

HCS HB 1319, 1045 & 1369 -- WEAPONS (Riddle)

COMMITTEE OF ORIGIN: Committee on General Laws

This substitute reenacts a provision that was repealed by House Bill 294 in 2011 which allows the use of certain otherwise unlawful weapons if the weapon is being dealt with as a curio, ornament, or keepsake.

The substitute lowers the age at which a person can obtain a concealed carry endorsement from 21 to 18 years of age if the person is a member of the United States Armed Forces, honorably discharged from the United States Armed Forces, a member of a military academy, or a member of the Reserve Officers' Training Corps; is a citizen of the United States; and has assumed residency or is stationed in Missouri.

Any person who has a valid concealed carry endorsement and is lawfully carrying a firearm in a concealed manner may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.

The substitute allows an individual over 18 years of age who has been adjudicated incapacitated under Chapter 475, RSMo, has been involuntarily committed under Chapter 632, or has had a Missouri adjudication or commitment that results in a firearms disqualification pursuant to 18 U.S.C. Section 922(d)(4) or (g)(4) is allowed to file a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm. The procedures for filing the petition and the rules of evidence are specified in the substitute. The substitute repeals current provisions found in Section 475.375, relating to these petitions.

The circuit court must grant a removal of the disqualification if there is a finding by clear and convincing evidence that the petitioner will not be likely to act in a manner dangerous to public safety and that granting the removal is not contrary to the public interest. If a petition is granted, the county clerk must forward a copy of the order to the State Highway Patrol so the patrol can contact the Federal Bureau of Investigation for updating the petitioner's record with the National Instant Criminal Background Check System within 21 days of the receipt of the order. If a petition is denied, the individual may appeal, and the review of a circuit court ruling will be de novo.

A person can receive a concealed carry endorsement without meeting the current requirements if he or she submits a copy of a certificate of firearms safety training course completion that

was issued on or before August 27, 2011, if it met the requirements that were in effect on the date it was issued.

FISCAL NOTE: Estimated Net Cost on General Revenue Fund of Up to \$19,140 in FY 2013, \$0 in FY 2014, and \$0 in FY 2015. No impact on Other State Funds in FY 2013, FY 2014, and FY 2015.