

CONFERENCE COMMITTEE SUBSTITUTE NO. 2

FOR

SENATE SUBSTITUTE

FOR

SENATE COMMITTEE SUBSTITUTE

FOR

HOUSE COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1439

AN ACT

To repeal sections 1.320, 21.750, 57.015, 57.201, 57.220, 57.250, 544.216, 571.030, 571.080, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, and to enact in lieu thereof thirty 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:

Section A. Sections 1.320, 21.750, 57.015, 57.201, 57.220, 57.250, 544.216, 571.030, 571.080, 571.101, 571.104, 571.107, 571.111, 571.117, 590.010, 590.205, and 650.350, RSMo, are repealed and thirty new sections enacted in lieu thereof, to be known as sections 1.400, 1.410, 1.420, 1.430, 1.440, 1.450, 1.460, 1.480, 21.750, 57.015, 57.201, 57.220, 57.250, 160.665, 544.216, 571.012, 571.030, 571.101, 571.104, 571.107, 571.111, 571.117, 571.510, 590.010, 590.200, 590.205, 590.207, 650.350, 1,

1 and 2, to read as follows:

2 [1.320.] 1.400. 1. Sections 1.400 to 1.480 shall be known
3 and may be cited as the "Second Amendment Preservation Act".

4 2. The general assembly finds and declares that:

5 (1) The general assembly of the state of Missouri is firmly
6 resolved to support and defend the United States Constitution
7 against every aggression, either foreign or domestic, and is duty
8 bound to oppose every infraction of those principles which
9 constitute the basis of the Union of the States because only a
10 faithful observance of those principles can secure the nation's
11 existence and the public happiness;

12 (2) Acting through the United States Constitution, the
13 people of the several states created the federal government to be
14 their agent in the exercise of a few defined powers, while
15 reserving to the state governments the power to legislate on
16 matters which concern the lives, liberties, and properties of
17 citizens in the ordinary course of affairs;

18 (3) The limitation of the federal government's power is
19 affirmed under the Tenth Amendment to the United States
20 Constitution, which defines the total scope of federal power as
21 being that which has been delegated by the people of the several
22 states to the federal government, and all power not delegated to
23 the federal government in the Constitution of the United States
24 is reserved to the states respectively, or to the people
25 themselves;

26 (4) Whenever the federal government assumes powers that the
27 people did not grant it in the Constitution, its acts are
28 unauthoritative, void, and of no force;

1 (5) The several states of the United States of America
2 respect the proper role of the federal government, but reject the
3 proposition that such respect requires unlimited submission. If
4 the government, created by compact among the states, was the
5 exclusive or final judge of the extent of the powers granted to
6 it by the states through the Constitution, the federal
7 government's discretion, and not the Constitution, would
8 necessarily become the measure of those powers. To the contrary,
9 as in all other cases of compacts among powers having no common
10 judge, each party has an equal right to judge for itself as to
11 when infractions of the compact have occurred, as well as to
12 determine the mode and measure of redress. Although the several
13 states have granted supremacy to laws and treaties made pursuant
14 to the powers granted in the Constitution, such supremacy does
15 not extend to various federal statutes, executive orders,
16 administrative orders, court orders, rules, regulations, or other
17 actions which restrict or prohibit the manufacture, ownership,
18 and use of firearms, firearm accessories, or ammunition
19 exclusively within the borders of Missouri; such statutes,
20 executive orders, administrative orders, court orders, rules,
21 regulations, and other actions exceed the powers granted to the
22 federal government except to the extent they are necessary and
23 proper for governing and regulating land and naval forces of the
24 United States or for organizing, arming, and disciplining militia
25 forces actively employed in the service of the United States
26 Armed Forces;

27 (6) The people of the several states have given Congress
28 the power "to regulate commerce with foreign nations, and among

1 the several states", but "regulating commerce" does not include
2 the power to limit citizens' right to keep and bear arms in
3 defense of their families, neighbors, persons, or property, or to
4 dictate as to what sort of arms and accessories law-abiding
5 Missourians may buy, sell, exchange, or otherwise possess within
6 the borders of this state;

7 (7) The people of the several states have also granted
8 Congress the power "to lay and collect taxes, duties, imports,
9 and excises, to pay the debts, and provide for the common defense
10 and general welfare of the United States" and "to make all laws
11 which shall be necessary and proper for carrying into execution
12 the powers vested by the Constitution in the government of the
13 United States, or in any department or office thereof". These
14 constitutional provisions merely identify the means by which the
15 federal government may execute its limited powers and ought not
16 to be so construed as themselves to grant unlimited powers
17 because to do so would be to destroy the carefully constructed
18 equilibrium between the federal and state governments.
19 Consequently, the general assembly rejects any claim that the
20 taxing and spending powers of Congress can be used to diminish in
21 any way the right of the people to keep and bear arms;

22 (8) The people of Missouri have vested the general assembly
23 with the authority to regulate the manufacture, possession,
24 exchange, and use of firearms within the borders of this state,
25 subject only to the limits imposed by the Second Amendment to the
26 United States Constitution and the Missouri Constitution; and

27 (9) The general assembly of the state of Missouri strongly
28 promotes responsible gun ownership, including parental

1 supervision of minors in the proper use, storage, and ownership
2 of all firearms, the prompt reporting of stolen firearms, and the
3 proper enforcement of all state gun laws. The general assembly
4 of the state of Missouri hereby condemns any unlawful transfer of
5 firearms and the use of any firearm in any criminal or unlawful
6 activity.

7 1.410. The following federal acts, laws, executive orders,
8 administrative orders, court orders, rules, and regulations shall
9 be considered infringements on the people's right to keep and
10 bear arms, as guaranteed by the Second Amendment of the
11 Constitution of the United States and article I, section 23 of
12 the Constitution of Missouri, within the borders of this state,
13 including, but not limited to:

14 (1) Any tax, levy, fee, or stamp imposed on firearms,
15 firearm accessories, or ammunition not common to all other goods
16 and services which might reasonably be expected to create a
17 chilling effect on the purchase or ownership of those items by
18 law-abiding citizens;

19 (2) Any registering or tracking of firearms, firearm
20 accessories, or ammunition which might reasonably be expected to
21 create a chilling effect on the purchase or ownership of those
22 items by law-abiding citizens;

23 (3) Any registering or tracking of the owners of firearms,
24 firearm accessories, or ammunition which might reasonably be
25 expected to create a chilling effect on the purchase or ownership
26 of those items by law-abiding citizens;

27 (4) Any act forbidding the possession, ownership, or use or
28 transfer of a firearm, firearm accessory, or ammunition by law-

1 abiding citizens; and

2 (5) Any act ordering the confiscation of firearms, firearm
3 accessories, or ammunition from law-abiding citizens.

4 1.420. All federal acts, laws, executive orders,
5 administrative orders, court orders, rules, and regulations,
6 whether past, present, or future, which infringe on the people's
7 right to keep and bear arms as guaranteed by the Second Amendment
8 to the United States Constitution and article I, section 23 of
9 the Missouri Constitution shall be invalid in this state, shall
10 not be recognized by this state, shall be specifically rejected
11 by this state, and shall be considered null and void and of no
12 effect in this state.

13 1.430. It shall be the duty of the courts and law
14 enforcement agencies of this state to protect the rights of law-
15 abiding citizens to keep and bear arms within the borders of this
16 state and to protect these rights from the infringements defined
17 in section 1.410.

18 1.440. No person, including any public officer or employee
19 of this state or any political subdivision of this state, shall
20 have authority to enforce or attempt to enforce any federal acts,
21 laws, executive orders, administrative orders, court orders,
22 rules, regulations, statutes, or ordinances, infringing on the
23 right to keep and bear arms.

24 1.450. No person, including any public officer or employee
25 of this state or any political subdivision of this state, shall
26 have authority to enforce or attempt to enforce any federal acts,
27 laws, executive orders, administrative orders, court orders,
28 rules, regulations, statutes, or ordinances, infringing on the

1 right to keep and bear arms as defined in section 1.410.

2 1.460. 1. Any entity or person who knowingly, as defined
3 in section 562.016, violates section 1.440 or 1.450 or otherwise
4 knowingly deprives a citizen of Missouri of the rights or
5 privileges ensured by the Second Amendment of the United States
6 Constitution or section 23 of article I of the Missouri
7 Constitution, while acting under the color of any state or
8 federal law, shall be liable to the injured party in an action at
9 law, suit in equity, or other proper proceeding for redress.

10 2. In such actions, the court may award the prevailing
11 party, other than the state of Missouri or any political
12 subdivision of the state, reasonable attorney's fees and costs.

13 3. Sovereign, official, or qualified immunity shall not be
14 an affirmative defense in such cases.

15 1.480. For the purposes of sections 1.400 to 1.480, the
16 term "law-abiding citizen" shall mean a person who is not
17 otherwise precluded under state law from possessing a firearm and
18 shall not be construed to include anyone who is not legally
19 present in the United States or the state of Missouri.

20 21.750. 1. The general assembly hereby occupies and
21 preempts the entire field of legislation touching in any way
22 firearms, components, ammunition and supplies to the complete
23 exclusion of any order, ordinance or regulation by any political
24 subdivision of this state. Any existing or future orders,
25 ordinances or regulations in this field are hereby and shall be
26 null and void except as provided in subsection 3 of this section.

27 2. No county, city, town, village, municipality, or other
28 political subdivision of this state shall adopt any order,

1 ordinance or regulation concerning in any way the sale, purchase,
2 purchase delay, transfer, ownership, use, keeping, possession,
3 bearing, transportation, licensing, permit, registration,
4 taxation other than sales and compensating use taxes or other
5 controls on firearms, components, ammunition, and supplies except
6 as provided in subsection 3 of this section.

7 3. (1) Except as provided in subdivision (2) of this
8 subsection, nothing contained in this section shall prohibit any
9 ordinance of any political subdivision which conforms exactly
10 with any of the provisions of sections 571.010 to 571.070, with
11 appropriate penalty provisions, or which regulates the open
12 carrying of firearms readily capable of lethal use or the
13 discharge of firearms within a jurisdiction, provided such
14 ordinance complies with the provisions of section 252.243. No
15 ordinance may be construed to preclude the use of a firearm in
16 the defense of person or property, subject to the provisions of
17 chapter 563.

18 (2) In any jurisdiction in which the open carrying of
19 firearms is prohibited by ordinance, the open carrying of
20 firearms shall not be prohibited in accordance with the
21 following:

22 (a) Any person with a valid concealed carry endorsement or
23 permit who is open carrying a firearm shall be required to have a
24 valid concealed carry endorsement or permit from this state, or a
25 permit from another state that is recognized by this state, in
26 his or her possession at all times;

27 (b) Any person open carrying a firearm in such jurisdiction
28 shall display his or her concealed carry endorsement or permit

1 upon demand of a law enforcement officer;

2 (c) In the absence of any reasonable and articulable
3 suspicion of criminal activity, no person carrying a concealed or
4 unconcealed firearm shall be disarmed or physically restrained by
5 a law enforcement officer unless under arrest; and

6 (d) Any person who violates this subdivision shall be
7 subject to the penalty provided in section 571.121.

