

SECOND REGULAR SESSION

[PERFECTED]

HOUSE COMMITTEE SUBSTITUTE FOR

**HOUSE BILL NO. 2116**

**97TH GENERAL ASSEMBLY**

6350H.03P

D. ADAM CRUMBLISS, Chief Clerk

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**AN ACT**

To repeal sections 84.340, 94.902, 287.243, 321.015, 321.130, 321.210, 571.030, 575.120, 575.153, and 595.030, RSMo, and to enact in lieu thereof eleven new sections relating to public safety.

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

Section A. Sections 84.340, 94.902, 287.243, 321.015, 321.130, 321.210, 571.030, 575.120, 575.153, and 595.030, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 84.340, 94.902, 287.243, 321.015, 321.130, 321.210, 571.030, 575.120, 575.153, 590.750, and 595.030, to read as follows:

84.340. **Except as provided under section 590.750**, the police commissioner of the said cities shall have power to regulate and license all private watchmen, private detectives and private policemen, serving or acting as such in said cities, and no person shall act as such private watchman, private detective or private policeman in said cities without first having obtained the written license of the president or acting president of said police commissioners of the said cities, under pain of being guilty of a misdemeanor.

94.902. 1. The governing [body] **bodies of the following cities may impose a tax as provided in this section:**

(1) Any city of the third classification with more than twenty-six thousand three hundred but less than twenty-six thousand seven hundred inhabitants[, or] ;

(2) Any city of the fourth classification with more than thirty thousand three hundred but fewer than thirty thousand seven hundred inhabitants[, or] ;

(3) Any city of the fourth classification with more than twenty-four thousand eight hundred but fewer than twenty-five thousand inhabitants[,] ;

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.

9 (4) Any special charter city with more than twenty-nine thousand but fewer than  
10 thirty-two thousand inhabitants; or

11 (5) Any city of the third classification with more than four thousand but fewer than  
12 four thousand five hundred inhabitants and located in any county of the first classification  
13 with more than two hundred thousand but fewer than two hundred sixty thousand  
14 inhabitants.

15 2. The governing body of any city listed in subsection 1 of this section may impose,  
16 by order or ordinance, a sales tax on all retail sales made in the city which are subject to taxation  
17 under chapter 144. The tax authorized in this section may be imposed in an amount of up to one-  
18 half of one percent, and shall be imposed solely for the purpose of improving the public safety  
19 for such city, including but not limited to expenditures on equipment, city employee salaries and  
20 benefits, and facilities for police, fire and emergency medical providers. The tax authorized in  
21 this section shall be in addition to all other sales taxes imposed by law, and shall be stated  
22 separately from all other charges and taxes. The order or ordinance imposing a sales tax under  
23 this section shall not become effective unless the governing body of the city submits to the voters  
24 residing within the city, at a county or state general, primary, or special election, a proposal to  
25 authorize the governing body of the city to impose a tax under this section.

26 [2.] 3. The ballot of submission for the tax authorized in this section shall be in  
27 substantially the following form:

28 Shall the city of ..... (city's name) impose a citywide sales tax at  
29 a rate of ..... (insert rate of percent) percent for the purpose of improving the public safety of  
30 the city?

31 YES NO

32 If you are in favor of the question, place an "X" in the box opposite "YES". If you are opposed  
33 to the question, place an "X" in the box opposite "NO".

34

35 If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor  
36 of the proposal, then the ordinance or order and any amendments to the order or ordinance shall  
37 become effective on the first day of the second calendar quarter after the director of revenue  
38 receives notice of the adoption of the sales tax. If a majority of the votes cast on the proposal  
39 by the qualified voters voting thereon are opposed to the proposal, then the tax shall not become  
40 effective unless the proposal is resubmitted under this section to the qualified voters and such  
41 proposal is approved by a majority of the qualified voters voting on the proposal. However, in  
42 no event shall a proposal under this section be submitted to the voters sooner than twelve months  
43 from the date of the last proposal under this section.

