

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill No. 1578, Page 1, In the Title, Line 3, by  
2 deleting the words "members of the National Guard carrying concealed weapons" and inserting in  
3 lieu thereof the word "firearms"; and

4  
5 Further amend said bill, Page 10, Section 571.107, Line 146, by inserting after all of said section  
6 and line the following:

7  
8 "571.550. 1. When a law enforcement officer is at the scene of a domestic violence incident  
9 involving a threat to human life or a physical assault, or is serving a protective order under chapter  
10 455, such officer shall take temporary custody of any firearm or other deadly weapon in plain sight  
11 or discovered under a consensual or other lawful search as necessary for the protection of the law  
12 enforcement officer or other persons present if the law enforcement officer has probable cause to  
13 believe that an act of domestic violence has occurred.

14 2. If a firearm is removed from the scene under subsection 1 of this section, the law  
15 enforcement officer shall:

16 (1) Provide to the owner of the firearm information on the process for retaking possession  
17 of the firearm; and

18 (2) Provide for the safe storage of the firearm during the pendency of any proceeding  
19 related to the alleged act of domestic violence.

20 3. Within fourteen days of the conclusion of a proceeding on the alleged act of domestic  
21 violence, the owner of the firearm may retake possession of the firearm unless ordered to surrender  
22 the firearm under section 571.095.

23 571.555. 1. It shall be unlawful to possess a firearm for a person who:

24 (1) Is subject to a court order that:

25 (a) Was issued after a hearing of which such person received actual notice and at which such  
26 person had an opportunity to participate;

27 (b) Restrains such person from harassing, stalking, or threatening a family or household  
28 member of such person or a child of such family or household member or person, or engaging in  
29 other conduct that would place a family or household member in reasonable fear of bodily injury to  
30 the family or household member or child; and

31 (c) Includes a finding that such person represents a credible threat to the physical safety of  
32 such family or household member or a child; or by its terms explicitly prohibits the use, attempted  
33 use, or threatened use of physical force against such family or household member or child that  
34 would reasonably be expected to cause bodily injury; or

35 (2) Is currently on probation or parole after having been found guilty of or pled guilty to a  
36 misdemeanor crime of domestic assault in a court of competent jurisdiction. In all cases, the

Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 prohibition on possession of firearms under this subdivision shall terminate no later than three years  
2 after release from incarceration or parole or from the ending of a probation period, whichever event  
3 occurs sooner.

4 2. For the purposes of this section, the term "family" or "household member" shall be  
5 defined as such term is defined in section 455.010.

6 3. Any person who violates the provisions of this section is guilty of a class D felony until  
7 December 31, 2016, and a class E felony beginning January 1, 2017. "; and

8  
9 Further amend said bill by amending the title, enacting clause, and intersectional references  
10 accordingly.