

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]

SENATE SUBSTITUTE NO. 2

SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

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

96TH GENERAL ASSEMBLY

1118S.07T

2011

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## AN ACT

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

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

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A. Sections 50.535, 302.181, 407.500, 407.505, 571.020, 571.030, 571.101, 2 571.107, 571.111, and 571.117, RSMo, are repealed and thirteen new sections enacted in lieu 3 thereof, to be known as sections 50.535, 144.064, 302.181, 571.020, 571.030, 571.063, 571.085, 4 571.087, 571.101,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

50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected 2 pursuant to subsections 10 and 11 of section 571.101 shall be deposited by the county treasurer 3 into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to 4 be expended at the direction of the county or city sheriff or his or her designee as provided in this 5 section.

6 2. No prior approval of the expenditures from this fund shall be required by the 7 governing body of the county or city not within a county, nor shall any prior audit or 8 encumbrance of the fund be required before any expenditure is made by the sheriff from this 9 fund. This fund shall only be used by law enforcement agencies for the purchase of equipment,

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

10 to provide training, and to make necessary expenditures to process applications for concealed  
11 carry endorsements or renewals, including but not limited to the purchase of equipment,  
12 **information and data exchange**, training, fingerprinting and background checks, employment  
13 of additional personnel, and any expenditure necessitated by an action under section 571.114 or  
14 571.117. If the moneys collected and deposited into this fund are not totally expended annually,  
15 then the unexpended balance shall remain in said fund and the balance shall be kept in said fund  
16 to accumulate from year to year. This fund may be audited by the state auditor's office or the  
17 appropriate auditing agency.

18 3. Notwithstanding any provision of this section to the contrary, the sheriff of every  
19 county, regardless of classification, is authorized to pay, from the sheriff's revolving fund, all  
20 reasonable and necessary costs and expenses for activities or services occasioned by compliance  
21 with sections 571.101 to 571.121. Such was the intent of the general assembly in original  
22 enactment of this section and sections 571.101 to 571.121, and it is made express by this section  
23 in light of the decision in *Brooks v. State of Missouri*, (Mo. Sup. Ct. February 26, 2004). The  
24 application and renewal fees to be charged pursuant to section 571.101 shall be based on the  
25 sheriff's good faith estimate, made during regular budgeting cycles, of the actual costs and  
26 expenses to be incurred by reason of compliance with sections 571.101 to 571.121. If the  
27 maximum fee permitted by section 571.101 is inadequate to cover the actual reasonable and  
28 necessary expenses in a given year, and there are not sufficient accumulated unexpended funds  
29 in the revolving fund, a sheriff may present specific and verified evidence of the unreimbursed  
30 expenses to the office of administration, which upon certification by the attorney general shall  
31 reimburse such sheriff for those expenses from an appropriation made for that purpose.

32 4. If pursuant to subsection 12 of section 571.101, the sheriff of a county of the first  
33 classification designates one or more chiefs of police of any town, city, or municipality within  
34 such county to accept and process applications for certificates of qualification to obtain a  
35 concealed carry endorsement, then that sheriff shall reimburse such chiefs of police, out of the  
36 moneys deposited into this fund, for any reasonable expenses related to accepting and processing  
37 such applications.

**144.064. No sales tax levied under this chapter on any firearms or ammunition shall  
2 be levied at a rate that is higher than the sales tax levied under this chapter or any other  
3 excise tax levied on any sporting goods or equipment or any hunting equipment.**

302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340  
2 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic  
3 or other comparable material. All licenses shall be manufactured of materials and processes that  
4 will prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate  
5 any license without ready detection. All licenses shall bear the licensee's Social Security number,

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

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

28         3. The license issued shall be carried at all times by the holder thereof while driving a  
29 motor vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any  
30 police officer or peace officer, or any other duly authorized person, for inspection when demand  
31 is made therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any  
32 duly authorized officer shall be presumptive evidence that such person is not a duly licensed  
33 operator.

34         4. The director of revenue shall issue a commercial or noncommercial driver's license  
35 without a Social Security number to an applicant therefor, who is otherwise qualified to be  
36 licensed, upon presentation to the director of a certified statement that the applicant objects to  
37 the display of the Social Security number on the license. The director shall assign an  
38 identification number, that is not based on a Social Security number, to the applicant which shall  
39 be displayed on the license in lieu of the Social Security number.