44 [3.] 4. Any sales tax imposed under this section shall be administered, collected,  
45 enforced, and operated as required in section 32.087. All sales taxes collected by the director  
46 of the department of revenue under this section on behalf of any city, less one percent for cost  
47 of collection which shall be deposited in the state's general revenue fund after payment of  
48 premiums for surety bonds as provided in section 32.087, shall be deposited in a special trust  
49 fund, which is hereby created in the state treasury, to be known as the "City Public Safety Sales  
50 Tax Trust Fund". The moneys in the trust fund shall not be deemed to be state funds and shall  
51 not be commingled with any funds of the state. The provisions of section 33.080 to the contrary  
52 notwithstanding, money in this fund shall not be transferred and placed to the credit of the  
53 general revenue fund. The director shall keep accurate records of the amount of money in the  
54 trust fund and which was collected in each city imposing a sales tax under this section, and the  
55 records shall be open to the inspection of officers of the city and the public. Not later than the  
56 tenth day of each month the director shall distribute all moneys deposited in the trust fund during  
57 the preceding month to the city which levied the tax. Such funds shall be deposited with the city  
58 treasurer of each such city, and all expenditures of funds arising from the trust fund shall be by  
59 an appropriation act to be enacted by the governing body of each such city. Expenditures may  
60 be made from the fund for any functions authorized in the ordinance or order adopted by the  
61 governing body submitting the tax to the voters. If the tax is repealed, all funds remaining in the  
62 special trust fund shall continue to be used solely for the designated purposes. Any funds in the  
63 special trust fund which are not needed for current expenditures shall be invested in the same  
64 manner as other funds are invested. Any interest and moneys earned on such investments shall  
65 be credited to the fund.

66 [4.] 5. The director of the department of revenue may authorize the state treasurer to  
67 make refunds from the amounts in the trust fund and credited to any city for erroneous payments  
68 and overpayments made, and may redeem dishonored checks and drafts deposited to the credit  
69 of such cities. If any city abolishes the tax, the city shall notify the director of the action at least  
70 ninety days before the effective date of the repeal, and the director may order retention in the  
71 trust fund, for a period of one year, of two percent of the amount collected after receipt of such  
72 notice to cover possible refunds or overpayment of the tax and to redeem dishonored checks and  
73 drafts deposited to the credit of such accounts. After one year has elapsed after the effective date  
74 of abolition of the tax in such city, the director shall remit the balance in the account to the city  
75 and close the account of that city. The director shall notify each city of each instance of any  
76 amount refunded or any check redeemed from receipts due the city.

77 [5.] 6. The governing body of any city that has adopted the sales tax authorized in this  
78 section may submit the question of repeal of the tax to the voters on any date available for  
79 elections for the city. The ballot of submission shall be in substantially the following form:

80 Shall ..... (insert the name of the city) repeal the sales tax  
81 imposed at a rate of ..... (insert rate of percent) percent for the purpose of improving the public  
82 safety of the city?

83 YES NO

84 If a majority of the votes cast on the proposal are in favor of repeal, that repeal shall become  
85 effective on December thirty-first of the calendar year in which such repeal was approved. If a  
86 majority of the votes cast on the question by the qualified voters voting thereon are opposed to  
87 the repeal, then the sales tax authorized in this section shall remain effective until the question  
88 is resubmitted under this section to the qualified voters, and the repeal is approved by a majority  
89 of the qualified voters voting on the question.

90 [6.] 7. Whenever the governing body of any city that has adopted the sales tax authorized  
91 in this section receives a petition, signed by ten percent of the registered voters of the city voting  
92 in the last gubernatorial election, calling for an election to repeal the sales tax imposed under this  
93 section, the governing body shall submit to the voters of the city a proposal to repeal the tax. If  
94 a majority of the votes cast on the question by the qualified voters voting thereon are in favor of  
95 the repeal, that repeal shall become effective on December thirty-first of the calendar year in  
96 which such repeal was approved. If a majority of the votes cast on the question by the qualified  
97 voters voting thereon are opposed to the repeal, then the tax shall remain effective until the  
98 question is resubmitted under this section to the qualified voters and the repeal is approved by  
99 a majority of the qualified voters voting on the question.

100 [7.] 8. Except as modified in this section, all provisions of sections 32.085 and 32.087  
101 shall apply to the tax imposed under this section.

