any sports arena or stadium with a seating capacity of  
27 five thousand or more. Possession of a firearm in a vehicle on  
28 the premises shall not be a criminal offense so long as the

1 firearm is not removed from the vehicle or brandished while the  
2 vehicle is on the premises;

3 (17) Any hospital accessible by the public. Possession of  
4 a firearm in a vehicle on the premises of a hospital shall not be  
5 a criminal offense so long as the firearm is not removed from the  
6 vehicle or brandished while the vehicle is on the premises.

7 2. Carrying of a concealed firearm in a location specified  
8 in subdivisions (1) to (17) of subsection 1 of this section by  
9 any individual who holds a concealed carry endorsement issued  
10 pursuant to sections 571.101 to 571.121 shall not be a criminal  
11 act but may subject the person to denial to the premises or  
12 removal from the premises. If such person refuses to leave the  
13 premises and a peace officer is summoned, such person may be  
14 issued a citation for an amount not to exceed one hundred dollars  
15 for the first offense. If a second citation for a similar  
16 violation occurs within a six-month period, such person shall be  
17 fined an amount not to exceed two hundred dollars and his or her  
18 endorsement to carry concealed firearms shall be suspended for a  
19 period of one year. If a third citation for a similar violation  
20 is issued within one year of the first citation, such person  
21 shall be fined an amount not to exceed five hundred dollars and  
22 shall have his or her concealed carry endorsement revoked and  
23 such person shall not be eligible for a concealed carry  
24 endorsement for a period of three years. Upon conviction of  
25 charges arising from a citation issued pursuant to this  
26 subsection, the court shall notify the sheriff of the county  
27 which issued the certificate of qualification for a concealed  
28 carry endorsement and the department of revenue. The sheriff

1 shall suspend or revoke the certificate of qualification for a  
2 concealed carry endorsement and the department of revenue shall  
3 issue a notice of such suspension or revocation of the concealed  
4 carry endorsement and take action to remove the concealed carry  
5 endorsement from the individual's driving record. The director  
6 of revenue shall notify the licensee that he or she must apply  
7 for a new license pursuant to chapter 302 which does not contain  
8 such endorsement. A concealed carry endorsement suspension  
9 pursuant to sections 571.101 to 571.121 shall be reinstated at  
10 the time of the renewal of his or her driver's license. The  
11 notice issued by the department of revenue shall be mailed to the  
12 last known address shown on the individual's driving record. The  
13 notice is deemed received three days after mailing.

14 571.111. 1. An applicant for a concealed carry endorsement  
15 shall demonstrate knowledge of firearms safety training. This  
16 requirement shall be fully satisfied if the applicant for a  
17 concealed carry endorsement:

18 (1) Submits a photocopy of a certificate of firearms safety  
19 training course completion, as defined in subsection 2 of this  
20 section, signed by a qualified firearms safety instructor as  
21 defined in subsection 5 of this section; or

22 (2) Submits a photocopy of a certificate that shows the  
23 applicant completed a firearms safety course given by or under  
24 the supervision of any state, county, municipal, or federal law  
25 enforcement agency; or

26 (3) Is a qualified firearms safety instructor as defined in  
27 subsection 5 of this section; or

28 (4) Submits proof that the applicant currently holds any

1 type of valid peace officer license issued under the requirements  
2 of chapter 590; or

3 (5) Submits proof that the applicant is currently allowed  
4 to carry firearms in accordance with the certification  
5 requirements of section 217.710; or

6 (6) Submits proof that the applicant is currently certified  
7 as any class of corrections officer by the Missouri department of  
8 corrections and has passed at least one eight-hour firearms  
9 training course, approved by the director of the Missouri  
10 department of corrections under the authority granted to him or  
11 her by section 217.105, that includes instruction on the  
12 justifiable use of force as prescribed in chapter 563.