40         5. The director of revenue shall not issue a license without a facial photograph or digital  
41 image of the license applicant, except as provided pursuant to subsection 8 of this section. A

42 photograph or digital image of the applicant's full facial features shall be taken in a manner  
43 prescribed by the director. No photograph or digital image will be taken wearing anything which  
44 cloaks the facial features of the individual.

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

50 7. The department of revenue shall issue upon request a nondriver's license card  
51 containing essentially the same information and photograph or digital image, except as provided  
52 pursuant to subsection 8 of this section, as the driver's license upon payment of six dollars. All  
53 nondriver's licenses shall expire on the applicant's birthday in the sixth year after issuance. A  
54 person who has passed his or her seventieth birthday shall upon application be issued a  
55 nonexpiring nondriver's license card. **Notwithstanding any other provision of this chapter,**  
56 **a nondriver's license containing a concealed carry endorsement shall expire three years**  
57 **from the date the certificate of qualification was issued pursuant to section 571.101. The**  
58 **fee for nondriver's licenses issued for a period exceeding three years is six dollars or three**  
59 **dollars for nondriver's licenses issued for a period of three years or less.** The nondriver's  
60 license card shall be used for identification purposes only and shall not be valid as a license.

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

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

67 (1) Present a form provided by the department of revenue requesting the applicant's  
68 photograph be omitted from the license or nondriver's license due to religious affiliations. The  
69 form shall be signed by the applicant and another member of the religious tenant verifying the  
70 photograph or digital image exemption on the license or nondriver's license is required as part  
71 of their religious affiliation. The required signatures on the prescribed form shall be properly  
72 notarized;

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

78 (3) Applications for a driver's license or nondriver's license without a photograph or  
79 digital image must be made in person at a license office determined by the director. The director  
80 is authorized to limit the number of offices that may issue a driver's or nondriver's license  
81 without a photograph or digital image pursuant to this section.

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

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

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

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

3 (1) An explosive weapon;

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

6 (3) [A machine gun;

7 (4)] A gas gun;

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

9 (6) A firearm silencer;

10 (7)] (4) A switchblade knife;

11 [(8)] (5) A bullet or projectile which explodes or detonates upon impact because of an  
12 independent explosive charge after having been shot from a firearm; or

13 [(9)] (6) Knuckles; or

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

15 (a) **A machine gun;**

16 (b) **A short barreled rifle or shotgun; or**

17 (c) **A firearm silencer.**

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

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

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

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

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

28 (5) Was incident to [dealing with] **using** the weapon [solely as a curio, ornament, or  
29 keepsake, or to using it] in a manner reasonably related to a lawful dramatic performance[; but  
30 if the weapon is a type described in subdivision (1) or (4) of subsection 1 of this section it must  
31 be in such a nonfunctioning condition that it cannot readily be made operable. No short barreled  
32 rifle, short barreled shotgun, machine gun, or firearm silencer may be possessed, manufactured,  
33 transported, repaired or sold as a curio, ornament, or keepsake, unless such person is an importer,  
34 manufacturer, dealer, or collector licensed by the Secretary of the Treasury pursuant to the Gun  
35 Control Act of 1968, U.S.C., Title 18, or unless such firearm is an antique firearm as defined in  
36 subsection 3 of section 571.080, or unless such firearm has been designated a collectors item by  
37 the Secretary of the Treasury pursuant to the U.S.C., Title 26, Section 5845(a)].

38 3. A crime pursuant to subdivision (1), (2), (3)[, (4), (5) or (6)] **or (7)** of subsection 1 of  
39 this section is a class C felony; a crime pursuant to subdivision [(7), (8) or (9)] **(4), (5) or (6)** of  
40 subsection 1 of this section is a class A misdemeanor.

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

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

5 (2) Sets a spring gun; or

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

9 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of  
10 lethal use in an angry or threatening manner; or

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

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

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

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

23 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section  
24 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any  
25 building or habitable structure, unless the person was lawfully acting in self-defense; or

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

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

36 (1) All state, county and municipal peace officers who have completed the training  
37 required by the police officer standards and training commission pursuant to sections 590.030  
38 to 590.050 and who possess the duty and power of arrest for violation of the general criminal  
39 laws of the state or for violation of ordinances of counties or municipalities of the state, whether  
40 such officers are on or off duty, and whether such officers are within or outside of the law  
41 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection  
42 [10] **11** of this section, and who carry the identification defined in subsection [11] **12** of this  
43 section, or any person summoned by such officers to assist in making arrests or preserving the  
44 peace while actually engaged in assisting such officer;