287.243. 1. This section shall be known and may be cited as the "Line of Duty  
2 Compensation Act".

3 2. As used in this section, unless otherwise provided, the following words shall mean:

4 (1) "Air ambulance pilot", a person certified as an air ambulance pilot in accordance with  
5 sections 190.001 to 190.245 and corresponding regulations applicable to air ambulances adopted  
6 by the department of health and senior services, division of regulation and licensure, 19 CSR  
7 30-40.005, et seq.;

8 (2) "Air ambulance registered professional nurse", a person licensed as a registered  
9 professional nurse in accordance with sections 335.011 to 335.096 and corresponding regulations  
10 adopted by the state board of nursing, 20 CSR 2200-4, et seq., who provides registered  
11 professional nursing services as a flight nurse in conjunction with an air ambulance program that  
12 is certified in accordance with sections 190.001 to 190.245 and the corresponding regulations  
13 applicable to such programs;

14 (3) "Emergency medical technician", a person licensed in emergency medical care in  
15 accordance with standards prescribed by sections 190.001 to 190.245 and by rules adopted by  
16 the department of health and senior services under sections 190.001 to 190.245;

17 (4) "Firefighter", any person, including a volunteer firefighter, employed by the state or  
18 a local governmental entity as an employer defined under subsection 1 of section 287.030, or  
19 otherwise serving as a member or officer of a fire department either for the purpose of the  
20 prevention or control of fire or the underwater recovery of drowning victims;

21 (5) "Killed in the line of duty", when [a] **any** person defined in this section loses [one's]  
22 **his or her** life [as a result of an injury received in the active performance of his or her duties  
23 within the ordinary scope of his or her respective profession while the individual is on duty and  
24 but for the individual's performance, death would have not occurred] **when:**

25 (a) **Death is caused by an accident or the willful act of violence of another;**

26 (b) **The law enforcement officer, emergency medical technician, air ambulance**  
27 **pilot, air ambulance registered professional nurse, or firefighter is in the active**  
28 **performance of his or her duties in his or her respective profession and there is a**  
29 **relationship between the accident or commission of the act of violence and the performance**  
30 **of the duty, even if the individual is off duty; the law enforcement officer, emergency**  
31 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**  
32 **firefighter is traveling to or from employment; or the law enforcement officer, emergency**  
33 **medical technician, air ambulance pilot, air ambulance registered professional nurse, or**  
34 **firefighter is taking any meal break or other break which takes place while that individual**  
35 **is on duty;**

36 (c) **Death is the natural and probable consequence of the injury; and**

37 (d) **Death occurs within three hundred weeks from the date the injury was received.**

38 The term excludes death resulting from the willful misconduct or intoxication of the law  
39 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
40 registered professional nurse, or firefighter. The division of workers' compensation shall have  
41 the burden of proving such willful misconduct or intoxication;

42 (6) "Law enforcement officer", any person employed by the state or a local governmental  
43 entity as a police officer, peace officer certified under chapter 590, or serving as an auxiliary  
44 police officer or in some like position involving the enforcement of the law and protection of the  
45 public interest at the risk of that person's life;

46 (7) "Local governmental entity", includes counties, municipalities, townships, board or  
47 other political subdivision, cities under special charter, or under the commission form of  
48 government, fire protection districts, ambulance districts, and municipal corporations;

49 (8) "State", the state of Missouri and its departments, divisions, boards, bureaus,  
50 commissions, authorities, and colleges and universities;

51 (9) "Volunteer firefighter", a person having principal employment other than as a  
52 firefighter, but who is carried on the rolls of a regularly constituted fire department either for the  
53 purpose of the prevention or control of fire or the underwater recovery of drowning victims, the  
54 members of which are under the jurisdiction of the corporate authorities of a city, village,  
55 incorporated town, or fire protection district. Volunteer firefighter shall not mean an individual  
56 who volunteers assistance without being regularly enrolled as a firefighter.