8 4. The lawful design, marketing, manufacture, distribution,
9 or sale of firearms or ammunition to the public is not an
10 abnormally dangerous activity and does not constitute a public or
11 private nuisance.

12 5. No county, city, town, village or any other political
13 subdivision nor the state shall bring suit or have any right to
14 recover against any firearms or ammunition manufacturer, trade
15 association or dealer for damages, abatement or injunctive relief
16 resulting from or relating to the lawful design, manufacture,
17 marketing, distribution, or sale of firearms or ammunition to the
18 public. This subsection shall apply to any suit pending as of
19 October 12, 2003, as well as any suit which may be brought in the
20 future. Provided, however, that nothing in this section shall
21 restrict the rights of individual citizens to recover for injury
22 or death caused by the negligent or defective design or
23 manufacture of firearms or ammunition.

24 6. Nothing in this section shall prevent the state, a
25 county, city, town, village or any other political subdivision
26 from bringing an action against a firearms or ammunition
27 manufacturer or dealer for breach of contract or warranty as to
28 firearms or ammunition purchased by the state or such political

1 subdivision.

2 57.015. [As used in this chapter] For purposes of section
3 57.275, the following words and terms shall have the following
4 meaning:

5 (1) "Deputy sheriff" or "officer", any deputy sheriff who
6 is employed full time by a law enforcement agency, authorized by
7 this chapter and certified pursuant to chapter 590. This term
8 shall not include an officer serving in probationary status or
9 one year, whichever is longer, upon initial employment. This
10 term shall not include any deputy sheriff with the rank of
11 lieutenant and above, or any chief deputies, under sheriffs and
12 the command staff as defined by the sheriff's department policy
13 and procedure manual;

14 (2) "Hearing", a closed meeting conducted by a hearing
15 board appointed by the sheriff for the purpose of receiving
16 evidence in order to determine the facts regarding the dismissal
17 of a deputy sheriff. Witnesses to the event that triggered the
18 dismissal may attend the hearing for the limited purpose of
19 providing testimony; the attorney for the deputy dismissed may
20 attend the hearing, but only to serve as an observer; the sheriff
21 and his or her attorney may attend the hearing, but only to serve
22 as an observer;

23 (3) "Hearing board", the individuals appointed by the
24 sheriff for the purpose of receiving evidence in order to
25 determine the facts regarding the dismissal of a deputy sheriff;
26 and

27 (4) "Law enforcement agency", any county sheriff's office
28 of this state that employs county law enforcement deputies

1 authorized by this chapter and certified by chapter 590.

2 57.201. 1. The sheriff of all counties of the first class
3 not having a charter form of government shall appoint such
4 deputies, assistants and other employees as he deems necessary
5 for the proper discharge of the duties of his office and may set
6 their compensation within the limits of the allocations made for
7 that purpose by the county commission. The compensation for the
8 deputies, assistants and employees shall be paid in equal
9 installments out of the county treasury in the same manner as
10 other county employees are paid.

11 2. The assistants and employees shall hold office at the
12 pleasure of the sheriff.

13 3. [Deputies] A deputy sheriff, as the term "deputy
14 sheriff" is defined under section 57.015 shall hold office
15 pursuant to the provisions of sections 57.015 and 57.275.

16 57.220. The sheriff, in a county of the second class, shall
17 be entitled to such a number of deputies as a majority of the
18 circuit judges of the circuit court shall deem necessary for the
19 prompt and proper discharge of the duties of the sheriff's
20 office; provided, however, such number of deputies appointed by
21 the sheriff shall not be less than one chief deputy sheriff and
22 one additional deputy for each five thousand inhabitants of the
23 county according to the last decennial census. Such deputies
24 shall be appointed by the sheriff, but no appointment shall
25 become effective until approved by a majority of the circuit
26 judges of the circuit court of the county. A majority of the
27 circuit judges of the circuit court, by agreement with the
28 sheriff, shall fix the salaries of such deputies. A statement of

1 the number of deputies allowed the sheriff, and their
2 compensation, together with the approval of any appointment by
3 such judges of the circuit court, shall be in writing and signed
4 by them and filed by the sheriff with the county commission.

5 **[Deputies]** A deputy sheriff as the term "deputy sheriff" is
6 defined under section 57.015 shall hold office pursuant to the
7 provisions of sections 57.015 and 57.275.

8 57.250. The sheriff in counties of the third and fourth
9 classifications shall be entitled to such number of deputies and
10 assistants, to be appointed by such official, with the approval
11 of a majority of the circuit judges of the circuit court, as such
12 judges shall deem necessary for the prompt and proper discharge
13 of such sheriff's duties relative to the enforcement of the
14 criminal law of this state. Such judges of the circuit court, in
15 their order permitting the sheriff to appoint deputies or
16 assistants, shall fix the compensation of such deputies or
17 assistants. The circuit judges shall annually review their order
18 fixing the number and compensation of the deputies and assistants
19 and in setting such number and compensation shall have due regard
20 for the financial condition of the county. Each such order shall
21 be entered of record and a certified copy thereof shall be filed
22 in the office of the county clerk at least fifteen days prior to
23 the date of the adoption of the county budget as prescribed by
24 section 50.610. The sheriff may at any time discharge any
25 assistant and may regulate the time of such person's employment.

26 **[Deputies]** A deputy sheriff as the term "deputy sheriff" is
27 defined under section 57.015 shall hold office pursuant to the
28 provisions of sections 57.015 and 57.275. At the request of the

1 sheriff, the presiding judge may order additional deputies in
2 cases where exigent or emergency circumstances require the need
3 for such additional deputies.

4 160.665. 1. Any school district within the state may
5 designate one or more elementary or secondary school teachers or
6 administrators as a school protection officer. The
7 responsibilities and duties of a school protection officer are
8 voluntary and shall be in addition to the normal responsibilities
9 and duties of the teacher or administrator. Any compensation for
10 additional duties relating to service as a school protection
11 officer shall be funded by the local school district, with no
12 state funds used for such purpose.

13 2. Any person designated by a school district as a school
14 protection officer shall be authorized to carry concealed
15 firearms or a self-defense spray device in any school in the
16 district. A self-defense spray device shall mean any device that
17 is capable of carrying, and that ejects, releases, or emits, a
18 nonlethal solution capable of incapacitating a violent threat.
19 The school protection officer shall not be permitted to allow any
20 firearm or device out of his or her personal control while that
21 firearm or device is on school property. Any school protection
22 officer who violates this subsection may be removed immediately
23 from the classroom and subject to employment termination
24 proceedings.

25 3. A school protection officer has the same authority to
26 detain or use force against any person on school property as
27 provided to any other person under chapter 563.

28 4. Upon detention of a person under subsection 3 of this

1 section, the school protection officer shall immediately notify a
2 school administrator and a school resource officer, if such
3 officer is present at the school. If the person detained is a
4 student then the parents or guardians of the student shall also
5 be immediately notified by a school administrator.

6 5. Any person detained by a school protection officer shall
7 be turned over to a school administrator or law enforcement
8 officer as soon as practically possible and shall not be detained
9 by a school protection officer for more than one hour.

10 6. Any teacher or administrator of an elementary or
11 secondary school who seeks to be designated as a school
12 protection officer shall request such designation in writing, and
13 submit it to the superintendent of the school district which
14 employs him or her as a teacher or administrator. Along with
15 this request, any teacher or administrator seeking to carry a
16 concealed firearm on school property shall also submit proof that
17 he or she has a valid concealed carry endorsement or permit, and
18 all teachers and administrators seeking the designation of school
19 protection officer shall submit a certificate of school
20 protection officer training program completion from a training
21 program approved by the director of the department of public
22 safety which demonstrates that such person has successfully
23 completed the training requirements established by the POST
24 commission under chapter 590 for school protection officers.

25 7. No school district may designate a teacher or
26 administrator as a school protection officer unless such person
27 has successfully completed a school protection officer training
28 program, which has been approved by the director of the

1 department of public safety. No school district shall allow a
2 school protection officer to carry a concealed firearm on school
3 property unless the school protection officer has a valid
4 concealed carry endorsement or permit.

5 8. Any school district that designates a teacher or
6 administrator as a school protection officer shall, within thirty
7 days, notify, in writing, the director of the department of
8 public safety of the designation, which shall include the
9 following:

10 (1) The full name, date of birth, and address of the
11 officer;

12 (2) The name of the school district; and

13 (3) The date such person was designated as a school
14 protection officer.

15
16 Notwithstanding any other provision of law to the contrary, any
17 identifying information collected under the authority of this
18 subsection shall not be considered public information and shall
19 not be subject to a request for public records made under chapter
20 610.

21 9. A school district may revoke the designation of a person
22 as a school protection officer for any reason and shall
23 immediately notify the designated school protection officer in
24 writing of the revocation. The school district shall also,
25 within thirty days of the revocation, notify the director of the
26 department of public safety in writing of the revocation of the
27 designation of such person as a school protection officer. A
28 person who has had the designation of school protection officer

1 revoked has no right to appeal the revocation decision.

2 10. The director of the department of public safety shall
3 maintain a listing of all persons designated by school districts
4 as school protection officers and shall make this list available
5 to all law enforcement agencies.

6 11. Before a school district may designate a teacher or
7 administrator as a school protection officer, the school board
8 shall hold a public hearing on whether to allow such designation.
9 Notice of the hearing shall be published at least fifteen days
10 before the date of the hearing in a newspaper of general
11 circulation within the city or county in which the school
12 district is located. The board may determine at a closed meeting
13 as "closed meeting" is defined under section 610.010 whether to
14 authorize the designated school protection officer to carry a
15 concealed firearm or a self-defense spray device.

16 544.216. Except as otherwise provided in section 544.157,
17 any sheriff or deputy sheriff, any member of the Missouri state
18 highway patrol, and any county or municipal law enforcement
19 officer in this state, except those officers of a political
20 subdivision or municipality having a population of less than two
21 thousand persons or which does not have at least four full-time
22 nonelected peace officers unless such subdivision or municipality
23 has elected to come under and is operating pursuant to the
24 provisions of sections 590.100 to 590.150, may arrest on view,
25 and without a warrant, any person the officer sees violating or
26 who such officer has reasonable grounds to believe has violated
27 any ordinance or law of this state, including a misdemeanor or
28 infraction, [or has violated any ordinance] over which such

1 officer has jurisdiction. Peace officers of a municipality shall
2 have arrest powers, as described in this section, upon lands
3 which are leased or owned by the municipality in an
4 unincorporated area. Ordinances enacted by a municipality,
5 owning or leasing lands outside its boundaries, may be enforced
6 by peace officers of the municipality upon such owned or leased
7 lands. The power of arrest authorized by this section is in
8 addition to all other powers conferred upon law enforcement
9 officers, and shall not be construed so as to limit or restrict
10 any other power of a law enforcement officer.