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

47 (3) Members of the armed forces or national guard while performing their official duty;

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

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

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

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

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

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

60 (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney  
61 or assistant circuit attorney who has completed the firearms safety training course required under  
62 subsection 2 of section 571.111[.] ; **and**

63 **(11) Any member of a fire department or fire protection district, who is employed**  
64 **on a full-time basis as a fire investigator and who has a valid concealed carry endorsement**  
65 **under section 571.111 when such uses are reasonably associated with or are necessary to**  
66 **the fulfillment of such person's official duties.**

67 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when  
68 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
69 ammunition is not readily accessible or when such weapons are not readily accessible.  
70 Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of  
71 age or older transporting a concealable firearm in the passenger compartment of a motor vehicle,  
72 so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also  
73 in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in  
74 his or her dwelling unit or upon premises over which the actor has possession, authority or  
75 control, or is traveling in a continuous journey peaceably through this state. Subdivision (10)  
76 of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by  
77 a person while traversing school premises for the purposes of transporting a student to or from  
78 school, or possessed by an adult for the purposes of facilitation of a school-sanctioned  
79 firearm-related event **or club event**.

80 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any  
81 person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to  
82 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or  
83 political subdivision of another state.

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

86 6. Nothing in this section shall make it unlawful for a student to actually participate in  
87 school-sanctioned gun safety courses, student military or ROTC courses, or other  
88 school-sponsored **or club-sponsored** firearm-related events, provided the student does not carry  
89 a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or



90 onto the premises of any other function or activity sponsored or sanctioned by school officials  
91 or the district school board.

92 7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision  
93 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or  
94 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor  
95 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of  
96 subsection 1 of this section, in which case it is a class B felony, except that if the violation of  
97 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is  
98 a class A felony.

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

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

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

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

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

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

114 10. **Notwithstanding any other provision of law, no person who pleads guilty to or**  
115 **is found guilty of a felony violation of subsection 1 of this section shall receive a suspended**  
116 **imposition of sentence if such person has previously received a suspended imposition of**  
117 **sentence for any other firearms or weapons related felony offense.**

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

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

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

124 (3) Before such retirement, was regularly employed as a peace officer for an aggregate  
125 of fifteen years or more, or retired from service with such agency, after completing any

126 applicable probationary period of such service, due to a service-connected disability, as  
127 determined by such agency;

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

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

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

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

135 [11.] **12.** The identification required by subdivision (1) of subsection 2 of this section  
136 is:

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

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

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

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

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

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

5 (3) "Materially false information", any information that portrays an illegal  
6 transaction as legal or a legal transaction as illegal;

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

9 **2. A person commits the crime of fraudulent purchase of a firearm if such person:**

10 (1) **Knowingly solicits, persuades, encourages or entices a licensed dealer or private**  
11 **seller of firearms or ammunition to transfer a firearm or ammunition under circumstances**  
12 **which the person knows would violate the laws of this state or the United States; or**

13           **(2) Provides to a licensed dealer or private seller of firearms or ammunition what**  
14 **the person knows to be materially false information with intent to deceive the dealer or**  
15 **seller about the legality of a transfer of a firearm or ammunition; or**

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

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

19           **4. This section shall not apply to criminal investigations conducted by the United**  
20 **States Bureau of Alcohol, Tobacco, Firearms and Explosives, authorized agents of such**  
21 **investigations, or to a peace officer, as defined in section 542.261, acting at the explicit**  
22 **direction of the United States Bureau of Alcohol, Tobacco, Firearms and Explosives.**

**571.085. Residents of the state of Missouri may purchase firearms in any state,**  
2 **provided that such residents conform to the applicable provisions of the Federal Gun**  
3 **Control Act of 1968, and regulations thereunder, and provided further that such residents**  
4 **conform to the provisions of law applicable to such purchase in the state of Missouri and**  
5 **in the state in which the purchase is made.**

**571.087. Residents of any state may purchase firearms in the state of Missouri,**  
2 **provided that such residents conform to the applicable provisions of the Federal Gun**  
3 **Control Act of 1968, and regulations thereunder, and provided further that such residents**  
4 **conform to the provisions of law applicable to such purchase in the state of Missouri and**  
5 **in the state in which such persons reside.**