57 3. (1) A claim for compensation under this section shall be filed by the estate of the  
58 deceased with the division of workers' compensation not later than one year from the date of  
59 death of a law enforcement officer, emergency medical technician, air ambulance pilot, air  
60 ambulance registered professional nurse, or firefighter. If a claim is made within one year of the  
61 date of death of a law enforcement officer, emergency medical technician, air ambulance pilot,  
62 air ambulance registered professional nurse, or firefighter killed in the line of duty, compensation  
63 shall be paid, if the division finds that the claimant is entitled to compensation under this section.

64 (2) The amount of compensation paid to the claimant shall be twenty-five thousand  
65 dollars, subject to appropriation, for death occurring on or after June 19, 2009.

66 4. Notwithstanding subsection 3 of this section, no compensation is payable under this  
67 section unless a claim is filed within the time specified under this section setting forth:

68 (1) The name, address, and title or designation of the position in which the law  
69 enforcement officer, emergency medical technician, air ambulance pilot, air ambulance  
70 registered professional nurse, or firefighter was serving at the time of his or her death;

71 (2) The name and address of the claimant;

72 (3) A full, factual account of the circumstances resulting in or the course of events  
73 causing the death at issue; and

74 (4) Such other information that is reasonably required by the division.

75 When a claim is filed, the division of workers' compensation shall make an investigation for  
76 substantiation of matters set forth in the application.

77 5. The compensation provided for under this section is in addition to, and not exclusive  
78 of, any pension rights, death benefits, or other compensation the claimant may otherwise be  
79 entitled to by law.

80 6. Neither employers nor workers' compensation insurers shall have subrogation rights  
81 against any compensation awarded for claims under this section. Such compensation shall not  
82 be assignable, shall be exempt from attachment, garnishment, and execution, and shall not be  
83 subject to setoff or counterclaim, or be in any way liable for any debt, except that the division  
84 or commission may allow as lien on the compensation, reasonable attorney's fees for services in

85 connection with the proceedings for compensation if the services are found to be necessary.  
86 Such fees are subject to regulation as set forth in section 287.260.

87 7. Any person seeking compensation under this section who is aggrieved by the decision  
88 of the division of workers' compensation regarding his or her compensation claim, may make  
89 application for a hearing as provided in section 287.450. The procedures applicable to the  
90 processing of such hearings and determinations shall be those established by this chapter.  
91 Decisions of the administrative law judge under this section shall be binding, subject to review  
92 by either party under the provisions of section 287.480.

93 8. Pursuant to section 23.253 of the Missouri sunset act:

94 (1) The provisions of the new program authorized under this section shall automatically  
95 sunset six years after June 19, [2009] **2019**, unless reauthorized by an act of the general  
96 assembly; and

97 (2) If such program is reauthorized, the program authorized under this section shall  
98 automatically sunset twelve years after the effective date of the reauthorization of this section;  
99 and

100 (3) This section shall terminate on September first of the calendar year immediately  
101 following the calendar year in which the program authorized under this section is sunset.

102 9. The provisions of this section, unless specified, shall not be subject to other provisions  
103 of this chapter.

104 10. There is hereby created in the state treasury the "Line of Duty Compensation Fund",  
105 which shall consist of moneys appropriated to the fund and any voluntary contributions, gifts,  
106 or bequests to the fund. The state treasurer shall be custodian of the fund and shall approve  
107 disbursements from the fund in accordance with sections 30.170 and 30.180. Upon  
108 appropriation, money in the fund shall be used solely for paying claims under this section.  
109 Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the  
110 fund at the end of the biennium shall not revert to the credit of the general revenue fund. The  
111 state treasurer shall invest moneys in the fund in the same manner as other funds are invested.  
112 Any interest and moneys earned on such investments shall be credited to the fund.

113 11. The division shall promulgate rules to administer this section, including but not  
114 limited to the appointment of claims to multiple claimants, record retention, and procedures for  
115 information requests. Any rule or portion of a rule, as that term is defined in section 536.010,  
116 that is created under the authority delegated in this section shall become effective only if it  
117 complies with and is subject to all of the provisions of chapter 536 and, if applicable, section  
118 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the  
119 general assembly under chapter 536 to review, to delay the effective date, or to disapprove and

120 annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and  
121 any rule proposed or adopted after June 19, 2009, shall be invalid and void.