11 571.012. 1. No health care professional licensed in this
12 state, nor anyone under his or her supervision, shall be required
13 by law to:

14 (1) Inquire as to whether a patient owns or has access to a
15 firearm;

16 (2) Document or maintain in a patient's medical records
17 whether such patient owns or has access to a firearm; or

18 (3) Notify any governmental entity of the identity of a
19 patient based solely on the patient's status as an owner of, or
20 the patient's access to, a firearm.

21 2. No health care professional licensed in this state, nor
22 anyone under his or her supervision, nor any person or entity
23 that has possession or control of medical records, may disclose
24 information gathered in a doctor/patient relationship about the
25 status of a patient as an owner of a firearm, unless by order of
26 a court of appropriate jurisdiction, in response to a threat to
27 the health or safety of that patient or another person, as part
28 of a referral to a mental health professional, or with the

1 patient's express consent on a separate document dealing solely
2 with firearm ownership. The separate document shall not be
3 filled out as a matter of routine, but only when, in the judgment
4 of the health care professional, it is medically indicated or
5 necessitated.

6 3. Nothing in this section shall be construed as
7 prohibiting or otherwise restricting a health care professional
8 from inquiring about and documenting whether a patient owns or
9 has access to a firearm if such inquiry or documentation is
10 necessitated or medically indicated by the health care
11 professional's judgment and such inquiry or documentation does
12 not violate any other state or federal law.

13 4. No health care professional licensed in this state shall
14 use an electronic medical record program that requires, in order
15 to complete and save a medical record, entry of data regarding
16 whether a patient owns, has access to, or lives in a home
17 containing, a firearm.

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; or

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

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

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

27 (3) Members of the Armed Forces or National Guard while
28 performing their official duty;

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

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

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

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

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

17 (9) Any coroner, deputy coroner, medical examiner, or
18 assistant medical examiner;

19 (10) Any prosecuting attorney or assistant prosecuting
20 attorney [or any], circuit attorney or assistant circuit
21 attorney, or any person appointed by a court to be a special
22 prosecutor who has completed the firearms safety training course
23 required under subsection 2 of section 571.111;

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 issued prior to August 28, 2013, or a valid concealed carry
28 permit under section 571.111 when such uses are reasonably

1 associated with or are necessary to the fulfillment of such
2 person's official duties; and

3 (12) Upon the written approval of the governing body of a
4 fire department or fire protection district, any paid fire
5 department or fire protection district chief who is employed on a
6 full-time basis and who has a valid concealed carry endorsement
7 issued prior to August 28, 2013, or a valid concealed carry
8 permit, when such uses are reasonably associated with or are
9 necessary to the fulfillment of such person's official duties.

10 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of
11 this section do not apply when the actor is transporting such
12 weapons in a nonfunctioning state or in an unloaded state when
13 ammunition is not readily accessible or when such weapons are not
14 readily accessible. Subdivision (1) of subsection 1 of this
15 section does not apply to any person [twenty-one] nineteen years
16 of age or older or eighteen years of age or older and a member of
17 the United States Armed Forces, or honorably discharged from the
18 United States Armed Forces, transporting a concealable firearm in
19 the passenger compartment of a motor vehicle, so long as such
20 concealable firearm is otherwise lawfully possessed, nor when the
21 actor is also in possession of an exposed firearm or projectile
22 weapon for the lawful pursuit of game, or is in his or her
23 dwelling unit or upon premises over which the actor has
24 possession, authority or control, or is traveling in a continuous
25 journey peaceably through this state. Subdivision (10) of
26 subsection 1 of this section does not apply if the firearm is
27 otherwise lawfully possessed by a person while traversing school
28 premises for the purposes of transporting a student to or from

1 school, or possessed by an adult for the purposes of facilitation
2 of a school-sanctioned firearm-related event or club event.

3 4. Subdivisions (1), (8), and (10) of subsection 1 of this
4 section shall not apply to any person who has a valid concealed
5 carry permit issued pursuant to sections 571.101 to 571.121, a
6 valid concealed carry endorsement issued before August 28, 2013,
7 or a valid permit or endorsement to carry concealed firearms
8 issued by another state or political subdivision of another
9 state.

10 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10)
11 of subsection 1 of this section shall not apply to persons who
12 are engaged in a lawful act of defense pursuant to section
13 563.031.

14 6. Notwithstanding any provision of this section to the
15 contrary, the state shall not prohibit any state employee from
16 having a firearm in the employee's vehicle on the state's
17 property provided that the vehicle is locked and the firearm is
18 not visible. This subsection shall only apply to the state as an
19 employer when the state employee's vehicle is on property owned
20 or leased by the state and the state employee is conducting
21 activities within the scope of his or her employment. For the
22 purposes of this subsection, "state employee" means an employee
23 of the executive, legislative, or judicial branch of the
24 government of the state of Missouri.

25 7. Nothing in this section shall make it unlawful for a
26 student to actually participate in school-sanctioned gun safety
27 courses, student military or ROTC courses, or other
28 school-sponsored or club-sponsored firearm-related events,

1 provided the student does not carry a firearm or other weapon
2 readily capable of lethal use into any school, onto any school
3 bus, or onto the premises of any other function or activity
4 sponsored or sanctioned by school officials or the district
5 school board.

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

16 9. Violations of subdivision (9) of subsection 1 of this
17 section shall be punished as follows:

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

20 (2) For any violation by a prior offender as defined in
21 section 558.016, a person shall be sentenced to the maximum
22 authorized term of imprisonment for a class B felony without the
23 possibility of parole, probation or conditional release for a
24 term of ten years;

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

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

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

8 11. Notwithstanding any other provision of law, no person
9 who pleads guilty to or is found guilty of a felony violation of
10 subsection 1 of this section shall receive a suspended imposition
11 of sentence if such person has previously received a suspended
12 imposition of sentence for any other firearms- or weapons-related
13 felony offense.

14 12. As used in this section "qualified retired peace
15 officer" means an individual who:

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

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

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

28 (4) Has a nonforfeitable right to benefits under the

1 retirement plan of the agency if such a plan is available;

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

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

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

9 13. The identification required by subdivision (1) of
10 subsection 2 of this section is:

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

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

21 (3) A certification issued by the state in which the
22 individual resides that indicates that the individual has, not
23 less recently than one year before the date the individual is
24 carrying the concealed firearm, been tested or otherwise found by
25 the state to meet the standards established by the state for
26 training and qualification for active peace officers to carry a
27 firearm of the same type as the concealed firearm.

28 571.101. 1. All applicants for concealed carry permits

1 issued pursuant to subsection 7 of this section must satisfy the
2 requirements of sections 571.101 to 571.121. If the said
3 applicant can show qualification as provided by sections 571.101
4 to 571.121, the county or city sheriff shall issue a concealed
5 carry permit authorizing the carrying of a concealed firearm on
6 or about the applicant's person or within a vehicle. A concealed
7 carry permit shall be valid [for a period of five years] from the
8 date of issuance or renewal until five years from the last day of
9 the month in which the permit was issued or renewed. The
10 concealed carry permit is valid throughout this state. Although
11 the permit is considered valid in the state, a person who fails
12 to renew his or her permit within five years from the date of
13 issuance or renewal shall not be eligible for an exception to a
14 National Instant Criminal Background Check under federal
15 regulations currently codified under 27 CFR 478.102(d), relating
16 to the transfer, sale, or delivery of firearms from licensed
17 dealers. A concealed carry endorsement issued prior to August
18 28, 2013, shall continue [for a period of three years] from the
19 date of issuance or renewal until three years from the last day
20 of the month in which the endorsement was issued or renewed to
21 authorize the carrying of a concealed firearm on or about the
22 applicant's person or within a vehicle in the same manner as a
23 concealed carry permit issued under subsection 7 of this section
24 on or after August 28, 2013.

25 2. A concealed carry permit issued pursuant to subsection 7
26 of this section shall be issued by the sheriff or his or her
27 designee of the county or city in which the applicant resides, if
28 the applicant:

1 (1) Is at least [twenty-one] nineteen years of age, is a
2 citizen or permanent resident of the United States and either:

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

4 (b) Is a member of the Armed Forces stationed in Missouri,
5 or the spouse of such member of the military;

6 (2) Is at least [twenty-one] nineteen years of age, or is
7 at least eighteen years of age and a member of the United States
8 Armed Forces or honorably discharged from the United States Armed
9 Forces, and is a citizen of the United States and either:

10 (a) Has assumed residency in this state;

11 (b) Is a member of the Armed Forces stationed in Missouri;
12 or

13 (c) The spouse of such member of the military stationed in
14 Missouri and [twenty-one] nineteen years of age;

15 (3) Has not pled guilty to or entered a plea of nolo
16 contendere or been convicted of a crime punishable by
17 imprisonment for a term exceeding one year under the laws of any
18 state or of the United States other than a crime classified as a
19 misdemeanor under the laws of any state and punishable by a term
20 of imprisonment of two years or less that does not involve an
21 explosive weapon, firearm, firearm silencer or gas gun;

22 (4) Has not been convicted of, pled guilty to or entered a
23 plea of nolo contendere to one or more misdemeanor offenses
24 involving crimes of violence within a five-year period
25 immediately preceding application for a concealed carry permit or
26 if the applicant has not been convicted of two or more
27 misdemeanor offenses involving driving while under the influence
28 of intoxicating liquor or drugs or the possession or abuse of a

1 controlled substance within a five-year period immediately
2 preceding application for a concealed carry permit;

3 (5) Is not a fugitive from justice or currently charged in
4 an information or indictment with the commission of a crime
5 punishable by imprisonment for a term exceeding one year under
6 the laws of any state of the United States other than a crime
7 classified as a misdemeanor under the laws of any state and
8 punishable by a term of imprisonment of two years or less that
9 does not involve an explosive weapon, firearm, firearm silencer,
10 or gas gun;

11 (6) Has not been discharged under dishonorable conditions
12 from the United States Armed Forces;

13 (7) Has not engaged in a pattern of behavior, documented in
14 public or closed records, that causes the sheriff to have a
15 reasonable belief that the applicant presents a danger to himself
16 or others;

17 (8) Is not adjudged mentally incompetent at the time of
18 application or for five years prior to application, or has not
19 been committed to a mental health facility, as defined in section
20 632.005, or a similar institution located in another state
21 following a hearing at which the defendant was represented by
22 counsel or a representative;

23 (9) Submits a completed application for a permit as
24 described in subsection 3 of this section;

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

28 (11) Is not the respondent of a valid full order of

1 protection which is still in effect;

2 (12) Is not otherwise prohibited from possessing a firearm
3 under section 571.070 [or 18 U.S.C. 922(g)].