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

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

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

- 17 (a) Has assumed residency in this state; or  
18 (b) Is a member of the armed forces stationed in Missouri, or the spouse of such member  
19 of the military;
- 20 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a  
21 crime punishable by imprisonment for a term exceeding one year under the laws of any state or  
22 of the United States other than a crime classified as a misdemeanor under the laws of any state  
23 and punishable by a term of imprisonment of one year or less that does not involve an explosive  
24 weapon, firearm, firearm silencer or gas gun;
- 25 (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one  
26 or more misdemeanor offenses involving crimes of violence within a five-year period  
27 immediately preceding application for a certificate of qualification for a concealed carry  
28 endorsement or if the applicant has not been convicted of two or more misdemeanor offenses  
29 involving driving while under the influence of intoxicating liquor or drugs or the possession or  
30 abuse of a controlled substance within a five-year period immediately preceding application for  
31 a certificate of qualification for a concealed carry endorsement;
- 32 (4) Is not a fugitive from justice or currently charged in an information or indictment  
33 with the commission of a crime punishable by imprisonment for a term exceeding one year under  
34 the laws of any state of the United States other than a crime classified as a misdemeanor under  
35 the laws of any state and punishable by a term of imprisonment of two years or less that does not  
36 involve an explosive weapon, firearm, firearm silencer, or gas gun;
- 37 (5) Has not been discharged under dishonorable conditions from the United States armed  
38 forces;
- 39 (6) Has not engaged in a pattern of behavior, documented in public records, that causes  
40 the sheriff to have a reasonable belief that the applicant presents a danger to himself or others;
- 41 (7) Is not adjudged mentally incompetent at the time of application or for five years prior  
42 to application, or has not been committed to a mental health facility, as defined in section  
43 632.005, or a similar institution located in another state following a hearing at which the  
44 defendant was represented by counsel or a representative;
- 45 (8) Submits a completed application for a certificate of qualification as [defined]  
46 **described** in subsection 3 of this section;
- 47 (9) Submits an affidavit attesting that the applicant complies with the concealed carry  
48 safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- 49 (10) Is not the respondent of a valid full order of protection which is still in effect.
- 50 3. The application for a certificate of qualification for a concealed carry endorsement  
51 issued by the sheriff of the county of the applicant's residence shall contain only the following  
52 information:

- 53 (1) The applicant's name, address, telephone number, gender, and date and place of birth;
- 54 (2) An affirmation that the applicant has assumed residency in Missouri or is a member  
55 of the armed forces stationed in Missouri or the spouse of such a member of the armed forces  
56 and is a citizen of the United States;
- 57 (3) An affirmation that the applicant is at least [twenty-three] **twenty-one** years of age;
- 58 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime  
59 punishable by imprisonment for a term exceeding one year under the laws of any state or of the  
60 United States other than a crime classified as a misdemeanor under the laws of any state and  
61 punishable by a term of imprisonment of one year or less that does not involve an explosive  
62 weapon, firearm, firearm silencer, or gas gun;
- 63 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered  
64 a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence  
65 within a five-year period immediately preceding application for a certificate of qualification to  
66 obtain a concealed carry endorsement or if the applicant has not been convicted of two or more  
67 misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs  
68 or the possession or abuse of a controlled substance within a five-year period immediately  
69 preceding application for a certificate of qualification to obtain a concealed carry endorsement;
- 70 (6) An affirmation that the applicant is not a fugitive from justice or currently charged  
71 in an information or indictment with the commission of a crime punishable by imprisonment for  
72 a term exceeding one year under the laws of any state or of the United States other than a crime  
73 classified as a misdemeanor under the laws of any state and punishable by a term of  
74 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm  
75 silencer or gas gun;
- 76 (7) An affirmation that the applicant has not been discharged under dishonorable  
77 conditions from the United States armed forces;
- 78 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time  
79 of application or for five years prior to application, or has not been committed to a mental health  
80 facility, as defined in section 632.005, or a similar institution located in another state, except that  
81 a person whose release or discharge from a facility in this state pursuant to chapter 632, or a  
82 similar discharge from a facility in another state, occurred more than five years ago without  
83 subsequent recommitment may apply;
- 84 (9) An affirmation that the applicant has received firearms safety training that meets the  
85 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;
- 86 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is  
87 not the respondent of a valid full order of protection which is still in effect; and

