

COMMITTEE OF ORIGIN: Committee on Agri-Business

This substitute changes the laws regarding firearms and the defensive use of force. In its main provisions, the substitute:

- (1) Specifies that an individual who owns or leases private property may use deadly force against a person who unlawfully enters, remains after unlawfully entering, or attempts to unlawfully enter the property. The owner or lessor of the private property does not have a duty to retreat from the property;
- (2) Specifies that a person commits the crime of unlawful use of weapons if he or she knowingly has a firearm or projectile weapon readily capable of lethal use on his or her person while intoxicated and handles or uses the weapon in a negligent or unlawful manner or discharges the firearm or weapon;
- (3) Exempts all prosecuting attorneys, assistant prosecuting attorneys, circuit attorneys, and assistant circuit attorneys who have completed the firearms safety training course required under Section 571.111, RSMo, from the general prohibition on carrying concealed firearms and from certain other restrictions in Section 571.030;
- (4) Prohibits a person who is found or has pled guilty to a felony unlawful use of a weapon from receiving a suspended imposition of sentence if he or she has previously received a suspended imposition of sentence for any other firearms or weapons related felony offense;
- (5) Repeals the provisions which specify that a Missouri resident is only allowed to purchase rifles and shotguns in states contiguous to Missouri and a resident of a contiguous state is allowed to purchase these items in Missouri if he or she conforms to the Federal Gun Control Act of 1968, the laws regarding these purchases in Missouri, and the laws of the state in which the purchase was made and allows a Missouri resident to make these purchases in any state and the resident of any state to purchase rifles and shotguns in Missouri if he or she conforms to the federal act and the laws of both states;
- (6) Lowers the minimum age requirement for obtaining a concealed carry endorsement from 23 to 21 years of age. To process a change of address for a concealed carry endorsement, the sheriff of the new jurisdiction may charge a fee of up to \$10; and a sheriff may charge a fee of up to \$10 to change the name on an endorsement;

(7) Adds the conviction of a misdemeanor offense of domestic violence or a misdemeanor offense involving a crime of violence within the previous five years as grounds to disqualify a person from receiving a concealed carry endorsement; and

(8) Allows a member or any legislative employee of the General Assembly who holds a valid concealed carry endorsement to carry a concealed firearm in the State Capitol Building.

FISCAL NOTE: Estimated Cost on General Revenue Fund of Less than \$108,170 in FY 2011, Less than \$100,000 in FY 2012, and Less than \$100,000 in FY 2013. No impact on Other State Funds in FY 2011, FY 2012, and FY 2013.