

HB 2264 -- CONCEALED CARRY OF FIREARMS

SPONSOR: Sommer

This bill changes the laws regarding the carrying of concealed firearms. In its main provisions, the bill:

(1) Establishes the Missouri Strategic Action for Emergencies Act or Mo. S.A.F.E. that requires the governing body of each school district to establish a schools safety and emergency response procedure in buildings with classrooms. The governing body may request assistance in developing and establishing the procedure from the Department of Public Safety, the Missouri State Emergency Management Agency, and any local emergency management or public safety agency located within its district boundaries. The local school board, in conjunction with local law enforcement, may determine the teacher training that is necessary and appropriate, and each school district must conduct the training annually;

(2) Specifies that the current restrictions on carrying a concealed weapon in specific locations do not apply to a person who has a valid concealed carry endorsement and is a peace officer, federal law enforcement officer or agent, military police officer, or an officer or agent retired in good standing; employed or contracted by these entities to provide security services and is required to carry a concealed firearm on the premises of the employing or contracting entity; a licensed private investigator under Chapter 324, RSMo; a corrections officer or a retired corrections officer of a county sheriff's department; an auxiliary or reserve officer of a police or sheriff's department; a current or retired parole, probation, or corrections officer of the Department of Corrections; a current or retired state or federal judge; or a bailiff, marshal, or court officer who maintains safety and order in courtrooms;

(3) Allows a person who has a valid concealed carry endorsement or a certificate of qualification for a concealed carry endorsement or who makes application for a concealed carry endorsement to also apply for the newly-created concealed carry endorsement plus to the sheriff where he or she resides. Upon receiving the certificate, he or she must apply for a driver's or nondriver's license with the Director of the Department of Revenue to obtain a concealed carry endorsement plus that will be valid for the same time period as the underlying concealed carry endorsement and will allow the holder to carry a concealed firearm into specified places where it would otherwise be prohibited, including:

(a) Within 25 feet of any polling place on any election day;

(b) Any meeting of the governing body of a unit of local government or any meeting of the General Assembly or a committee of the General Assembly;

(c) A building owned, leased, or controlled by a unit of the General Assembly, Supreme Court, or county or municipal government where it is prohibited by rule, administrative regulation, or ordinance;

(d) Any establishment licensed to dispense intoxicating liquor for consumption on the premises;

(e) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the institution, a school official, or the district school board;

(f) Any portion of a building used as a child care facility without the consent of the manager;

(g) Any riverboat gambling operation accessible by the public without the consent of the owner or manager;

(h) Any gated area of an amusement park;

(i) Any church or other place of religious worship without the consent of the minister or the person who exercises control over the place;

(j) Any sports arena or stadium with a seating capacity of 5,000 or more; and

(k) Any hospital accessible by the public;

(4) Requires the sheriff or his or her designee to issue a certificate of qualification for a concealed carry endorsement plus if the applicant is at least 21 years of age, submits an affidavit attesting that he or she has complied with the required training no more than three years prior to the application, submits a completed application for an endorsement plus, and has a valid concealed carry endorsement or certificate of qualification for an endorsement. The bill specifies the information that must be included on the application for an endorsement plus and the documents and information to be included with the application. The sheriff may refuse to approve an application if he or she determines that any of the requirements specified have not been met, but an applicant has the ability to submit additional documentation and the right to appeal any denial;

(5) Requires the sheriff to keep a record of all applications for

a certificate of qualification for an endorsement plus and his or her actions on the application. The sheriff must report the issuance of a certification of qualification to the Missouri Uniform Law Enforcement System (MULES);

(6) Specifies that an applicant's status as a holder of a certificate of qualification for an endorsement plus must not be public information and must be considered personal protected information. Any person who violates this provision is guilty of a class A misdemeanor;

(7) Requires the sheriff to charge a fee of up to \$10, payable to the county treasury to the credit of the sheriff's revolving fund, for the processing or renewal of an endorsement plus application;

(8) Requires an endorsement plus applicant to demonstrate a knowledge of firearm safety training and specifies that this requirement will be fully satisfied if he or she submits a copy of a certificate of firearms safety training course signed by a certified advanced pistol instructor, is a certified advanced pistol instructor, or submits proof that he or she currently holds any type of valid peace officer license issued under the requirements of Chapter 590;

(9) Specifies that a certificate of firearms safety training course completion may be issued to an applicant by a certified advanced pistol instructor that affirms the applicant has taken and passed a firearms safety course that is at least 15 hours in length and is in addition to any firearms safety training required for a concealed carry endorsement; the training focused on emergency situations in public places where carrying a concealed firearm is otherwise prohibited; and the training included both classroom and range training, the firing of at least 300 rounds of ammunition, and training in firearms proficiency and self-defense tactics. An instructor is prohibited from giving a passing grade to any applicant who does not follow the orders of the instructor or range officer or handles a firearm in a manner that, in the instructor's judgment, poses a danger to the applicant or others;

(10) Specifies the requirements for a person to be considered a certified advanced pistol instructor;

(11) Specifies that an advanced pistol instructor who knowingly provides a sheriff with false information concerning an applicant's performance on the training and qualifications required by these provisions is guilty of a class C misdemeanor;

(12) Requires an endorsement plus to automatically be suspended, revoked, or become invalid when the holder's underlying concealed

carry endorsement is suspended, revoked, or becomes invalid and will automatically be reinstated when the underlying endorsement is reinstated;

(13) Requires a person who wishes to renew an endorsement plus to complete at least six hours of review training taught by a certified advanced pistol instructor within the three years immediately preceding the renewal application. The endorsement plus may be renewed any time the underlying concealed carry endorsement is renewed if the holder applies to have the endorsement plus renewed, submits a copy of a certificate of training course completion, displays a valid concealed carry endorsement, and pays the sheriff's renewal fee. If the endorsement holder fails to file a renewal application on or before the expiration date for the underlying endorsement, he or she must pay an additional late fee of \$10 per month for each month it is expired for up to six months. After six months, the sheriff must notify the Director of the Department of Revenue, who must immediately cancel the endorsement plus, remove the endorsement from the holder's driving record, and notify the holder of the cancellation; and

(14) Expands the immunity provision for any claims of damages resulting from any determination made by the Director of the Department of Revenue regarding the qualifications of a person for a concealed carry permit to include the issuance of a concealed carry endorsement or a concealed carry endorsement plus.