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

90 4. An application for a certificate of qualification for a concealed carry endorsement shall  
91 be made to the sheriff of the county or any city not within a county in which the applicant  
92 resides. An application shall be filed in writing, signed under oath and under the penalties of  
93 perjury, and shall state whether the applicant complies with each of the requirements specified  
94 in subsection 2 of this section. In addition to the completed application, the applicant for a  
95 certificate of qualification for a concealed carry endorsement must also submit the following:

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

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

101 5. Before an application for a certificate of qualification for a concealed carry  
102 endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary  
103 into the accuracy of the statements made in the application. The sheriff may require that the  
104 applicant display a Missouri driver's license or nondriver's license or military identification and  
105 orders showing the person being stationed in Missouri. In order to determine the applicant's  
106 suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall  
107 be fingerprinted. The sheriff shall request a criminal background check through the appropriate  
108 law enforcement agency within three working days after submission of the properly completed  
109 application for a certificate of qualification for a concealed carry endorsement. If no  
110 disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall  
111 be forwarded to the Federal Bureau of Investigation for a national criminal history record check.  
112 Upon receipt of the completed background check, the sheriff shall issue a certificate of  
113 qualification for a concealed carry endorsement within three working days. The sheriff shall  
114 issue the certificate within forty-five calendar days if the criminal background check has not been  
115 received, provided that the sheriff shall revoke any such certificate and endorsement within  
116 twenty-four hours of receipt of any background check that results in a disqualifying record, and  
117 shall notify the department of revenue.

118 6. The sheriff may refuse to approve an application for a certificate of qualification for  
119 a concealed carry endorsement if he or she determines that any of the requirements specified in  
120 subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable  
121 reason to believe that the applicant has rendered a false statement regarding any of the provisions  
122 of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required  
123 to deny the application, and notify the applicant in writing, stating the grounds for denial and

124 informing the applicant of the right to submit, within thirty days, any additional documentation  
125 relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff  
126 shall reconsider his or her decision and inform the applicant within thirty days of the result of  
127 the reconsideration. The applicant shall further be informed in writing of the right to appeal the  
128 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and  
129 denials by the sheriff, the person submitting the application shall appeal the denial pursuant to  
130 subsections 2, 3, 4, and 5 of section 571.114.

131 7. If the application is approved, the sheriff shall issue a certificate of qualification for  
132 a concealed carry endorsement to the applicant within a period not to exceed three working days  
133 after his or her approval of the application. The applicant shall sign the certificate of  
134 qualification in the presence of the sheriff or his or her designee and shall within seven days of  
135 receipt of the certificate of qualification take the certificate of qualification to the department of  
136 revenue. Upon verification of the certificate of qualification and completion of a driver's license  
137 or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a  
138 new driver's license or nondriver's license with an endorsement which identifies that the  
139 applicant has received a certificate of qualification to carry concealed weapons issued pursuant  
140 to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's  
141 license or nondriver's license. **Notwithstanding any other provision of chapter 302, a**  
142 **nondriver's license with a concealed carry endorsement shall expire three years from the**  
143 **date the certificate of qualification was issued pursuant to this section** The requirements for  
144 the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall  
145 not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff  
146 pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a  
147 concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the  
148 concealed carry endorsement issued by the director of revenue from October 11, 2003, until the  
149 concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless  
150 such certificate of qualification has been suspended or revoked for cause.

151 8. The sheriff shall keep a record of all applications for a certificate of qualification for  
152 a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance  
153 of a certificate of qualification to the Missouri uniform law enforcement system. All information  
154 on any such certificate that is protected information on any driver's or nondriver's license shall  
155 have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's  
156 status as a holder of a certificate of qualification or a concealed carry endorsement shall not be  
157 public information and shall be considered personal protected information. Any person who  
158 violates the provisions of this subsection by disclosing protected information shall be guilty of  
159 a class A misdemeanor.

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

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

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

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

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

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

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

16 (3) The facility of any adult or juvenile detention or correctional institution, prison or  
17 jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or  
18 correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not  
19 removed from the vehicle or brandished while the vehicle is on the premises;

20 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any  
21 courtrooms, administrative offices, libraries or other rooms of any such court whether or not such  
22 court solely occupies the building in question. This subdivision shall also include, but not be



