

HB 2270 -- POSSESSION OF A FIREARM

SPONSOR: McGaugh

This bill allows an individual who has lost the right to possess firearms to have his or her rights restored under specified circumstances.

Any individual who has been deprived of his or her civil right to ship, transport, possess, or receive a firearm because of a conviction for a felony under the Missouri law or of a crime under the laws of any state or of the United States which, if committed within Missouri, would be a felony must have his or her civil right to ship, transport, possess, or receive a firearm automatically restored upon his or her discharge from confinement, probation, or parole, whichever occurs later.

These provisions do not apply to an individual who has been convicted of an offense which requires registration as a sex offender unless he or she has been removed from the sex offender registry or exempted from having to register as a sex offender; any individual convicted of a child sex offense, specified in the bill; or any person who has been convicted of a violent felony as defined in these provisions.

Any individual who has been convicted of a violent felony as defined in these provisions and who has been deprived of his or her civil right to ship, transport, possess, or receive a firearm as a result of the conviction may file a petition in the circuit court of the county in which he or she was convicted or in the county in which he or she resides to restore his or her civil right to ship, transport, possess, or receive a firearm.

The court may grant relief if the individual shows good cause to do so, the person has been discharged from confinement, probation, or parole, whichever occurred later, the conviction occurred three or more years before the filing of the petition, and the individual has not been convicted at any other time for a felony under the laws of this state or of a crime under the laws of any state or of the United States which, if committed within this state, would be a felony. If the petition is denied, the individual may not file another petition until three years have elapsed without the permission of the court. If the petition is granted, the court must order the petitioner's civil right to ship, transport, possess, or receive a firearm be restored.