4 3. The application for a concealed carry permit issued by
5 the sheriff of the county of the applicant's residence shall
6 contain only the following information:

7 (1) The applicant's name, address, telephone number,
8 gender, date and place of birth, and, if the applicant is not a
9 United States citizen, the applicant's country of citizenship and
10 any alien or admission number issued by the Federal Bureau of
11 Customs and Immigration Enforcement or any successor agency;

12 (2) An affirmation that the applicant has assumed residency
13 in Missouri or is a member of the Armed Forces stationed in
14 Missouri or the spouse of such a member of the Armed Forces and
15 is a citizen or permanent resident of the United States;

16 (3) An affirmation that the applicant is at least
17 [twenty-one] nineteen years of age or is eighteen years of age or
18 older and a member of the United States Armed Forces or honorably
19 discharged from the United States Armed Forces;

20 (4) An affirmation that the applicant has not pled guilty
21 to or been convicted of a crime punishable by imprisonment for a
22 term exceeding one year under the laws of any state or of the
23 United States other than a crime classified as a misdemeanor
24 under the laws of any state and punishable by a term of
25 imprisonment of two years or less that does not involve an
26 explosive weapon, firearm, firearm silencer, or gas gun;

27 (5) An affirmation that the applicant has not been
28 convicted of, pled guilty to, or entered a plea of nolo

1 contendere to one or more misdemeanor offenses involving crimes
2 of violence within a five-year period immediately preceding
3 application for a permit or if the applicant has not been
4 convicted of two or more misdemeanor offenses involving driving
5 while under the influence of intoxicating liquor or drugs or the
6 possession or abuse of a controlled substance within a five-year
7 period immediately preceding application for a permit;

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

16 (7) An affirmation that the applicant has not been
17 discharged under dishonorable conditions from the United States
18 Armed Forces;

19 (8) An affirmation that the applicant is not adjudged
20 mentally incompetent at the time of application or for five years
21 prior to application, or has not been committed to a mental
22 health facility, as defined in section 632.005, or a similar
23 institution located in another state, except that a person whose
24 release or discharge from a facility in this state pursuant to
25 chapter 632, or a similar discharge from a facility in another
26 state, occurred more than five years ago without subsequent
27 recommitment may apply;

28 (9) An affirmation that the applicant has received firearms

1 safety training that meets the standards of applicant firearms
2 safety training defined in subsection 1 or 2 of section 571.111;

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

6 (11) A conspicuous warning that false statements made by
7 the applicant will result in prosecution for perjury pursuant to
8 the laws of the state of Missouri; and

9 (12) A government-issued photo identification. This
10 photograph shall not be included on the permit and shall only be
11 used to verify the person's identity for permit renewal, or for
12 the issuance of a new permit due to change of address, or for a
13 lost or destroyed permit.

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

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

26 (2) A nonrefundable permit fee as provided by subsection 11
27 or 12 of this section. Both fees provided for in these
28 subsections shall be waived for service-disabled veterans as such

1 term is defined in section 34.074.

2 5. (1) Before an application for a concealed carry permit
3 is approved, the sheriff shall make only such inquiries as he or
4 she deems necessary into the accuracy of the statements made in
5 the application. The sheriff may require that the applicant
6 display a Missouri driver's license or nondriver's license or
7 military identification and orders showing the person being
8 stationed in Missouri. In order to determine the applicant's
9 suitability for a concealed carry permit, the applicant shall be
10 fingerprinted. No other biometric data shall be collected from
11 the applicant. The sheriff shall [request a criminal background
12 check, including] conduct an inquiry of the National Instant
13 Criminal Background Check System[, through the appropriate law
14 enforcement agency] within three working days after submission of
15 the properly completed application for a concealed carry permit.
16 If no disqualifying record is identified by these checks at the
17 state level, the fingerprints shall be forwarded to the Federal
18 Bureau of Investigation for a national criminal history record
19 check. Upon receipt of the completed [background checks,] report
20 from the National Instant Criminal Background Check System and
21 the response from the Federal Bureau of Investigation national
22 criminal history record check, the sheriff shall examine the
23 results and, if no disqualifying information is identified, shall
24 issue a concealed carry permit within three working days.

25 (2) In the event the [background checks] report from the
26 National Instant Criminal Background Check System and the
27 response from the Federal Bureau of Investigation national
28 criminal history record check prescribed by subdivision (1) of

1 this subsection are not completed within forty-five calendar days
2 and no disqualifying information concerning the applicant has
3 otherwise come to the sheriff's attention, the sheriff shall
4 issue a provisional permit, clearly designated on the certificate
5 as such, which the applicant shall sign in the presence of the
6 sheriff or the sheriff's designee. This permit, when carried
7 with a valid Missouri driver's or nondriver's license or a valid
8 military identification, shall permit the applicant to exercise
9 the same rights in accordance with the same conditions as pertain
10 to a concealed carry permit issued under this section, provided
11 that it shall not serve as an alternative to an national instant
12 criminal background check required by 18 U.S.C. 922(t). The
13 provisional permit shall remain valid until such time as the
14 sheriff either issues or denies the certificate of qualification
15 under subsection 6 or 7 of this section. The sheriff shall
16 revoke a provisional permit issued under this subsection within
17 twenty-four hours of receipt of any [background check] report
18 that identifies a disqualifying record, and shall notify the
19 [Missouri uniform law enforcement] concealed carry permit system
20 established under subsection 5 of section 650.350. The
21 revocation of a provisional permit issued under this section
22 shall be proscribed in a manner consistent to the denial and
23 review of an application under subsection 6 of this section.

24 6. The sheriff may refuse to approve an application for a
25 concealed carry permit if he or she determines that any of the
26 requirements specified in subsection 2 of this section have not
27 been met, or if he or she has a substantial and demonstrable
28 reason to believe that the applicant has rendered a false

1 statement regarding any of the provisions of sections 571.101 to
2 571.121. If the applicant is found to be ineligible, the sheriff
3 is required to deny the application, and notify the applicant in
4 writing, stating the grounds for denial and informing the
5 applicant of the right to submit, within thirty days, any
6 additional documentation relating to the grounds of the denial.
7 Upon receiving any additional documentation, the sheriff shall
8 reconsider his or her decision and inform the applicant within
9 thirty days of the result of the reconsideration. The applicant
10 shall further be informed in writing of the right to appeal the
11 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.
12 After two additional reviews and denials by the sheriff, the
13 person submitting the application shall appeal the denial
14 pursuant to subsections 2, 3, 4, and 5 of section 571.114.

15 7. If the application is approved, the sheriff shall issue
16 a concealed carry permit to the applicant within a period not to
17 exceed three working days after his or her approval of the
18 application. The applicant shall sign the concealed carry permit
19 in the presence of the sheriff or his or her designee [and shall
20 within seven days of receipt of the certificate of qualification
21 take the certificate of qualification to the department of
22 revenue. Upon verification of the certificate of qualification
23 and completion of a driver's license or nondriver's license
24 application pursuant to chapter 302, the director of revenue
25 shall issue a new driver's license or nondriver's license with an
26 endorsement which identifies that the applicant has received a
27 certificate of qualification to carry concealed weapons issued
28 pursuant to sections 571.101 to 571.121 if the applicant is

1 otherwise qualified to receive such driver's license or
2 nondriver's license. Notwithstanding any other provision of
3 chapter 302, a nondriver's license with a concealed carry
4 endorsement shall expire three years from the date the
5 certificate of qualification was issued pursuant to this
6 section].

7 8. The concealed carry permit shall specify only the
8 following information:

- 9 (1) Name, address, date of birth, gender, height, weight,
10 color of hair, color of eyes, and signature of the permit holder;
11 (2) The signature of the sheriff issuing the permit;
12 (3) The date of issuance; and
13 (4) The expiration date.

14 The permit shall be no larger than two and one-eighth inches wide
15 by three and [~~one-fourth~~] three-eighths inches long and shall be
16 of a uniform style prescribed by the department of public safety.
17 The permit shall also be assigned a [Missouri uniform law
18 enforcement] concealed carry permit system county code and shall
19 be stored in sequential number.

20 9. (1) The sheriff shall keep a record of all applications
21 for a concealed carry permit or a provisional permit and his or
22 her action thereon. Any record of an application that is
23 incomplete or denied for any reason shall be kept for a period
24 not to exceed one year. Any record of an application that was
25 approved shall be kept for a period of one year after the
26 expiration and nonrenewal of the permit. [Beginning August 28,
27 2013, the department of revenue shall not keep any record of an
28 application for a concealed carry permit. Any information

1 collected by the department of revenue related to an application
2 for a concealed carry endorsement prior to August 28, 2013, shall
3 be given to the members of MoSMART, created under section
4 650.350, for the dissemination of the information to the sheriff
5 of any county or city not within a county in which the applicant
6 resides to keep in accordance with the provisions of this
7 subsection.]

8 (2) The sheriff shall report the issuance of a concealed
9 carry permit or provisional permit to the [Missouri uniform law
10 enforcement] concealed carry permit system. All information on
11 any such permit that is protected information on any driver's or
12 nondriver's license shall have the same personal protection for
13 purposes of sections 571.101 to 571.121. An applicant's status
14 as a holder of a concealed carry permit, provisional permit, or a
15 concealed carry endorsement issued prior to August 28, 2013,
16 shall not be public information and shall be considered personal
17 protected information. Information retained in the concealed
18 carry permit system under this subsection shall not be [batch
19 processed for query] distributed to any federal, state, or
20 private entities and shall only be made available for a single
21 entry query of an individual in the event the individual is a
22 subject of interest in an active criminal investigation or is
23 arrested for a crime. A sheriff may access the concealed carry
24 permit system for administrative purposes to issue a permit,
25 verify the accuracy of permit holder information, change the name
26 or address of a permit holder, suspend or revoke a permit, cancel
27 an expired permit, or cancel a permit upon receipt of a certified
28 death certificate for the permit holder. Any person who violates

1 the provisions of this [subsection] subdivision by disclosing
2 protected information shall be guilty of a class A misdemeanor.

3 10. Information regarding any holder of a concealed carry
4 permit, or a concealed carry endorsement issued prior to August
5 28, 2013, is a closed record. No bulk download or batch data
6 shall be [performed or] distributed to any federal, state, or
7 private entity, except to MoSMART [as provided under subsection 9
8 of this section] or a designee thereof. Any state agency that
9 has retained any documents or records, including fingerprint
10 records provided by an applicant for a concealed carry
11 endorsement prior to August 28, 2013, shall destroy such
12 documents or records, upon successful issuance of a permit.

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

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

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

28 14. For the purposes of this chapter, "concealed carry

1 permit" shall include any concealed carry endorsement issued by
2 the department of revenue before January 1, 2014, and any
3 concealed carry document issued by any sheriff or under the
4 authority of any sheriff after December 31, 2013.

