

SS#2 SCS HCS HB 294, 123, 125, 113, 271 & 215 -- FIREARMS

This bill changes the laws regarding firearms, ammunition, and concealed carry endorsements. In its main provisions, the bill:

(1) Specifies that the county sheriff's revolving fund may be used to pay for information and data exchange necessary to process applications or renewals for concealed carry endorsements (Section 50.535, RSMo);

(2) Prohibits the sales tax on any firearm or ammunition from being levied at a higher rate than for any sales tax or other excise tax charged on any sporting goods or equipment or any hunting equipment (Section 144.064);

(3) Specifies that a nondriver's license containing a concealed carry endorsement will expire three years from the date the certificate of qualification was issued. The fee for a nondriver's license issued for a period exceeding three years will be \$6 or \$3 for a license issued for a period of three years or less (Sections 302.181 and 571.101.7);

(4) Allows a person to possess, manufacture, transport, repair, or sell a machine gun, short barreled rifle or shotgun, or firearm silencer if he or she conforms with federal law. A person will not commit a crime if he or she possesses, manufactures, transports, repairs, or sells an explosive weapon; an explosive, incendiary, or poisonous substance or material; a gas gun; a switchblade knife; certain explosive bullets; or knuckles if the item was possessed in conformity with federal law and during possession his or her conduct was incident to certain specified actions. A person who possesses, manufactures, transports, repairs, or sells an explosive weapon; an explosive, incendiary, or poisonous substance or material; a gas gun; or a machine gun, short barreled rifle or shotgun, or a firearm silencer in violation of federal law will be guilty of a class C felony. A person who possesses, manufactures, transports, repairs, or sells a switchblade knife, certain explosive bullets, or knuckles in violation of federal law will be guilty of a class A misdemeanor (Section 571.020);

(5) Removes certain specified uses of a firearm from being a crime when the use was reasonably associated with or necessary to the fulfillment of a person's official duties and exempts from the crime of unlawful use of weapons federal probation or flight deck officers, whether they are on duty or are within their agency's jurisdiction, and any member of a fire department who is employed on a full-time basis as a fire investigator and has a valid concealed carry endorsement when the uses are reasonably associated with or are necessary to the fulfillment of his or her

official duties. No person who pleads guilty to or is found guilty of a felony violation of unlawful use of weapons can receive a suspended imposition of sentence if the person has previously received a suspended imposition of sentence for any other firearms or weapons-related felony offense. The bill allows an adult to possess a firearm on school property for the purpose of facilitating a school-sanctioned club event and specifies that it is not unlawful for a student to participate in a club-sponsored, firearm-related event under specified conditions (Section 571.030);

(6) Creates the crime of fraudulent purchase of a firearm, a class D felony, if a person knowingly solicits, persuades, encourages, or entices a licensed dealer or private seller of firearms or ammunition to transfer a firearm or ammunition under circumstances which the person knows would violate federal or state laws; provides to a licensed dealer or private seller of firearms or ammunition what the person knows to be materially false information with the intent to deceive the dealer or seller about the legality of a transfer of a firearm or ammunition; or willfully procures another to violate these provisions. These provisions do not apply to criminal investigations conducted by the United States Bureau of Alcohol, Tobacco, Firearms, and Explosives; its agents; or law enforcement officers acting under the direction of the bureau (Section 571.063);

(7) Repeals provisions in Sections 407.500 and 407.505 which restrict the sale of rifles and shotguns by requiring purchasers or sellers to live in Missouri or a contiguous state and to conform to federal and state gun regulations and instead allows a Missouri resident or the resident of any state to purchase any firearm if he or she conforms to federal laws, the laws of the state in which he or she resides, and the laws of this state (Sections 571.085 and 571.087);

(8) Lowers the age at which a person can obtain a concealed carry endorsement from 23 to 21 years of age (Sections 571.101.2 and 571.117);

(9) Specifies that current provisions do not preclude a member of the General Assembly, a full-time or legislative employee of the General Assembly, or a statewide elected official and his or her employees who hold a valid concealed carry endorsement from carrying a concealed firearm in the State Capitol Building (Section 571.107);

(10) Specifies that a certificate of firearms safety training course completion may be issued to any applicant for a concealed carry endorsement by any qualified firearms safety instructor if the applicant completes at least eight hours of instruction that

includes a live firing exercise of sufficient duration for the applicant to fire both a revolver and a semiautomatic pistol and successfully hits the target with both handguns. A firearms safety instructor who knowingly provides a sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification will be guilty of a class C misdemeanor (Section 571.111); and

(11) Specifies that a municipality may regulate, by order or ordinance, the shooting of pneumatic guns within its boundaries when, in the opinion of the governing body, it is so heavily populated that the conduct is dangerous to its inhabitants. The municipality may require any minor younger than 12 years of age when using a pneumatic gun on public property to be supervised. A municipal ordinance may specify that a minor 12 years of age or older can, with parental or guardian consent, use a pneumatic gun at any place designated for its use or on private property with the owner's consent and that a minor must obey all laws, regulations, and restrictions regardless of whether a parent or guardian has permitted the use. No ordinance can prohibit the use of pneumatic guns at facilities approved for shooting ranges (Section 1).

The provisions regarding the issuance of nondriver's licenses containing conceal carry endorsements and the lowering of the age at which a person can obtain a concealed carry endorsement will become effective when the Director of the Department of Revenue begins to issue nondriver's licenses with the conceal carry endorsement that expire three years from the date the certificate of qualification was issued or January 1, 2013, whichever occurs first.