321.015. 1. No person holding any lucrative office or employment under this state, or  
2 any political subdivision thereof as defined in section 70.120, shall hold the office of fire  
3 protection district director under this chapter. When any fire protection district director accepts  
4 any office or employment under this state or any political subdivision thereof, his office shall  
5 thereby be vacated and he shall thereafter perform no duty and receive no salary or expenses as  
6 fire protection district director.

7 2. This section shall not apply to:

8 (1) Members of the organized militia, of the reserve corps, public school employees and  
9 notaries public;

10 (2) Fire protection districts located wholly within counties of the second, third or fourth  
11 classification;

12 (3) Fire protection districts in counties of the first classification with less than eighty-five  
13 thousand inhabitants;

14 (4) Fire protection districts located within counties of the first classification not  
15 adjoining any other county of the first classification;

16 (5) Fire protection districts located within any county of the first or second classification  
17 not having more than nine hundred thousand inhabitants which borders any three counties of the  
18 first classification;

19 (6) Fire protection districts located within any county of the first classification which  
20 adjoins both a county with a charter form of government with more than nine hundred fifty  
21 thousand inhabitants, and adjoins at least four other counties;

22 (7) Fire protection districts located within any county of the first classification with more  
23 than one hundred fifty thousand but fewer than two hundred thousand inhabitants.

24 3. For the purposes of this section, the term "lucrative office or employment" does not  
25 include receiving retirement benefits, compensation for expenses, or [a stipend or per diem, in  
26 an amount not to exceed seventy-five dollars for each day of service,] for service rendered to a  
27 fire protection district, the state or any political subdivision thereof.

321.130. [1.] A person, to be qualified to serve as a director, shall be a **resident and**  
2 voter of the district **for** at least one year before the election or appointment and be over the age  
3 of twenty-five years[; except as provided in subsections 2 and 3 of this section. The person shall  
4 also be a resident of such fire protection district]. In the event the person is no longer a resident  
5 of the district, the person's office shall be vacated, and the vacancy shall be filled as provided in  
6 section 321.200. Nominations and declarations of candidacy shall be filed at the headquarters  
7 of the fire protection district by paying a [ten dollar] filing fee **equal to the amount of a**



8 **candidate for county office as set forth under section 115.357**, and filing a statement under  
9 oath that such person possesses the required qualifications.

10 [2. In any fire protection district located in more than one county one of which is a first  
11 class county without a charter form of government having a population of more than one hundred  
12 ninety-eight thousand and not adjoining any other first class county or located wholly within a  
13 first class county as described herein, a resident shall have been a resident of the district for more  
14 than one year to be qualified to serve as a director.

15 3. In any fire protection district located in a county of the third or fourth classification,  
16 a person to be qualified to serve as a director shall be over the age of twenty-five years and shall  
17 be a voter of the district for more than one year before the election or appointment, except that  
18 for the first board of directors in such district, a person need only be a voter of the district for one  
19 year before the election or appointment.

20 4. A person desiring to become a candidate for the first board of directors of the  
21 proposed district shall pay the sum of five dollars as a filing fee to the treasurer of the county and  
22 shall file with the election authority a statement under oath that such person possesses all of the  
23 qualifications set out in this chapter for a director of a fire protection district.] Thereafter, such  
24 candidate shall have the candidate's name placed on the ballot as a candidate for director.

321.210. On the first Tuesday in April after the expiration of at least two full calendar  
2 years from the date of the election of the first board of directors, and on the first Tuesday in April  
3 every two years thereafter, an election for members of the board of directors shall be held in the  
4 district. Nominations shall be filed at the headquarters of the fire protection district in which a  
5 majority of the district is located by paying a filing fee up to the amount of a candidate for [state  
6 representative] **county office** as set forth under section 115.357 and filing a statement under oath  
7 that [he] **the candidate** possesses the required qualifications. The candidate receiving the most  
8 votes shall be elected. Any new member of the board shall qualify in the same manner as the  
9 members of the first board qualify.