5 571.104. 1. [(1) A concealed carry permit issued pursuant
6 to sections 571.101 to 571.121, and, if applicable,] A concealed
7 carry endorsement issued prior to August 28, 2013, shall be
8 suspended or revoked if the concealed carry [permit or]
9 endorsement holder becomes ineligible for such [permit or]
10 endorsement under the criteria established in subdivisions [(2),]
11 (3), (4), (5), (7), (8), and (11) of subsection 2 of section
12 571.101 or upon the issuance of a valid full order of protection.
13 The following procedures shall be followed:

14 [(2)] (1) When a valid full order of protection, or any
15 arrest warrant, discharge, or commitment for the reasons listed
16 in subdivision [(2),] (3), (4), (5), (7), (8), or (11) of
17 subsection 2 of section 571.101, is issued against a person
18 holding [a concealed carry permit issued pursuant to sections
19 571.101 to 571.121, or] a concealed carry endorsement issued
20 prior to August 28, 2013, upon notification of said order,
21 warrant, discharge or commitment or upon an order of a court of
22 competent jurisdiction in a criminal proceeding, a commitment
23 proceeding or a full order of protection proceeding ruling that a
24 person holding a concealed carry [permit or] endorsement presents
25 a risk of harm to themselves or others, then upon notification of
26 such order, the holder of the concealed carry [permit or]
27 endorsement shall surrender [the permit, and, if applicable,] the
28 driver's license or nondriver's license containing the concealed

1 carry endorsement to the court, officer, or other official
2 serving the order, warrant, discharge, or commitment.

3 [(3) In cases involving a concealed carry endorsement
4 issued prior to August 28, 2013,] The official to whom the
5 driver's license or nondriver's license containing the concealed
6 carry endorsement is surrendered shall issue a receipt to the
7 licensee for the license upon a form, approved by the director of
8 revenue, that serves as a driver's license or a nondriver's
9 license and clearly states the concealed carry endorsement has
10 been suspended. The official shall then transmit the driver's
11 license or a nondriver's license containing the concealed carry
12 endorsement to the circuit court of the county issuing the order,
13 warrant, discharge, or commitment. [The concealed carry permit
14 issued pursuant to sections 571.101 to 571.121, and, if
15 applicable,] The concealed carry endorsement issued prior to
16 August 28, 2013, shall be suspended until the order is terminated
17 or until the arrest results in a dismissal of all charges. The
18 official to whom the endorsement is surrendered shall
19 administratively suspend the endorsement in the concealed carry
20 permit system established under subsection 5 of section 650.350
21 until such time as the order is terminated or until the charges
22 are dismissed. Upon dismissal, the court holding the [permit
23 and, if applicable, the] driver's license or nondriver's license
24 containing the concealed carry endorsement shall return such
25 [permit or] license to the individual, and the official to whom
26 the endorsement was surrendered shall administratively return the
27 endorsement to good standing within the concealed carry permit
28 system.

1 [(4)] (2) Any conviction, discharge, or commitment
2 specified in sections 571.101 to 571.121 shall result in a
3 revocation. Upon conviction, the court shall forward a notice of
4 conviction or action [and the permit to the issuing county
5 sheriff. If a concealed carry endorsement issued prior to August
6 28, 2013, is revoked, the court shall forward the notice] and the
7 driver's license or nondriver's license with the concealed carry
8 endorsement to the department of revenue. The department of
9 revenue shall notify the sheriff of the county which issued the
10 certificate of qualification for a concealed carry endorsement.
11 The sheriff who issued the [concealed carry permit, or the]
12 certificate of qualification prior to August 28, 2013, shall
13 report the change in status of the [concealed carry permit or]
14 endorsement to the [Missouri uniform law enforcement] concealed
15 carry permit system established under subsection 5 of section
16 650.350. The director of revenue shall immediately remove the
17 endorsement issued prior to August 28, 2013, from the
18 individual's driving record within three days of the receipt of
19 the notice from the court. The director of revenue shall notify
20 the licensee that he or she must apply for a new license pursuant
21 to chapter 302 which does not contain such endorsement. This
22 requirement does not affect the driving privileges of the
23 licensee. The notice issued by the department of revenue shall
24 be mailed to the last known address shown on the individual's
25 driving record. The notice is deemed received three days after
26 mailing.

27 2. A concealed carry permit issued pursuant to sections
28 571.101 to 571.121 after August 28, 2013, shall be suspended or

1 revoked if the concealed carry permit holder becomes ineligible
2 for such permit under the criteria established in subdivisions
3 (3), (4), (5), (7), (8), and (11) of subsection 2 of section
4 571.101 or upon the issuance of a valid full order of protection.

5 The following procedures shall be followed:

6 (1) When a valid full order of protection or any arrest
7 warrant, discharge, or commitment for the reasons listed in
8 subdivision (3), (4), (5), (7), (8), or (11) of subsection 2 of
9 section 571.101 is issued against a person holding a concealed
10 carry permit, upon notification of said order, warrant,
11 discharge, or commitment, or upon an order of a court of
12 competent jurisdiction in a criminal proceeding, a commitment
13 proceeding, or a full order of protection proceeding ruling that
14 a person holding a concealed carry permit presents a risk of harm
15 to themselves or others, then upon notification of such order,
16 the holder of the concealed carry permit shall surrender the
17 permit to the court, officer, or other official serving the
18 order, warrant, discharge, or commitment. The permit shall be
19 suspended until the order is terminated or until the arrest
20 results in a dismissal of all charges. The official to whom the
21 permit is surrendered shall administratively suspend the permit
22 in the concealed carry permit system until the order is
23 terminated or the charges are dismissed. Upon dismissal, the
24 court holding the permit shall return such permit to the
25 individual and the official to whom the permit was surrendered
26 shall administratively return the permit to good standing within
27 the concealed carry permit system.

28 (2) Any conviction, discharge, or commitment specified in

1 sections 571.101 to 571.121 shall result in a revocation. Upon
2 conviction, the court shall forward a notice of conviction or
3 action and the permit to the issuing county sheriff. The sheriff
4 who issued the concealed carry permit shall report the change in
5 status of the concealed carry permit to the concealed carry
6 permit system.

7 [2.] 3. A concealed carry permit shall be renewed for a
8 qualified applicant upon receipt of the properly completed
9 renewal application and the required renewal fee by the sheriff
10 of the county of the applicant's residence. The renewal
11 application shall contain the same required information as set
12 forth in subsection 3 of section 571.101, except that in lieu of
13 the fingerprint requirement of subsection 5 of section 571.101
14 and the firearms safety training, the applicant need only display
15 his or her current concealed carry permit. A name-based
16 [background check, including an] inquiry of the National Instant
17 Criminal Background Check System, shall be completed for each
18 renewal application. The sheriff shall review the results of the
19 [background check] report from the National Instant Criminal
20 Background Check System, and when the sheriff has determined the
21 applicant has successfully completed all renewal requirements and
22 is not disqualified under any provision of section 571.101, the
23 sheriff shall issue a new concealed carry permit which contains
24 the date such permit was renewed. The process for renewing a
25 concealed carry endorsement issued prior to August 28, 2013,
26 shall be the same as the process for renewing a permit, except
27 that in lieu of the fingerprint requirement of subsection 5 of
28 section 571.101 and the firearms safety training, the applicant

1 need only display his or her current driver's license or
2 nondriver's license containing an endorsement. Upon successful
3 completion of all renewal requirements, the sheriff shall issue a
4 new concealed carry permit as provided under this subsection.

5 [3.] 4. A person who has been issued a concealed carry
6 permit, or a certificate of qualification for a concealed carry
7 endorsement prior to August 28, 2013, who fails to file a renewal
8 application for a concealed carry permit on or before its
9 expiration date must pay an additional late fee of ten dollars
10 per month for each month it is expired for up to six months.
11 After six months, the sheriff who issued the expired concealed
12 carry permit or certificate of qualification shall notify the
13 [Missouri uniform law enforcement] concealed carry permit system
14 [and the individual] that such permit is expired and cancelled.
15 If the person has a concealed carry endorsement issued prior to
16 August 28, 2013, the sheriff who issued the certificate of
17 qualification for the endorsement shall notify the director of
18 revenue that such certificate is expired regardless of whether
19 the endorsement holder has applied for a concealed carry permit
20 under subsection 2 of this section. The director of revenue
21 shall immediately remove such endorsement from the individual's
22 driving record and notify the individual that his or her driver's
23 license or nondriver's license has expired. The notice shall be
24 conducted in the same manner as described in subsection 1 of this
25 section. Any person who has been issued a concealed carry permit
26 pursuant to sections 571.101 to 571.121, or a concealed carry
27 endorsement issued prior to August 28, 2013, who fails to renew
28 his or her application within the six-month period must reapply

1 for a new concealed carry permit and pay the fee for a new
2 application.

3 [4.] 5. Any person issued a concealed carry permit
4 pursuant to sections 571.101 to 571.121, or a concealed carry
5 endorsement issued prior to August 28, 2013, shall notify the
6 [sheriffs of both the old and new jurisdictions] sheriff of the
7 new jurisdiction of the permit or endorsement holder's change of
8 residence within thirty days after the changing of a permanent
9 residence to a location outside the county of permit issuance.
10 The permit or endorsement holder shall furnish proof to the
11 sheriff in the new jurisdiction that the permit or endorsement
12 holder has changed his or her residence. The sheriff in the new
13 jurisdiction shall notify the sheriff in the old jurisdiction of
14 the permit holder's change of address and the sheriff in the old
15 jurisdiction shall transfer any information on file for the
16 permit holder to the sheriff in the new jurisdiction within
17 thirty days. The sheriff of the new jurisdiction may charge a
18 processing fee of not more than ten dollars for any costs
19 associated with notification of a change in residence. [If the
20 person has a concealed carry endorsement issued prior to August
21 28, 2013, the endorsement holder shall also furnish proof to the
22 department of revenue of his or her residence change. In such
23 cases, the change of residence shall be made by the department of
24 revenue onto the individual's driving record.] The sheriff shall
25 report the residence change to the [Missouri uniform law
26 enforcement system, and] concealed carry permit system, take
27 possession and destroy the old permit, and then issue a new
28 permit to the permit holder. The new address shall be accessible

1 by the [Missouri uniform law enforcement] concealed carry permit
2 system within three days of receipt of the information. If the
3 person has a concealed carry endorsement issued prior to August
4 28, 2013, the endorsement holder shall also furnish proof to the
5 department of revenue of his or her residence change. In such
6 cases, the change of residence shall be made by the department of
7 revenue onto the individual's driving record.

8 [5.] 6. Any person issued a concealed carry permit
9 pursuant to sections 571.101 to 571.121, or a concealed carry
10 endorsement issued prior to August 28, 2013, shall notify the
11 sheriff or his or her designee of the permit or endorsement
12 holder's county or city of residence within seven days after
13 actual knowledge of the loss or destruction of his or her permit
14 or driver's license or nondriver's license containing a concealed
15 carry endorsement. The permit or endorsement holder shall
16 furnish a statement to the sheriff that the permit or driver's
17 license or nondriver's license containing the concealed carry
18 endorsement has been lost or destroyed. After notification of
19 the loss or destruction of a permit or driver's license or
20 nondriver's license containing a concealed carry endorsement, the
21 sheriff may charge a processing fee of ten dollars for costs
22 associated with [placing] replacing a lost or destroyed permit or
23 driver's license or nondriver's license containing a concealed
24 carry endorsement and shall reissue a new concealed carry permit
25 within three working days of being notified by the concealed
26 carry permit or endorsement holder of its loss or destruction.
27 The new concealed carry permit shall contain the same personal
28 information, including expiration date, as the original concealed

1 carry permit.