23 limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of  
24 the courts or offices listed in this subdivision are temporarily conducting any business within the  
25 jurisdiction of such courts or offices, and such other locations in such manner as may be  
26 specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this  
27 subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section  
28 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4),  
29 and (10) of subsection 2 of section 571.030, or such other persons who serve in a law  
30 enforcement capacity for a court as may be specified by supreme court rule pursuant to  
31 subdivision (6) of this subsection from carrying a concealed firearm within any of the areas  
32 described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the  
33 areas listed in this subdivision shall not be a criminal offense so long as the firearm is not  
34 removed from the vehicle or brandished while the vehicle is on the premises;

35 (5) Any meeting of the governing body of a unit of local government; or any meeting of  
36 the general assembly or a committee of the general assembly, except that nothing in this  
37 subdivision shall preclude a member of the body holding a valid concealed carry endorsement  
38 from carrying a concealed firearm at a meeting of the body which he or she is a member.  
39 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the  
40 firearm is not removed from the vehicle or brandished while the vehicle is on the premises.  
41 **Nothing in this subdivision shall preclude a member of the general assembly, a full-time**  
42 **employee of the general assembly employed under section 17, article III, Constitution of**  
43 **Missouri, legislative employees of the general assembly as determined under section 21.155,**  
44 **or statewide elected officials and their employees, holding a valid concealed carry**  
45 **endorsement, from carrying a concealed firearm in the state capitol building or at a**  
46 **meeting whether of the full body of a house of the general assembly or a committee thereof,**  
47 **that is held in the state capitol building;**

48 (6) The general assembly, supreme court, county or municipality may by rule,  
49 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by  
50 endorsement holders in that portion of a building owned, leased or controlled by that unit of  
51 government. Any portion of a building in which the carrying of concealed firearms is prohibited  
52 or limited shall be clearly identified by signs posted at the entrance to the restricted area. The  
53 statute, rule or ordinance shall exempt any building used for public housing by private persons,  
54 highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that  
55 unit of government from any restriction on the carrying or possession of a firearm. The statute,  
56 rule or ordinance shall not specify any criminal penalty for its violation but may specify that  
57 persons violating the statute, rule or ordinance may be denied entrance to the building, ordered  
58 to leave the building and if employees of the unit of government, be subjected to disciplinary

59 measures for violation of the provisions of the statute, rule or ordinance. The provisions of this  
60 subdivision shall not apply to any other unit of government;

61 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the  
62 premises, which portion is primarily devoted to that purpose, without the consent of the owner  
63 or manager. The provisions of this subdivision shall not apply to the licensee of said  
64 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant  
65 open to the general public having dining facilities for not less than fifty persons and that receives  
66 at least fifty-one percent of its gross annual income from the dining facilities by the sale of food.  
67 This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the  
68 establishment and shall not be a criminal offense so long as the firearm is not removed from the  
69 vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision  
70 authorizes any individual who has been issued a concealed carry endorsement to possess any  
71 firearm while intoxicated;

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

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

77 (10) Any higher education institution or elementary or secondary school facility without  
78 the consent of the governing body of the higher education institution or a school official or the  
79 district school board. Possession of a firearm in a vehicle on the premises of any higher  
80 education institution or elementary or secondary school facility shall not be a criminal offense  
81 so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
82 premises;

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

87 (12) Any riverboat gambling operation accessible by the public without the consent of  
88 the owner or manager pursuant to rules promulgated by the gaming commission. Possession of  
89 a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal  
90 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle  
91 is on the premises;

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

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

100 (15) Any private property whose owner has posted the premises as being off-limits to  
101 concealed firearms by means of one or more signs displayed in a conspicuous place of a  
102 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less  
103 than one inch. The owner, business or commercial lessee, manager of a private business  
104 enterprise, or any other organization, entity, or person may prohibit persons holding a concealed  
105 carry endorsement from carrying concealed firearms on the premises and may prohibit  
106 employees, not authorized by the employer, holding a concealed carry endorsement from  
107 carrying concealed firearms on the property of the employer. If the building or the premises are  
108 open to the public, the employer of the business enterprise shall post signs on or about the  
109 premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on  
110 the premises shall not be a criminal offense so long as the firearm is not removed from the  
111 vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees  
112 or other persons holding a concealed carry endorsement from carrying a concealed firearm in  
113 vehicles owned by the employer;

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

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

120 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of  
121 subsection 1 of this section by any individual who holds a concealed carry endorsement issued  
122 pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person  
123 to denial to the premises or removal from the premises. If such person refuses to leave the  
124 premises and a peace officer is summoned, such person may be issued a citation for an amount  
125 not to exceed one hundred dollars for the first offense. If a second citation for a similar violation  
126 occurs within a six-month period, such person shall be fined an amount not to exceed two  
127 hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for  
128 a period of one year. If a third citation for a similar violation is issued within one year of the first  
129 citation, such person shall be fined an amount not to exceed five hundred dollars and shall have  
130 his or her concealed carry endorsement revoked and such person shall not be eligible for a