13 2. A certificate of firearms safety training course  
14 completion may be issued to any applicant by any qualified  
15 firearms safety instructor. On the certificate of course  
16 completion the qualified firearms safety instructor shall affirm  
17 that the individual receiving instruction has taken and passed a  
18 firearms safety course of at least eight hours in length taught  
19 by the instructor that included:

20 (1) Handgun safety in the classroom, at home, on the firing  
21 range and while carrying the firearm;

22 (2) A physical demonstration performed by the applicant  
23 that demonstrated his or her ability to safely load and unload a  
24 revolver and a semiautomatic pistol and demonstrated his or her  
25 marksmanship with both;

26 (3) The basic principles of marksmanship;

27 (4) Care and cleaning of concealable firearms;

28 (5) Safe storage of firearms at home;

1 (6) The requirements of this state for obtaining a  
2 certificate of qualification for a concealed carry endorsement  
3 from the sheriff of the individual's county of residence and a  
4 concealed carry endorsement issued by the department of revenue;

5 (7) The laws relating to firearms as prescribed in this  
6 chapter;

7 (8) The laws relating to the justifiable use of force as  
8 prescribed in chapter 563;

9 (9) A live firing exercise of sufficient duration for each  
10 applicant to fire [a handgun] both a revolver and a semiautomatic  
11 pistol, from a standing position or its equivalent, a minimum of  
12 fifty rounds from each handgun at a distance of seven yards from  
13 a B-27 silhouette target or an equivalent target;

14 (10) A live fire test administered to the applicant while  
15 the instructor was present of twenty rounds from each handgun  
16 from a standing position or its equivalent at a distance from a  
17 B-27 silhouette target, or an equivalent target, of seven yards.

18 3. A qualified firearms safety instructor shall not give a  
19 grade of passing to an applicant for a concealed carry  
20 endorsement who:

21 (1) Does not follow the orders of the qualified firearms  
22 instructor or cognizant range officer; or

23 (2) Handles a firearm in a manner that, in the judgment of  
24 the qualified firearm safety instructor, poses a danger to the  
25 applicant or to others; or

26 (3) During the live fire testing portion of the course  
27 fails to hit the silhouette portion of the targets with at least  
28 fifteen rounds, with both handguns.

1           4. Qualified firearms safety instructors who provide  
2 firearms safety instruction to any person who applies for a  
3 concealed carry endorsement shall:

4           (1) Make the applicant's course records available upon  
5 request to the sheriff of the county in which the applicant  
6 resides;

7           (2) Maintain all course records on students for a period of  
8 no less than four years from course completion date; and

9           (3) Not have more than forty students in the classroom  
10 portion of the course or more than five students per range  
11 officer engaged in range firing.

12           5. A firearms safety instructor shall be considered to be a  
13 qualified firearms safety instructor by any sheriff issuing a  
14 certificate of qualification for a concealed carry endorsement  
15 pursuant to sections 571.101 to 571.121 if the instructor:

16           (1) Is a valid firearms safety instructor certified by the  
17 National Rifle Association holding a rating as a personal  
18 protection instructor or pistol marksmanship instructor; or

19           (2) Submits a photocopy of a certificate from a firearms  
20 safety instructor's course offered by a local, state, or federal  
21 governmental agency; or

22           (3) Submits a photocopy of a certificate from a firearms  
23 safety instructor course approved by the department of public  
24 safety; or

25           (4) Has successfully completed a firearms safety instructor  
26 course given by or under the supervision of any state, county,  
27 municipal, or federal law enforcement agency; or

28           (5) Is a certified police officer firearms safety

1 instructor.

2 6. Any firearms safety instructor who knowingly provides  
3 any sheriff with any false information concerning an applicant's  
4 performance [on the live fire exercise or test administered to  
5 the applicant by the instructor pursuant to subdivision (9) or  
6 (10) of subsection 2 of this section] on any portion of the  
7 required training and qualification shall be guilty of a class C  
8 misdemeanor.

9 571.117. 1. Any person who has knowledge that another  
10 person, who was issued a certificate of qualification for a  
11 concealed carry endorsement pursuant to sections 571.101 to  
12 571.121, never was or no longer is eligible for such endorsement  
13 under the criteria established in sections 571.101 to 571.121 may  
14 file a petition with the clerk of the small claims court to  
15 revoke that person's certificate of qualification for a concealed  
16 carry endorsement and such person's concealed carry endorsement.  
17 The petition shall be in a form substantially similar to the  
18 petition for revocation of concealed carry endorsement provided  
19 in this section. Appeal forms shall be provided by the clerk of  
20 the small claims court free of charge to any person:

21 SMALL CLAIMS COURT

22 In the Circuit Court of ....., Missouri

23 ....., PLAINTIFF

24 )

25 )

26 vs. ) Case Number .....