2 [6.] 7. If a person issued a concealed carry permit, or
3 endorsement issued prior to August 28, 2013, changes his or her
4 name, the person to whom the permit or endorsement was issued
5 shall obtain a corrected or new concealed carry permit with a
6 change of name from the sheriff who issued the original concealed
7 carry permit or the original certificate of qualification for an
8 endorsement upon the sheriff's verification of the name change.
9 The sheriff may charge a processing fee of not more than ten
10 dollars for any costs associated with obtaining a corrected or
11 new concealed carry permit. The permit or endorsement holder
12 shall furnish proof of the name change to the sheriff within
13 thirty days of changing his or her name and display his or her
14 concealed carry permit or current driver's license or nondriver's
15 license containing a concealed carry endorsement. The sheriff
16 shall report the name change to the [Missouri uniform law
17 enforcement] concealed carry permit system, and the new name
18 shall be accessible by the [Missouri uniform law enforcement]
19 concealed carry permit system within three days of receipt of the
20 information.

21 [7.] 8. The person with a concealed carry permit, or
22 endorsement issued prior to August 28, 2013, shall notify the
23 sheriff of a name or address change within thirty days of the
24 change. A concealed carry permit and, if applicable, endorsement
25 shall be automatically invalid after [thirty] one hundred eighty
26 days if the permit or endorsement holder has changed his or her
27 name or changed his or her residence and not notified the sheriff
28 as required in subsections [4] 5 and [6] 7 of this section. The

1 sheriff shall assess a late penalty of ten dollars per month for
2 each month, up to six months and not to exceed sixty dollars, for
3 the failure to notify the sheriff of the change of name or
4 address within thirty days.

5 571.107. 1. A concealed carry permit issued pursuant to
6 sections 571.101 to 571.121, a valid concealed carry endorsement
7 issued prior to August 28, 2013, or a concealed carry endorsement
8 or permit issued by another state or political subdivision of
9 another state shall authorize the person in whose name the permit
10 or endorsement is issued to carry concealed firearms on or about
11 his or her person or vehicle throughout the state. No concealed
12 carry permit issued pursuant to sections 571.101 to 571.121,
13 valid concealed carry endorsement issued prior to August 28,
14 2013, or a concealed carry endorsement or permit issued by
15 another state or political subdivision of another state shall
16 authorize any person to carry concealed firearms into:

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

23 (2) Within twenty-five feet of any polling place on any
24 election day. Possession of a firearm in a vehicle on the
25 premises of the polling place shall not be a criminal offense so
26 long as the firearm is not removed from the vehicle or brandished
27 while the vehicle is on the premises;

28 (3) The facility of any adult or juvenile detention or

1 correctional institution, prison or jail. Possession of a
2 firearm in a vehicle on the premises of any adult, juvenile
3 detention, or correctional institution, prison or jail shall not
4 be a criminal offense so long as the firearm is not removed from
5 the vehicle or brandished while the vehicle is on the premises;

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

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

19 (6) The general assembly, supreme court, county or
20 municipality may by rule, administrative regulation, or ordinance
21 prohibit or limit the carrying of concealed firearms by permit or
22 endorsement holders in that portion of a building owned, leased
23 or controlled by that unit of government. Any portion of a
24 building in which the carrying of concealed firearms is
25 prohibited or limited shall be clearly identified by signs posted
26 at the entrance to the restricted area. The statute, rule or
27 ordinance shall exempt any building used for public housing by
28 private persons, highways or rest areas, firing ranges, and

1 private dwellings owned, leased, or controlled by that unit of
2 government from any restriction on the carrying or possession of
3 a firearm. The statute, rule or ordinance shall not specify any
4 criminal penalty for its violation but may specify that persons
5 violating the statute, rule or ordinance may be denied entrance
6 to the building, ordered to leave the building and if employees
7 of the unit of government, be subjected to disciplinary measures
8 for violation of the provisions of the statute, rule or
9 ordinance. The provisions of this subdivision shall not apply to
10 any other unit of government;

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

27 (8) Any area of an airport to which access is controlled by
28 the inspection of persons and property. Possession of a firearm

1 in a vehicle on the premises of the airport shall not be a
2 criminal offense so long as the firearm is not removed from the
3 vehicle or brandished while the vehicle is on the premises;

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

6 (10) Any higher education institution or elementary or
7 secondary school facility without the consent of the governing
8 body of the higher education institution or a school official or
9 the district school board, unless the person with the concealed
10 carry endorsement or permit is a teacher or administrator of an
11 elementary or secondary school who has been designated by his or
12 her school district as a school protection officer and is
13 carrying a firearm in a school within that district, in which
14 case no consent is required. Possession of a firearm in a
15 vehicle on the premises of any higher education institution or
16 elementary or secondary school facility shall not be a criminal
17 offense so long as the firearm is not removed from the vehicle or
18 brandished while the vehicle is on the premises;

19 (11) Any portion of a building used as a child care
20 facility without the consent of the manager. Nothing in this
21 subdivision shall prevent the operator of a child care facility
22 in a family home from owning or possessing a firearm or a
23 concealed carry permit or endorsement;

24 (12) Any riverboat gambling operation accessible by the
25 public without the consent of the owner or manager pursuant to
26 rules promulgated by the gaming commission. Possession of a
27 firearm in a vehicle on the premises of a riverboat gambling
28 operation shall not be a criminal offense so long as the firearm

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

3 (13) Any gated area of an amusement park. Possession of a
4 firearm in a vehicle on the premises of the amusement park shall
5 not be a criminal offense so long as the firearm is not removed
6 from the vehicle or brandished while the vehicle is on the
7 premises;

8 (14) Any church or other place of religious worship without
9 the consent of the minister or person or persons representing the
10 religious organization that exercises control over the place of
11 religious worship. Possession of a firearm in a vehicle on the
12 premises shall not be a criminal offense so long as the firearm
13 is not removed from the vehicle or brandished while the vehicle
14 is on the premises;

15 (15) Any private property whose owner has posted the
16 premises as being off-limits to concealed firearms by means of
17 one or more signs displayed in a conspicuous place of a minimum
18 size of eleven inches by fourteen inches with the writing thereon
19 in letters of not less than one inch. The owner, business or
20 commercial lessee, manager of a private business enterprise, or
21 any other organization, entity, or person may prohibit persons
22 holding a concealed carry permit or endorsement from carrying
23 concealed firearms on the premises and may prohibit employees,
24 not authorized by the employer, holding a concealed carry permit
25 or endorsement from carrying concealed firearms on the property
26 of the employer. If the building or the premises are open to the
27 public, the employer of the business enterprise shall post signs
28 on or about the premises if carrying a concealed firearm is

1 prohibited. Possession of a firearm in a vehicle on the premises
2 shall not be a criminal offense so long as the firearm is not
3 removed from the vehicle or brandished while the vehicle is on
4 the premises. An employer may prohibit employees or other
5 persons holding a concealed carry permit or endorsement from
6 carrying a concealed firearm in vehicles owned by the employer;

7 (16) Any sports arena or stadium with a seating capacity of
8 five thousand or more. Possession of a firearm in a vehicle on
9 the premises shall not be a criminal offense so long as the
10 firearm is not removed from the vehicle or brandished while the
11 vehicle is on the premises;

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

16 2. Carrying of a concealed firearm in a location specified
17 in subdivisions (1) to (17) of subsection 1 of this section by
18 any individual who holds a concealed carry permit issued pursuant
19 to sections 571.101 to 571.121, or a concealed carry endorsement
20 issued prior to August 28, 2013, shall not be a criminal act but
21 may subject the person to denial to the premises or removal from
22 the premises. If such person refuses to leave the premises and a
23 peace officer is summoned, such person may be issued a citation
24 for an amount not to exceed one hundred dollars for the first
25 offense. If a second citation for a similar violation occurs
26 within a six-month period, such person shall be fined an amount
27 not to exceed two hundred dollars and his or her permit, and, if
28 applicable, endorsement to carry concealed firearms shall be

1 suspended for a period of one year. If a third citation for a
2 similar violation is issued within one year of the first
3 citation, such person shall be fined an amount not to exceed five
4 hundred dollars and shall have his or her concealed carry permit,
5 and, if applicable, endorsement revoked and such person shall not
6 be eligible for a concealed carry permit for a period of three
7 years. Upon conviction of charges arising from a citation issued
8 pursuant to this subsection, the court shall notify the sheriff
9 of the county which issued the concealed carry permit, or, if the
10 person is a holder of a concealed carry endorsement issued prior
11 to August 28, 2013, the court shall notify the sheriff of the
12 county which issued the certificate of qualification for a
13 concealed carry endorsement and the department of revenue. The
14 sheriff shall suspend or revoke the concealed carry permit or, if
15 applicable, the certificate of qualification for a concealed
16 carry endorsement. If the person holds an endorsement, the
17 department of revenue shall issue a notice of such suspension or
18 revocation of the concealed carry endorsement and take action to
19 remove the concealed carry endorsement from the individual's
20 driving record. The director of revenue shall notify the
21 licensee that he or she must apply for a new license pursuant to
22 chapter 302 which does not contain such endorsement. The notice
23 issued by the department of revenue shall be mailed to the last
24 known address shown on the individual's driving record. The
25 notice is deemed received three days after mailing.

26 571.111. 1. An applicant for a concealed carry permit
27 shall demonstrate knowledge of firearms safety training. This
28 requirement shall be fully satisfied if the applicant for a

1 concealed carry permit:

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

6 (2) Submits a photocopy of a certificate that shows the
7 applicant completed a firearms safety course given by or under
8 the supervision of any state, county, municipal, or federal law
9 enforcement agency; or

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

12 (4) Submits proof that the applicant currently holds any
13 type of valid peace officer license issued under the requirements
14 of chapter 590; or

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

18 (6) Submits proof that the applicant is currently certified
19 as any class of corrections officer by the Missouri department of
20 corrections and has passed at least one eight-hour firearms
21 training course, approved by the director of the Missouri
22 department of corrections under the authority granted to him or
23 her, that includes instruction on the justifiable use of force as
24 prescribed in chapter 563; or

25 (7) Submits a photocopy of a certificate of firearms safety
26 training course completion that was issued on August 27, 2011, or
27 earlier so long as the certificate met the requirements of
28 subsection 2 of this section that were in effect on the date it

1 was issued.