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; or

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 associated  
31 with or are necessary to the fulfillment of such person's official duties except as otherwise  
32 provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section  
33 shall not apply to or affect any of the following persons, when such uses are reasonably  
34 associated with or are necessary to the fulfillment of such person's official duties, except as  
35 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 11 of this section, and who carry the identification defined in subsection 12 of this section, or  
43 any person summoned by such officers to assist in making arrests or preserving the peace while  
44 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  
48 duty;

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

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

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

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

58 (8) Any corporate security advisor meeting the definition and fulfilling the requirements  
59 of the regulations established by the [board of police commissioners under section 84.340]  
60 **department of public safety under section 590.750;**

61 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

62 (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney  
63 or assistant circuit attorney who has completed the firearms safety training course required under  
64 subsection 2 of section 571.111;

65 (11) Any member of a fire department or fire protection district who is employed on a  
66 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued  
67 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such  
68 uses are reasonably associated with or are necessary to the fulfillment of such person's official  
69 duties; and

70 (12) Upon the written approval of the governing body of a fire department or fire  
71 protection district, any paid fire department or fire protection district chief who is employed on  
72 a full-time basis and who has a valid concealed carry endorsement, when such uses are  
73 reasonably associated with or are necessary to the fulfillment of such person's official duties.

74 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when  
75 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
76 ammunition is not readily accessible or when such weapons are not readily accessible.  
77 Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of  
78 age or older or eighteen years of age or older and a member of the United States Armed Forces,  
79 or honorably discharged from the United States Armed Forces, transporting a concealable  
80 firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm  
81 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm  
82 or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon

83 premises over which the actor has possession, authority or control, or is traveling in a continuous  
84 journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not  
85 apply if the firearm is otherwise lawfully possessed by a person while traversing school premises  
86 for the purposes of transporting a student to or from school, or possessed by an adult for the  
87 purposes of facilitation of a school-sanctioned firearm-related event or club event.

88 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any  
89 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121,  
90 a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or  
91 endorsement to carry concealed firearms issued by another state or political subdivision of  
92 another state.

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

95 6. Notwithstanding any provision of this section to the contrary, the state shall not  
96 prohibit any state employee from having a firearm in the employee's vehicle on the state's  
97 property provided that the vehicle is locked and the firearm is not visible. This subsection shall  
98 only apply to the state as an employer when the state employee's vehicle is on property owned  
99 or leased by the state and the state employee is conducting activities within the scope of his or  
100 her employment. For the purposes of this subsection, "state employee" means an employee of  
101 the executive, legislative, or judicial branch of the government of the state of Missouri.

102 7. Nothing in this section shall make it unlawful for a student to actually participate in  
103 school-sanctioned gun safety courses, student military or ROTC courses, or other school-  
104 sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm  
105 or other weapon readily capable of lethal use into any school, onto any school bus, or onto the  
106 premises of any other function or activity sponsored or sanctioned by school officials or the  
107 district school board.

108 8. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision  
109 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or  
110 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor  
111 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of  
112 subsection 1 of this section, in which case it is a class B felony, except that if the violation of  
113 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is  
114 a class A felony.

115 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as  
116 follows:

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

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

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

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

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

130 11. Notwithstanding any other provision of law, no person who pleads guilty to or is  
131 found guilty of a felony violation of subsection 1 of this section shall receive a suspended  
132 imposition of sentence if such person has previously received a suspended imposition of sentence  
133 for any other firearms- or weapons-related felony offense.

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

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

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

140 (3) Before such retirement, was regularly employed as a peace officer for an aggregate  
141 of fifteen years or more, or retired from service with such agency, after completing any  
142 applicable probationary period of such service, due to a service-connected disability, as  
143 determined by such agency;

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

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

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

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

151 13. The identification required by subdivision (1) of subsection 2 of this section is:

152 (1) A photographic identification issued by the agency from which the individual retired  
153 from service as a peace officer that indicates that the individual has, not less recently than one  
154 year before the date the individual is carrying the concealed firearm, been tested or otherwise

155 found by the agency to meet the standards established by the agency for training and qualification  
156 for active peace officers to carry a firearm of the same type as the concealed firearm; or

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

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

575.120. 1. A person commits the crime of false impersonation if such person:

2 (1) Falsely represents himself or herself to be a public servant **in any manner including**  
3 **but not limited to displaying a badge or other credential**, with purpose to induce another to  
4 submit to his or her pretended official authority or to rely upon his or her pretended official acts,  
5 and

6 (a) Performs an act in that pretended capacity; or

7 (b) Causes another to act in reliance upon his or her pretended official authority;

8 (2) Falsely represents himself or herself to be a person licensed to practice or engage in  
9 any profession for which a license is required by the laws of this state with purpose to induce  
10 another to rely upon such representation, and

11 (a) Performs an act in that pretended capacity; or

12 (b) Causes another to act in reliance upon such representation; or

13 (3) Upon being arrested, falsely represents himself or herself, to a law enforcement  
14 officer, with the first and last name, date of birth, or Social Security number, or a substantial  
15 number of identifying factors or characteristics as that of another person that results in the filing  
16 of a report or record of arrest or conviction for an infraction, misdemeanor, or felony that  
17 contains the first and last name, date of birth, and Social Security number, or a substantial  
18 number of identifying factors or characteristics to that of such other person as to cause such other  
19 person to be identified as the actual person arrested or convicted.

20 2. If a violation of subdivision (3) of subsection 1 of this section is discovered prior to  
21 any conviction of the person actually arrested for an underlying charge, then the prosecuting  
22 attorney, bringing any action on the underlying charge, shall notify the court thereof, and the  
23 court shall order the false-identifying factors ascribed to the person actually arrested as are  
24 contained in the arrest and court records amended to correctly and accurately identify the  
25 defendant and shall expunge the incorrect and inaccurate identifying factors from the arrest and  
26 court records.

27           3. If a violation of subdivision (3) of subsection 1 of this section is discovered after any  
28 conviction of the person actually arrested for an underlying charge, then the prosecuting attorney  
29 of the county in which the conviction occurred shall file a motion in the underlying case with the  
30 court to correct the arrest and court records after discovery of the fraud upon the court. The court  
31 shall order the false identifying factors ascribed to the person actually arrested as are contained  
32 in the arrest and court records amended to correctly and accurately identify the defendant and  
33 shall expunge the incorrect and inaccurate identifying factors from the arrest and court records.

34           4. Any person who is the victim of a false impersonation and whose identity has been  
35 falsely reported in arrest or conviction records may move for expungement and correction of said  
36 records under the procedures set forth in section 610.123. Upon a showing that a substantial  
37 number of identifying factors of the victim was falsely ascribed to the person actually arrested  
38 or convicted, the court shall order the false identifying factors ascribed to the person actually  
39 arrested as are contained in the arrest and court records amended to correctly and accurately  
40 identify the defendant and shall expunge the incorrect and inaccurate factors from the arrest and  
41 court records.

42           5. False impersonation is a class B misdemeanor unless the person represents himself  
43 to be a law enforcement officer in which case false impersonation is a class A misdemeanor.

575.153. 1. A person commits the crime of disarming a peace officer, as defined in  
2 section [590.100] **590.010**, or a correctional officer if such person intentionally:

3           (1) Removes a firearm [or other] , deadly weapon, **or less-lethal weapon, to include**  
4 **blunt impact, chemical or conducted energy devices, used in the performance of his or her**  
5 **official duties** from the person of a peace officer or correctional officer while such officer is  
6 acting within the scope of his or her official duties; or

7           (2) Deprives a peace officer or correctional officer of such officer's use of a firearm [or]  
8 , deadly weapon, **or any other equipment described in subdivision (1) of this subsection**  
9 while the officer is acting within the scope of his or her official duties.

10           2. The provisions of this section shall not apply when:

11           (1) The defendant does not know or could not reasonably have known that the person  
12 he or she disarmed was a peace officer or correctional officer; or

13           (2) The peace officer or correctional officer was engaged in an incident involving  
14 felonious conduct by the peace officer or correctional officer at the time the defendant disarmed  
15 such officer.

16           3. Disarming a peace officer or correctional officer is a class C felony.

**590.750. 1. The department of public safety shall have the authority to promulgate**  
2 **rules and regulate and license all corporate security advisors. Any person acting as a**

3 corporate security advisor without first obtaining the proper licensure from the  
4 department of public safety shall be guilty of a misdemeanor.