27 )

28 )

1 ..... , DEFENDANT,  
2 Carry Endorsement Holder

3 ..... , DEFENDANT,  
4 Sheriff of Issuance

5 PETITION FOR REVOCATION  
6 OF CERTIFICATE OF QUALIFICATION  
7 OR CONCEALED CARRY ENDORSEMENT

8 Plaintiff states to the court that the defendant,  
9 ..... , has a certificate of qualification or a concealed  
10 carry endorsement issued pursuant to sections 571.101 to 571.121,  
11 RSMo, and that the defendant's certificate of qualification or  
12 concealed carry endorsement should now be revoked because the  
13 defendant either never was or no longer is eligible for such a  
14 certificate or endorsement pursuant to the provisions of sections  
15 571.101 to 571.121, RSMo, specifically plaintiff states that  
16 defendant, ..... , never was or no longer is eligible for  
17 such certificate or endorsement for one or more of the following  
18 reasons:

19 (CHECK BELOW EACH REASON  
20 THAT APPLIES TO THIS DEFENDANT)

- 21  Defendant is not at least [twenty-three] twenty-one years  
22 of age.
- 23  Defendant is not a citizen of the United States.
- 24  Defendant had not resided in this state [for at least six  
25 months] prior to issuance of the permit and does not qualify  
26 as a military member or spouse of a military member  
27 stationed in Missouri.
- 28  Defendant has pled guilty to or been convicted of a crime

1 punishable by imprisonment for a term exceeding one year  
2 under the laws of any state or of the United States other  
3 than a crime classified as a misdemeanor under the laws of  
4 any state and punishable by a term of imprisonment of one  
5 year or less that does not involve an explosive weapon,  
6 firearm, firearm silencer, or gas gun.

7  Defendant has been convicted of, pled guilty to or  
8 entered a plea of nolo contendere to one or more misdemeanor  
9 offenses involving crimes of violence within a five-year  
10 period immediately preceding application for a certificate  
11 of qualification or concealed carry endorsement issued  
12 pursuant to sections 571.101 to 571.121, RSMo, or if the  
13 applicant has been convicted of two or more misdemeanor  
14 offenses involving driving while under the influence of  
15 intoxicating liquor or drugs or the possession or abuse of a  
16 controlled substance within a five-year period immediately  
17 preceding application for a certificate of qualification or  
18 a concealed carry endorsement issued pursuant to sections  
19 571.101 to 571.121, RSMo.

20  Defendant is a fugitive from justice or currently charged  
21 in an information or indictment with the commission of a  
22 crime punishable by imprisonment for a term exceeding one  
23 year under the laws of any state of the United States other  
24 than a crime classified as a misdemeanor under the laws of  
25 any state and punishable by a term of imprisonment of one  
26 year or less that does not involve an explosive weapon,  
27 firearm, firearm silencer, or gas gun.

28  Defendant has been discharged under dishonorable

1 conditions from the United States armed forces.

2  Defendant is reasonably believed by the sheriff to be a  
3 danger to self or others based on previous, documented  
4 pattern.

5  Defendant is adjudged mentally incompetent at the time of  
6 application or for five years prior to application, or has  
7 been committed to a mental health facility, as defined in  
8 section 632.005, RSMo, or a similar institution located in  
9 another state, except that a person whose release or  
10 discharge from a facility in this state pursuant to chapter  
11 632, RSMo, or a similar discharge from a facility in another  
12 state, occurred more than five years ago without subsequent  
13 recommitment may apply.

14  Defendant failed to submit a completed application for a  
15 certificate of qualification or concealed carry endorsement  
16 issued pursuant to sections 571.101 to 571.121, RSMo.

17  Defendant failed to submit to or failed to clear the  
18 required background check.

19  Defendant failed to submit an affidavit attesting that  
20 the applicant complies with the concealed carry safety  
21 training requirement pursuant to subsection 1 of section  
22 571.111, RSMo.

23 The plaintiff subject to penalty for perjury states that the  
24 information contained in this petition is true and correct to the  
25 best of the plaintiff's knowledge, is reasonably based upon the  
26 petitioner's personal knowledge and is not primarily intended to  
27 harass the defendant/respondent named herein.

28 ....., PLAINTIFF

1           2. If at the hearing the plaintiff shows that the defendant  
2 was not eligible for the certificate of qualification or the  
3 concealed carry endorsement issued pursuant to sections 571.101  
4 to 571.121, at the time of issuance or renewal or is no longer  
5 eligible for a certificate of qualification or the concealed  
6 carry endorsement issued pursuant to the provisions of sections  
7 571.101 to 571.121, the court shall issue an appropriate order to  
8 cause the revocation of the certificate of qualification or  
9 concealed carry endorsement. Costs shall not be assessed against  
10 the sheriff.