2 2. A certificate of firearms safety training course
3 completion may be issued to any applicant by any qualified
4 firearms safety instructor. On the certificate of course
5 completion the qualified firearms safety instructor shall affirm
6 that the individual receiving instruction has taken and passed a
7 firearms safety course of at least eight hours in length taught
8 by the instructor that included:

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

11 (2) A physical demonstration performed by the applicant
12 that demonstrated his or her ability to safely load and unload
13 either a revolver [and] or a semiautomatic pistol and
14 demonstrated his or her marksmanship with [both] either firearm;

15 (3) The basic principles of marksmanship;

16 (4) Care and cleaning of concealable firearms;

17 (5) Safe storage of firearms at home;

18 (6) The requirements of this state for obtaining a
19 concealed carry permit from the sheriff of the individual's
20 county of residence;

21 (7) The laws relating to firearms as prescribed in this
22 chapter;

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

25 (9) A live firing exercise of sufficient duration for each
26 applicant to fire [both] either a revolver [and] or a
27 semiautomatic pistol, from a standing position or its equivalent,
28 a minimum of twenty rounds from [each] the handgun at a distance

1 of seven yards from a B-27 silhouette target or an equivalent
2 target;

3 (10) A live fire test administered to the applicant while
4 the instructor was present of twenty rounds from [each handgun]
5 either a revolver or a semiautomatic pistol from a standing
6 position or its equivalent at a distance from a B-27 silhouette
7 target, or an equivalent target, of seven yards.

8 3. A qualified firearms safety instructor shall not give a
9 grade of passing to an applicant for a concealed carry permit
10 who:

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

13 (2) Handles a firearm in a manner that, in the judgment of
14 the qualified firearm safety instructor, poses a danger to the
15 applicant or to others; or

16 (3) During the live fire testing portion of the course
17 fails to hit the silhouette portion of the targets with at least
18 fifteen rounds[, with both handguns].

19 4. Qualified firearms safety instructors who provide
20 firearms safety instruction to any person who applies for a
21 concealed carry permit shall:

22 (1) Make the applicant's course records available upon
23 request to the sheriff of the county in which the applicant
24 resides;

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

27 (3) Not have more than forty students per certified
28 instructor in the classroom portion of the course or more than

1 five students per range officer engaged in range firing.

2 5. A firearms safety instructor shall be considered to be a
3 qualified firearms safety instructor by any sheriff issuing a
4 concealed carry permit pursuant to sections 571.101 to 571.121 if
5 the instructor:

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

9 (2) Submits a photocopy of a notarized certificate from a
10 firearms safety instructor's course offered by a local, state, or
11 federal governmental agency; or

12 (3) Submits a photocopy of a notarized certificate from a
13 firearms safety instructor course approved by the department of
14 public safety; or

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

18 (5) Is a certified police officer firearms safety
19 instructor.

20 6. Any firearms safety instructor qualified under
21 subsection 5 of this section may submit a copy of a training
22 instructor certificate, course outline bearing the notarized
23 signature of the instructor, and a recent photograph of [his or
24 herself] the instructor to the sheriff of the county in which [he
25 or she] the instructor resides. [Each] The sheriff shall review
26 the training instructor certificate along with the course outline
27 and verify the firearms safety instructor is qualified and the
28 course meets the requirements provided under this section. If

1 the sheriff verifies the firearms safety instructor is qualified
2 and the course meets the requirements provided under this
3 section, the sheriff shall collect an annual registration fee of
4 ten dollars from each qualified instructor who chooses to submit
5 such information and [shall retain a] submit the registration to
6 the Missouri sheriff methamphetamine relief taskforce. The
7 Missouri sheriff methamphetamine relief taskforce, or its
8 designated agent, shall create and maintain a statewide database
9 of qualified instructors. This information shall be a closed
10 record except for access by any sheriff. Firearms safety
11 instructors may register annually and the registration is only
12 effective for the calendar year in which the instructor
13 registered. Any sheriff may access the statewide database
14 maintained by the Missouri sheriff methamphetamine relief
15 taskforce to verify the firearms safety instructor is qualified
16 and the course offered by the instructor meets the requirements
17 provided under this section. Unless a sheriff has reason to
18 believe otherwise, a sheriff shall presume a firearms safety
19 instructor is qualified to provide firearms safety instruction in
20 counties throughout the state under this section if the
21 instructor is registered on the statewide database of qualified
22 instructors.

23 7. Any firearms safety instructor who knowingly provides
24 any sheriff with any false information concerning an applicant's
25 performance on any portion of the required training and
26 qualification shall be guilty of a class C misdemeanor. A
27 violation of the provisions of this section shall result in the
28 person being prohibited from instructing concealed carry permit

1 classes and issuing certificates.

2 571.117. 1. Any person who has knowledge that another
3 person, who was issued a concealed carry permit pursuant to
4 sections 571.101 to 571.121, or concealed carry endorsement prior
5 to August 28, 2013, never was or no longer is eligible for such
6 permit or endorsement under the criteria established in sections
7 571.101 to 571.121 may file a petition with the clerk of the
8 small claims court to revoke that person's concealed carry permit
9 or endorsement. The petition shall be in a form substantially
10 similar to the petition for revocation of concealed carry permit
11 or endorsement provided in this section. Appeal forms shall be
12 provided by the clerk of the small claims court free of charge to
13 any person:

14 SMALL CLAIMS COURT

15 In the Circuit Court of, Missouri
16, PLAINTIFF

17)

18)

19 vs.) Case Number

20)

21, DEFENDANT,
22 Carry Permit or Endorsement Holder
23, DEFENDANT,
24 Sheriff of Issuance

25
26 PETITION FOR REVOCATION OF A CONCEALED CARRY PERMIT OR CONCEALED
27 CARRY ENDORSEMENT

28 Plaintiff states to the court that the defendant,,

1 has a concealed carry permit issued pursuant to sections 571.101
2 to 571.121, RSMo, or a concealed carry endorsement issued prior
3 to August 28, 2013, and that the defendant's concealed carry
4 permit or concealed carry endorsement should now be revoked
5 because the defendant either never was or no longer is eligible
6 for such a permit or endorsement pursuant to the provisions of
7 sections 571.101 to 571.121, RSMo, specifically plaintiff states
8 that defendant,, never was or no longer is
9 eligible for such permit or endorsement for one or more of the
10 following reasons:

11 (CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- 12 Defendant is not at least [twenty-one] nineteen years of age
13 or at least eighteen years of age and a member of the
14 United States Armed Forces or honorably discharged from the
15 United States Armed Forces.
- 16 Defendant is not a citizen or permanent resident of the
17 United States.
- 18 Defendant had not resided in this state prior to issuance of
19 the permit and does not qualify as a military member or
20 spouse of a military member stationed in Missouri.
- 21 Defendant has pled guilty to or been convicted of a crime
22 punishable by imprisonment for a term exceeding two years
23 under the laws of any state or 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 convicted of, pled guilty to or entered a

1 plea of nolo contendere to one or more misdemeanor offenses
2 involving crimes of violence within a five-year period
3 immediately preceding application for a concealed carry
4 permit issued pursuant to sections 571.101 to 571.121, RSMo,
5 or a concealed carry endorsement issued prior to August 28,
6 2013, or if the applicant has been convicted of two or more
7 misdemeanor offenses involving driving while under the
8 influence of intoxicating liquor or drugs or the possession
9 or abuse of a controlled substance within a five-year period
10 immediately preceding application for a concealed carry
11 permit issued pursuant to sections 571.101 to 571.121, RSMo,
12 or a concealed carry endorsement issued prior to August 28,
13 2013.

14 Defendant is 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
17 under the laws of any state of the United States other than
18 a crime classified as a misdemeanor under the laws of any
19 state and punishable by a term of imprisonment of two years
20 or less that does not involve an explosive weapon, firearm,
21 firearm silencer, or gas gun.

22 Defendant has been discharged under dishonorable conditions
23 from the United States Armed Forces.

24 Defendant is reasonably believed by the sheriff to be a
25 danger to self or others based on previous, documented
26 pattern.

27 Defendant is adjudged mentally incompetent at the time of
28 application or for five years prior to application, or has

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

8 Defendant failed to submit a completed application for a
9 concealed carry permit issued pursuant to sections 571.101
10 to 571.121, RSMo, or a concealed carry endorsement issued
11 prior to August 28, 2013.

12 Defendant failed to submit to or failed to clear the
13 required background check. (Note: This does not apply if
14 the defendant has submitted to a background check and been
15 issued a provisional permit pursuant to subdivision (2) of
16 subsection 5 of section 571.101, and the results of the
17 background check are still pending.)

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

22 Defendant is otherwise disqualified from possessing a
23 firearm [pursuant to 18 U.S.C. 922(g)] under section 571.070
24 because (specify reason):

25 The plaintiff subject to penalty for perjury states that the
26 information contained in this petition is true and correct to the
27 best of the plaintiff's knowledge, is reasonably based upon the
28 petitioner's personal knowledge and is not primarily intended to

1 harass the defendant/respondent named herein.

2 , PLAINTIFF

3 2. If at the hearing the plaintiff shows that the defendant
4 was not eligible for the concealed carry permit issued pursuant
5 to sections 571.101 to 571.121, or a concealed carry endorsement
6 issued prior to August 28, 2013, at the time of issuance or
7 renewal or is no longer eligible for a concealed carry permit or
8 the concealed carry endorsement, the court shall issue an
9 appropriate order to cause the revocation of the concealed carry
10 permit and, if applicable, the concealed carry endorsement.
11 Costs shall not be assessed against the sheriff.

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

1 4. Any person aggrieved by any final judgment rendered by a
2 small claims court in a petition for revocation of a concealed
3 carry permit or concealed carry endorsement may have a right to
4 trial de novo as provided in sections 512.180 to 512.320.

5 5. The office of the county sheriff or any employee or
6 agent of the county sheriff shall not be liable for damages in
7 any civil action arising from alleged wrongful or improper
8 granting, renewing, or failure to revoke a concealed carry permit
9 issued pursuant to sections 571.101 to 571.121, or a certificate
10 of qualification for a concealed carry endorsement issued prior
11 to August 28, 2013, so long as the sheriff acted in good faith.

12 571.510. 1. For purposes of this section, the terms
13 "authority" or "housing authority" shall mean any of the
14 corporations created pursuant to the authority of section 99.040
15 and any entity or agent associated with such authority that
16 administers or uses public moneys provided by the United States
17 Department of Housing and Urban Development to fund very low,
18 lower, and moderate income public rental housing assistance. For
19 purposes of this section, the term "lessee" means a lessee of
20 residential premises.

21 2. Notwithstanding any provision of law to the contrary, no
22 housing authority, authority, or lessor receiving public funds
23 from a housing authority or authority shall prohibit a lessee or
24 a member of the lessee's immediate household or guest from
25 personally possessing firearms within an individual residence,
26 common areas, or from carrying or transporting firearms to and
27 from such residence in a manner allowed by law. Any provision of
28 a lease, policy, rule, or agreement in violation of this section

1 shall be void and unenforceable.

