

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 57, Page 8, Section 571.030, Line 178, by
2 inserting after all of said section and line the following:

3
4 "571.550. 1. When a law enforcement officer is at the scene of a domestic violence incident
5 involving a threat to human life or a physical assault, or is serving a protective order under chapter
6 455, such officer shall take temporary custody of any firearm or other deadly weapon in plain sight
7 or discovered under a consensual or other lawful search as necessary for the protection of the law
8 enforcement officer or other persons present if the law enforcement officer has probable cause to
9 believe that an act of domestic violence has occurred.

10 2. If a firearm is removed from the scene under subsection 1 of this section, the law
11 enforcement officer shall:

12 (1) Provide to the owner of the firearm information on the process for retaking possession
13 of the firearm; and

14 (2) Provide for the safe storage of the firearm during the pendency of any proceeding
15 related to the alleged act of domestic violence.

16 3. Within fourteen days of the conclusion of a proceeding on the alleged act of domestic
17 violence, the owner of the firearm may retake possession of the firearm unless ordered to surrender
18 the firearm under section 571.095.

19 571.555. 1. It shall be unlawful to possess a firearm for a person who:

20 (1) Is subject to a court order that:

21 (a) Was issued after a hearing of which such person received actual notice and at which such
22 person had an opportunity to participate;

23 (b) Restrains such person from harassing, stalking, or threatening a family or household
24 member of such person or a child of such family or household member or person, or engaging in
25 other conduct that would place a family or household member in reasonable fear of bodily injury to
26 the family or household member or child; and

27 (c) Includes a finding that such person represents a credible threat to the physical safety of
28 such family or household member or a child; or by its terms explicitly prohibits the use, attempted
29 use, or threatened use of physical force against such family or household member or child that
30 would reasonably be expected to cause bodily injury; or

31 (2) Is currently on probation or parole after having been found guilty of or pled guilty to a
32 misdemeanor crime of domestic assault in a court of competent jurisdiction. In all cases, the
33 prohibition on possession of firearms under this subdivision shall terminate no later than three years
34 after release from incarceration or parole or from the ending of a probation period, whichever event
35 occurs sooner.

36 2. For the purposes of this section, the term "family" or "household member" shall be

Action Taken _____ Date _____

1 defined as such term is defined in section 455.010.
2 3. Any person who violates the provisions of this section is guilty of a class E felony."; and
3
4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.