11           3. The finder of fact, in any action brought against an  
12 endorsement holder pursuant to subsection 1 of this section,  
13 shall make findings of fact and the court shall make conclusions  
14 of law addressing the issues at dispute. If it is determined  
15 that the plaintiff in such an action acted without justification  
16 or with malice or primarily with an intent to harass the  
17 endorsement holder or that there was no reasonable basis to bring  
18 the action, the court shall order the plaintiff to pay the  
19 defendant/respondent all reasonable costs incurred in defending  
20 the action including, but not limited to, attorney's fees,  
21 deposition costs, and lost wages. Once the court determines that  
22 the plaintiff is liable to the defendant/respondent for costs and  
23 fees, the extent and type of fees and costs to be awarded should  
24 be liberally calculated in defendant/respondent's favor.  
25 Notwithstanding any other provision of law, reasonable attorney's  
26 fees shall be presumed to be at least one hundred fifty dollars  
27 per hour.

28           4. Any person aggrieved by any final judgment rendered by a

1 small claims court in a petition for revocation of a certificate  
2 of qualification or concealed carry endorsement may have a right  
3 to trial de novo as provided in sections 512.180 to 512.320.

4 5. The office of the county sheriff or any employee or  
5 agent of the county sheriff shall not be liable for damages in  
6 any civil action arising from alleged wrongful or improper  
7 granting, renewing, or failure to revoke a certificate of  
8 qualification or a concealed carry endorsement issued pursuant to  
9 sections 571.101 to 571.121, so long as the sheriff acted in good  
10 faith.

11 Section 1. 1. A municipality may regulate, by order or  
12 ordinance, the shooting of pneumatic guns within its boundaries  
13 when the municipality is, in the opinion of the governing body,  
14 so heavily populated that such conduct is dangerous to the  
15 inhabitants thereof. The municipality may require supervision by  
16 a parent, guardian, or other adult supervisor who is approved by  
17 a parent or guardian, of any minor below the age of twelve in all  
18 uses of pneumatic guns on public property. The ordinance may  
19 specify that minors twelve years of age or older may, with the  
20 consent of a parent or guardian, use a pneumatic gun at any place  
21 designated for such use by the local governing body or on private  
22 property with the consent of the owner. The ordinance may  
23 specify that any minor shall be responsible for obeying all laws,  
24 regulations, and restrictions governing such use, regardless of  
25 whether a parent or guardian has permitted such use.

26 2. No such ordinance shall prohibit the use pneumatic guns  
27 at facilities approved for shooting ranges.

28 [407.500. Residents of the state of Missouri may  
29 purchase rifles and shotguns in a state contiguous to

1 the state of Missouri, provided that such residents  
2 conform to the applicable provisions of the Federal Gun  
3 Control Act of 1968, and regulations thereunder, as  
4 administered by the United States Secretary of the  
5 Treasury, and provided further that such residents  
6 conform to the provisions of law applicable to such  
7 purchase in the state of Missouri and in the contiguous  
8 state in which the purchase is made.]  
9

10 [407.505. Residents of a state contiguous to the  
11 state of Missouri may purchase rifles and shotguns in  
12 the state of Missouri, provided that such residents  
13 conform to the applicable provisions of the Federal Gun  
14 Control Act of 1968, and regulations thereunder, as  
15 administered by the United States Secretary of the  
16 Treasury, and provided further that such residents  
17 conform to the provisions of law applicable to such  
18 purchase in the state of Missouri and in the state in  
19 which such persons reside.]

20 Section B. The repeal and reenactment of sections 302.181  
21 and 571.101 shall become effective on the date the director of  
22 the department of revenue begins to issue nondriver licenses with  
23 conceal carry endorsements that expire three years from the dates  
24 the certificates of qualification were issued, or on January 1,  
25 2013, whichever occurs first. If the director of revenue begins  
26 issuing nondriver licenses with conceal carry endorsements that  
27 expire three years from the dates the certificates of  
28 qualification were issued under the authority granted under  
29 sections 302.181 and 571.101 prior to January 1, 2013, the  
30 director of the department of revenue shall notify the revisor of  
31 statutes of such fact.