2 3. No housing authority, authority, or lessor under this
3 section shall be liable in tort or any other civil action for
4 damages caused by a lessee's possession or use of a firearm on
5 property owned by the lessor, unless a housing authority,
6 authority, or lessor or an officer, agent, or employee of such
7 housing authority, authority, or lessor:

8 (1) Violated section 571.060 or otherwise caused the
9 lessee, the household member, or guest to engage in any unsafe or
10 illegal actions with a firearm; or

11 (2) Engaged in acts or failures to act which were
12 manifestly outside the scope of employment, duties, or
13 responsibilities or were committed maliciously, in bad faith, or
14 in a wanton and reckless manner.

15 590.010. As used in this chapter, the following terms mean:

16 (1) "Commission", when not obviously referring to the POST
17 commission, means a grant of authority to act as a peace officer;

18 (2) "Director", the director of the Missouri department of
19 public safety or his or her designated agent or representative;

20 (3) "Peace officer", a law enforcement officer of the state
21 or any political subdivision of the state with the power of
22 arrest for a violation of the criminal code or declared or deemed
23 to be a peace officer by state statute;

24 (4) "POST commission", the peace officer standards and
25 training commission;

26 (5) "Reserve peace officer", a peace officer who regularly
27 works less than thirty hours per week;

28 (6) "School protection officer", an elementary or secondary

1 school teacher or administrator who has been designated as a
2 school protection officer by a school district.

3 590.200. 1. The POST commission shall:

4 (1) Establish minimum standards for the training of school
5 protection officers;

6 (2) Set the minimum number of hours of training required
7 for a school protection officer; and

8 (3) Set the curriculum for school protection officer
9 training programs.

10 2. At a minimum this training shall include:

11 (1) Instruction specific to the prevention of incidents of
12 violence in schools;

13 (2) The handling of emergency or violent crisis situations
14 in school settings;

15 (3) A review of state criminal law;

16 (4) Training involving the use of defensive force;

17 (5) Training involving the use of deadly force; and

18 (6) Instruction in the proper use of self-defense spray
19 devices.

20 590.205. 1. The POST commission shall establish minimum
21 standards for school protection officer training instructors,
22 training centers, and training programs.

23 2. The director shall develop and maintain a list of
24 approved school protection officer training instructors, training
25 centers, and training programs. The director shall not place any
26 instructor, training center, or training program on its approved
27 list unless such instructor, training center, or training program
28 meets all of the POST commission requirements under this section

1 and section 590.200. The director shall make this approved list
2 available to every school district in the state. The required
3 training to become a school protection officer shall be provided
4 by those firearm instructors, private and public, who have
5 successfully completed a department of public safety POST
6 certified law enforcement firearms instructor school.

7 3. Each person seeking entrance into a school protection
8 officer training center or training program shall submit a
9 fingerprint card and authorization for a criminal history
10 background check to include the records of the Federal Bureau of
11 Investigation to the training center or training program where
12 such person is seeking entrance. The training center or training
13 program shall cause a criminal history background check to be
14 made and shall cause the resulting report to be forwarded to the
15 school district where the elementary school teacher or
16 administrator is seeking to be designated as a school protection
17 officer.

18 4. No person shall be admitted to a school protection
19 officer training center or training program unless such person
20 submits proof to the training center or training program that he
21 or she has a valid concealed carry endorsement or permit.

22 5. A certificate of school protection officer training
23 program completion may be issued to any applicant by any approved
24 school protection officer training instructor. On the certificate
25 of program completion the approved school protection officer
26 training instructor shall affirm that the individual receiving
27 instruction has taken and passed a school protection officer
28 training program that meets the requirements of this section and

1 section 590.200 and [that] indicate whether the individual has a
2 valid concealed carry endorsement or permit. The instructor shall
3 also provide a copy of such certificate to the director of the
4 department of public safety.

5 590.207. Notwithstanding any other provision of law to the
6 contrary, any person designated as a school protection officer
7 under the provisions of section 160.665 who allows any such
8 firearm out of his or her personal control while that firearm is
9 on school property as provided under subsection 2 of section
10 160.665 shall be guilty of a class B misdemeanor and may be
11 subject to employment termination proceedings within the school
12 district.

13 650.350. 1. There is hereby created within the department
14 of public safety the "Missouri Sheriff Methamphetamine Relief
15 Taskforce" (MoSMART). MoSMART shall be composed of five sitting
16 sheriffs. Every two years, the Missouri Sheriffs' Association
17 board of directors will submit twenty names of sitting sheriffs
18 to the governor. The governor shall appoint five members from
19 the list of twenty names, having no more than three from any one
20 political party, to serve a term of two years on MoSMART. The
21 members shall elect a chair from among their membership. Members
22 shall receive no compensation for the performance of their duties
23 pursuant to this section, but each member shall be reimbursed
24 from the MoSMART fund for actual and necessary expenses incurred
25 in carrying out duties pursuant to this section.

26 2. MoSMART shall meet no less than twice each calendar year
27 with additional meetings called by the chair upon the request of
28 at least two members. A majority of the appointed members shall

1 constitute a quorum.

2 3. A special fund is hereby created in the state treasury
3 to be known as the "MoSMART Fund". The state treasurer shall
4 invest the moneys in such fund in the manner authorized by law.
5 All moneys received for MoSMART from interest, state, and federal
6 moneys shall be deposited to the credit of the fund. The
7 director of the department of public safety shall distribute at
8 least fifty percent but not more than one hundred percent of the
9 fund annually in the form of grants approved by MoSMART.

10 4. Except for money deposited into the deputy sheriff
11 salary supplementation fund created under section 57.278 or money
12 deposited into the concealed carry permit fund created under
13 subsection 5 of this section, all moneys [appropriate]
14 appropriated to or received by MoSMART shall be deposited and
15 credited to the MoSMART fund. The department of public safety
16 shall only be reimbursed for actual and necessary expenses for
17 the administration of MoSMART, which shall be no less than one
18 percent and which shall not exceed two percent of all moneys
19 appropriated to the fund, except that the department shall not
20 receive any amount of the money deposited into the deputy sheriff
21 salary supplementation fund for administrative purposes. The
22 provisions of section 33.080 to the contrary notwithstanding,
23 moneys in the MoSMART fund shall not lapse to general revenue at
24 the end of the biennium.

25 5. A special fund is hereby created in the state treasury
26 to be known as the "Concealed Carry Permit Fund". The state
27 treasurer shall invest the moneys in such fund in the manner
28 authorized by law. All moneys appropriated by the general

1 assembly to the fund shall be deposited to the credit of the
2 fund. The director of the department of public safety shall
3 annually distribute all moneys in the fund in the form of grants
4 approved by MoSMART. The department of public safety shall
5 administer all MoSMART grant deposits under this section. Grant
6 funds deposited into the fund created under this section shall be
7 spent first to ensure county law enforcement agencies' ability to
8 comply with the issuance of concealed carry permits including,
9 but not limited to, equipment, records management hardware and
10 software, personnel, supplies, and other services. MoSMART shall
11 provide grants as authorized by the general assembly to sheriffs,
12 and any designee that is created and authorized to support
13 sheriffs in the creation, maintenance, and operation of a
14 statewide concealed carry permit system for Missouri sheriffs and
15 law enforcement purposes. The concealed carry permit system
16 shall consist of a server network accessible by all Missouri
17 sheriffs and law enforcement agencies for purposes that do not
18 conflict with this chapter. All equipment, software, and
19 services necessary to create, maintain, and operate the concealed
20 carry permit system shall be the property of the sheriffs and
21 MoSMART's designee. A designee of MoSMART and the sheriffs may
22 administer and operate the concealed carry permit system
23 utilizing policies and procedures established by MoSMART by way
24 of a memorandum of understanding and MoSMART protocol. Any
25 equipment, software, or services provided to a sheriff as part of
26 the concealed carry permit system shall become property of
27 MoSMART's designee and the sheriff's office and MoSMART shall not
28 be responsible for the maintenance or replacement of such

1 equipment, software, or services. Notwithstanding the provisions
2 of section 33.080 to the contrary, any moneys remaining in the
3 fund at the end of the biennium shall not revert to the credit of
4 the general revenue fund. The state treasurer shall invest
5 moneys in the fund in the same manner as other funds are
6 invested. Any interest and moneys earned on such investments
7 shall be credited to the fund.

8 6. Any rule or portion of a rule, as that term is defined
9 in section 536.010, that is created under the authority delegated
10 in this section shall become effective only if it complies with
11 and is subject to all of the provisions of chapter 536 and, if
12 applicable, section 536.028. This section and chapter 536 are
13 nonseverable and if any of the powers vested with the general
14 assembly pursuant to chapter 536 to review, to delay the
15 effective date or to disapprove and annul a rule are subsequently
16 held unconstitutional, then the grant of rulemaking authority and
17 any rule proposed or adopted after August 28, 2003, shall be
18 invalid and void.

19 7. Any county law enforcement entity or established task
20 force with a memorandum of understanding and protocol may apply
21 for grants from the MoSMART fund on an application to be
22 developed by the department of public safety with the approval of
23 MoSMART. All applications shall be evaluated by MoSMART and
24 approved or denied based upon the level of funding designated for
25 methamphetamine enforcement before 1997 and upon current need and
26 circumstances. No applicant shall receive a MoSMART grant in
27 excess of one hundred thousand dollars per year. The department
28 of public safety shall monitor all MoSMART grants.

1 8. MoSMART's anti-methamphetamine funding priorities are as
2 follows:

3 (1) Sheriffs who are participating in coordinated
4 multijurisdictional task forces and have their task forces apply
5 for funding;

6 (2) Sheriffs whose county has been designated HIDTA
7 counties, yet have received no HIDTA or narcotics assistance
8 program funding; and

9 (3) Sheriffs without HIDTA designations or task forces,
10 whose application justifies the need for MoSMART funds to
11 eliminate methamphetamine labs.

12 9. MoSMART shall administer the deputy sheriff salary
13 supplementation fund as provided under section 57.278.

14 [10. Beginning August 28, 2013, the department of revenue
15 shall begin transferring any records related to the issuance of a
16 concealed carry permit to MoSMART for dissemination to the
17 sheriff of the county or city not within a county in which the
18 applicant or permit holder resides.]

19 Section 1. If any provision of sections 1.400, 1.410,
20 1.420, 1.430, 1.440, 1.450, 1.460, 1.480, 21.750, 57.015, 57.201,
21 57.220, 57.250, 160.665, 544.216, 571.012, 571.030, 571.101,
22 571.104, 571.107, 571.111, 571.117, 571.510, 590.010, 590.200,
23 590.205, 590.207, or 650.350 of this act or the application
24 thereof to anyone or to any circumstance is held invalid, the
25 remainder of those sections and the application of such
26 provisions to others or other circumstances shall not be affected
27 thereby.

28 Section 2. Section 1 of this act does not preclude the

