

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for House Bill No. 2057, Page 1, In the Title, Line 3, by
2 deleting the words "concealed carry permits" and inserting in lieu thereof the word "firearms"; and
3
4 Further amend said bill, Page 12, Section 571.104, Line 164, by inserting after all of said section
5 and line the following:
6

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

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

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

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

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

22 571.555. 1. It shall be unlawful to possess a firearm for a person who:

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

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

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

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

34 (2) Is currently on probation or parole after having been found guilty of or pled guilty to a
35 misdemeanor crime of domestic assault in a court of competent jurisdiction. In all cases, the
36 prohibition on possession of firearms under this subdivision shall terminate no later than three years

Standing Action Taken _____ Date _____

Select Action Taken _____ Date _____

1 after release from incarceration or parole or from the ending of a probation period, whichever event
2 occurs sooner.

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

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

7
8 Further amend said bill by amending the title, enacting clause, and intersectional references
9 accordingly.