131 concealed carry endorsement for a period of three years. Upon conviction of charges arising  
132 from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county  
133 which issued the certificate of qualification for a concealed carry endorsement and the  
134 department of revenue. The sheriff shall suspend or revoke the certificate of qualification for  
135 a concealed carry endorsement and the department of revenue shall issue a notice of such  
136 suspension or revocation of the concealed carry endorsement and take action to remove the  
137 concealed carry endorsement from the individual's driving record. The director of revenue shall  
138 notify the licensee that he or she must apply for a new license pursuant to chapter 302 which  
139 does not contain such endorsement. A concealed carry endorsement suspension pursuant to  
140 sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's  
141 license. The notice issued by the department of revenue shall be mailed to the last known  
142 address shown on the individual's driving record. The notice is deemed received three days after  
143 mailing.

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

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

7 (2) Submits a photocopy of a certificate that shows the applicant completed a firearms  
8 safety course given by or under 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 subsection 5 of this section; or

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

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

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

20 2. A certificate of firearms safety training course completion may be issued to any  
21 applicant by any qualified firearms safety instructor. On the certificate of course completion the  
22 qualified firearms safety instructor shall affirm that the individual receiving instruction has taken

23 and passed a firearms safety course of at least eight hours in length taught by the instructor that  
24 included:

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

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

30 (3) The basic principles of marksmanship;

31 (4) Care and cleaning of concealable firearms;

32 (5) Safe storage of firearms at home;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

9 SMALL CLAIMS COURT

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

11 ....., PLAINTIFF

12 )

13 )

14 vs. ) Case Number .....

15 )

16 )

17 ....., DEFENDANT,

18 Carry Endorsement Holder  
19 ....., DEFENDANT,  
20 Sheriff of Issuance

21 PETITION FOR REVOCATION  
22 OF CERTIFICATE OF QUALIFICATION  
23 OR CONCEALED CARRY ENDORSEMENT

24 Plaintiff states to the court that the defendant, ....., has a certificate of qualification  
25 or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and  
26 that the defendant's certificate of qualification or concealed carry endorsement should now be  
27 revoked because the defendant either never was or no longer is eligible for such a certificate or  
28 endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically  
29 plaintiff states that defendant, ....., never was or no longer is eligible for such certificate or  
30 endorsement for one or more of the following reasons:

31 (CHECK BELOW EACH REASON  
32 THAT APPLIES TO THIS DEFENDANT)

- 33  Defendant is not at least [twenty-three] **twenty-one** years of age.
- 34  Defendant is not a citizen of the United States.
- 35  Defendant had not resided in this state [for at least six months] prior to issuance of the
- 36 permit and does not qualify as a military member or spouse of a military member
- 37 stationed in Missouri.
- 38  Defendant has pled guilty to or been convicted of a crime punishable by imprisonment
- 39 for a term exceeding one year under the laws of any state or of the United States other
- 40 than a crime classified as a misdemeanor under the laws of any state and punishable by
- 41 a term of imprisonment of one year or less that does not involve an explosive weapon,
- 42 firearm, firearm silencer, or gas gun.
- 43  Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere
- 44 to one or more misdemeanor offenses involving crimes of violence within a five-year
- 45 period immediately preceding application for a certificate of qualification or concealed
- 46 carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, or if the
- 47 applicant has been convicted of two or more misdemeanor offenses involving driving
- 48 while under the influence of intoxicating liquor or drugs or the possession or abuse of a
- 49 controlled substance within a five-year period immediately preceding application for a
- 50 certificate of qualification or a concealed carry endorsement issued pursuant to sections
- 51 571.101 to 571.121, RSMo.
- 52  Defendant is a fugitive from justice or currently charged in an information or
- 53 indictment with the commission of a crime punishable by imprisonment for a term

54 exceeding one year under the laws of any state of the United States other than a crime  
55 classified as a misdemeanor under the laws of any state and punishable by a term of  
56 imprisonment of one year or less that does not involve an explosive weapon, firearm,  
57 firearm silencer, or gas gun.