5       **2. Any rule or portion of a rule, as that term is defined in section 536.010, that is**  
6 **created under the authority delegated in this section shall become effective only if it**  
7 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**  
8 **section 536.028. This section and chapter 536 are nonseverable and if any of the powers**  
9 **vested with the general assembly under chapter 536 to review, to delay the effective date,**  
10 **or to disapprove and annul a rule are subsequently held unconstitutional, then the grant**  
11 **of rulemaking authority and any rule proposed or adopted after August 28, 2014, shall be**  
12 **invalid and void.**

595.030. 1. No compensation shall be paid unless the claimant has incurred an out-of-  
2 pocket loss of at least fifty dollars or has lost two continuous weeks of earnings or support from  
3 gainful employment. "Out-of-pocket loss" shall mean unreimbursed or unreimbursable expenses  
4 or indebtedness reasonably incurred:

5       (1) For medical care or other services, including psychiatric, psychological or counseling  
6 expenses, necessary as a result of the crime upon which the claim is based, except that the  
7 amount paid for psychiatric, psychological or counseling expenses per eligible claim shall not  
8 exceed two thousand five hundred dollars; or

9       (2) As a result of personal property being seized in an investigation by law enforcement.  
10 Compensation paid for an out-of-pocket loss under this subdivision shall be in an amount equal  
11 to the loss sustained, but shall not exceed two hundred fifty dollars.

12       2. No compensation shall be paid unless the department of public safety finds that a  
13 crime was committed, that such crime directly resulted in personal physical injury to, or the death  
14 of, the victim, and that police records show that such crime was promptly reported to the proper  
15 authorities. In no case may compensation be paid if the police records show that such report was  
16 made more than forty-eight hours after the occurrence of such crime, unless the department of  
17 public safety finds that the report to the police was delayed for good cause. If the victim is under  
18 eighteen years of age such report may be made by the victim's parent, guardian or custodian; by  
19 a physician, a nurse, or hospital emergency room personnel; by the division of family services  
20 personnel; or by any other member of the victim's family. In the case of a sexual offense, filing  
21 a report of the offense to the proper authorities may include, but not be limited to, the filing of  
22 the report of the forensic examination by the appropriate medical provider, as defined in section  
23 595.220, with the prosecuting attorney of the county in which the alleged incident occurred.

24       3. No compensation shall be paid for medical care if the service provider is not a medical  
25 provider as that term is defined in section 595.027, and the individual providing the medical care  
26 is not licensed by the state of Missouri or the state in which the medical care is provided.



27           4. No compensation shall be paid for psychiatric treatment or other counseling services,  
28 including psychotherapy, unless the service provider is a:

29           (1) Physician licensed pursuant to chapter 334 or licensed to practice medicine in the  
30 state in which the service is provided;

31           (2) Psychologist licensed pursuant to chapter 337 or licensed to practice psychology in  
32 the state in which the service is provided;

33           (3) Clinical social worker licensed pursuant to chapter 337; or

34           (4) Professional counselor licensed pursuant to chapter 337.

35           5. Any compensation paid pursuant to sections 595.010 to 595.075 for death or personal  
36 injury shall be in an amount not exceeding out-of-pocket loss, together with loss of earnings or  
37 support from gainful employment, not to exceed [two] **four** hundred dollars per week, resulting  
38 from such injury or death. In the event of death of the victim, an award may be made for  
39 reasonable and necessary expenses actually incurred for preparation and burial not to exceed five  
40 thousand dollars.

41           6. Any compensation for loss of earnings or support from gainful employment shall be  
42 in an amount equal to the actual loss sustained not to exceed [two] **four** hundred dollars per  
43 week; provided, however, that no award pursuant to sections 595.010 to 595.075 shall exceed  
44 twenty-five thousand dollars. If two or more persons are entitled to compensation as a result of  
45 the death of a person which is the direct result of a crime or in the case of a sexual assault, the  
46 compensation shall be apportioned by the department of public safety among the claimants in  
47 proportion to their loss.

48           7. The method and timing of the payment of any compensation pursuant to sections  
49 595.010 to 595.075 shall be determined by the department.

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