58  Defendant has been discharged under dishonorable conditions from the United States  
59 armed forces.

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

62  Defendant is adjudged mentally incompetent at the time of application or for five years  
63 prior to application, or has been committed to a mental health facility, as defined in  
64 section 632.005, RSMo, or a similar institution located in another state, except that a  
65 person whose release or discharge from a facility in this state pursuant to chapter 632,  
66 RSMo, or a similar discharge from a facility in another state, occurred more than five  
67 years ago without subsequent recommitment may apply.

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

70  Defendant failed to submit to or failed to clear the required background check.

71  Defendant failed to submit an affidavit attesting that the applicant complies with the  
72 concealed carry safety training requirement pursuant to subsection 1 of section 571.111,  
73 RSMo.

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

78 ....., PLAINTIFF

79 2. If at the hearing the plaintiff shows that the defendant was not eligible for the  
80 certificate of qualification or the concealed carry endorsement issued pursuant to sections  
81 571.101 to 571.121, at the time of issuance or renewal or is no longer eligible for a certificate  
82 of qualification or the concealed carry endorsement issued pursuant to the provisions of sections  
83 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the  
84 certificate of qualification or concealed carry endorsement. Costs shall not be assessed against  
85 the sheriff.

86 3. The finder of fact, in any action brought against an endorsement holder pursuant to  
87 subsection 1 of this section, shall make findings of fact and the court shall make conclusions of  
88 law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted  
89 without justification or with malice or primarily with an intent to harass the endorsement holder



90 or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay  
 91 the defendant/respondent all reasonable costs incurred in defending the action including, but not  
 92 limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the  
 93 plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and  
 94 costs to be awarded should be liberally calculated in defendant/respondent's favor.  
 95 Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be  
 96 at least one hundred fifty dollars per hour.

97 4. Any person aggrieved by any final judgment rendered by a small claims court in a  
 98 petition for revocation of a certificate of qualification or concealed carry endorsement may have  
 99 a right to trial de novo as provided in sections 512.180 to 512.320.

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

**Section 1. 1. A municipality may regulate, by order or ordinance, the shooting of  
 2 pneumatic guns within its boundaries when the municipality is, in the opinion of the  
 3 governing body, so heavily populated that such conduct is dangerous to the inhabitants  
 4 thereof. The municipality may require supervision by a parent, guardian, or other adult  
 5 supervisor who is approved by a parent or guardian, of any minor below the age of twelve  
 6 in all uses of pneumatic guns on public property. The ordinance may specify that minors  
 7 twelve years of age or older may, with the consent of a parent or guardian, use a pneumatic  
 8 gun at any place designated for such use by the local governing body or on private  
 9 property with the consent of the owner. The ordinance may specify that any minor shall  
 10 be responsible for obeying all laws, regulations, and restrictions governing such use,  
 11 regardless of whether a parent or guardian has permitted such use.**

12 **2. No such ordinance shall prohibit the use pneumatic guns at facilities approved  
 13 for shooting ranges.**

2 [407.500. Residents of the state of Missouri may purchase rifles and  
 3 shotguns in a state contiguous to the state of Missouri, provided that such  
 4 residents conform to the applicable provisions of the Federal Gun Control Act of  
 5 1968, and regulations thereunder, as administered by the United States Secretary  
 6 of the Treasury, and provided further that such residents conform to the  
 7 provisions of law applicable to such purchase in the state of Missouri and in the  
 8 contiguous state in which the purchase is made.]

2 [407.505. Residents of a state contiguous to the state of Missouri may  
 3 purchase rifles and shotguns in the state of Missouri, provided that such residents  
 conform to the applicable provisions of the Federal Gun Control Act of 1968, and

4 regulations thereunder, as administered by the United States Secretary of the  
5 Treasury, and provided further that such residents conform to the provisions of  
6 law applicable to such purchase in the state of Missouri and in the state in which  
7 such persons reside.]

Section B. The repeal and reenactment of sections 302.181 and 571.101 shall become  
2 effective on the date the director of the department of revenue begins to issue nondriver licenses  
3 with conceal carry endorsements that expire three years from the dates the certificates of  
4 qualification were issued, or on January 1, 2013, whichever occurs first. If the director of  
5 revenue begins issuing nondriver licenses with conceal carry endorsements that expire three  
6 years from the dates the certificates of qualification were issued under the authority granted  
7 under sections 302.181 and 571.101 prior to January 1, 2013, the director of the department of  
8 revenue shall notify the revisor of statutes of such fact.

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