

HOUSE AMENDMENT NO. _____
TO
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Offered By

AMEND House Amendment No. _____ to Senate Committee Substitute for Senate Bill No. 89, Page 1, Line 1, by inserting after the number "89," the following:

"Page 1, Section A, Line 3, by inserting after all of said section and line the following:

"70.441. 1. As used in this section, the following terms have the following meanings:

(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

(5) "Sound production device" includes, but is not limited to, any radio receiver, phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker device and any sound amplifier.

2. In interpreting or applying this section, the following provisions shall apply:

(1) Any act otherwise prohibited by this section is lawful if specifically authorized by agreement, permit, license or other writing duly signed by an authorized officer of the agency or if performed by an officer, employee or designated agent of the agency acting within the scope of his or her employment or agency;

(2) Rules shall apply with equal force to any person assisting, aiding or abetting another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or abetting another in the avoidance of any of the requirements of the rules; and

(3) The singular shall mean and include the plural; the masculine gender shall mean the feminine and the neuter genders; and vice versa.

3. (1) No person shall use or enter upon the light rail conveyances of the agency without payment of the fare or other lawful charges established by the agency. Any person on any such conveyance must have properly validated fare media in his possession. This ticket must be valid to or from the station the passenger is using, and must have been used for entry for the trip then being taken;

(2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare media

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1 to gain entry to the facilities or conveyances of, or make use of the services of, the agency, except as
2 provided, authorized or sold by the agency and in accordance with any restriction on the use thereof
3 imposed by the agency;

4 (3) No person shall enter upon parking lots designated by the agency as requiring payment
5 to enter, either by electronic gate or parking meters, where the cost of such parking fee is visibly
6 displayed at each location, without payment of such fees or other lawful charges established by the
7 agency;

8 (4) Except for employees of the agency acting within the scope of their employment, no
9 person shall sell, provide, copy, reproduce or produce, or create any version of any token, pass,
10 badge, ticket, document, transfer, card or any other fare media or otherwise authorize access to or
11 use of the facilities, conveyances or services of the agency without the written permission of an
12 authorized representative of the agency;

13 (5) No person shall put or attempt to put any paper, article, instrument or item, other than a
14 token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other fare media
15 issued by the agency and valid for the place, time and manner in which used, into any fare box, pass
16 reader, ticket vending machine, parking meter, parking gate or other fare collection instrument,
17 receptacle, device, machine or location;

18 (6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have been
19 forged, counterfeited, imitated, altered or improperly transferred or that have been used in a manner
20 inconsistent with this section shall be confiscated;

21 (7) No person may perform any act which would interfere with the provision of transit
22 service or obstruct the flow of traffic on facilities or conveyances or which would in any way
23 interfere or tend to interfere with the safe and efficient operation of the facilities or conveyances of
24 the agency;

25 (8) All persons on or in any facility or conveyance of the agency shall:

26 (a) Comply with all lawful orders and directives of any agency employee acting within the
27 scope of his employment;

28 (b) Obey any instructions on notices or signs duly posted on any agency facility or
29 conveyance; and

30 (c) Provide accurate, complete and true information or documents requested by agency
31 personnel acting within the scope of their employment and otherwise in accordance with law;

32 (9) No person shall falsely represent himself or herself as an agent, employee or
33 representative of the agency;

34 (10) No person on or in any facility or conveyance shall:

35 (a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or unsanitary
36 condition, including, but not limited to, spitting and urinating, except in facilities provided;

37 (b) Drink any alcoholic beverage or possess any opened or unsealed container of alcoholic
38 beverage, except on premises duly licensed for the sale of alcoholic beverages, such as bars and
39 restaurants;

40 (c) Enter or remain in any facility or conveyance while his ability to function safely in the
41 environment of the agency transit system is impaired by the consumption of alcohol or by the taking
42 of any drug;

43 (d) Loiter or stay on any facility of the agency;

44 (e) Consume foods or liquids of any kind, except in those areas specifically authorized by
45 the agency;

46 (f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch, except in
47 those areas or locations specifically authorized by the agency; or

48 (g) Throw or cause to be propelled any stone, projectile or other article at, from, upon or in a
49 facility or conveyance;

1 (11) Except as otherwise provided under section 571.107, no weapon or other instrument
2 intended for use as a weapon may be carried in or on any facility or conveyance, except for law
3 enforcement personnel. For the purposes hereof, a weapon shall include, but not be limited to, a
4 firearm, switchblade knife, sword, or any instrument of any kind known as blackjack, billy club,
5 club, sandbag, metal knuckles, leather bands studded with metal, wood impregnated with metal
6 filings or razor blades; except that this subdivision shall not apply to a rifle or shotgun which is
7 unloaded and carried in any enclosed case, box or other container which completely conceals the
8 item from view and identification as a weapon;

9 (12) No explosives, flammable liquids, acids, fireworks or other highly combustible
10 materials or radioactive materials may be carried on or in any facility or conveyance, except as
11 authorized by the agency;

12 (13) No person, except as specifically authorized by the agency, shall enter or attempt to
13 enter into any area not open to the public, including, but not limited to, motorman's cabs,
14 conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment rooms,
15 concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train
16 yards, garages, depots or any area marked with a sign restricting access or indicating a dangerous
17 environment;

18 (14) No person may ride on the roof, the platform between rapid transit cars, or on any other
19 area outside any rapid transit car or bus or other conveyance operated by the agency;

20 (15) No person shall extend his hand, arm, leg, head or other part of his or her person or
21 extend any item, article or other substance outside of the window or door of a moving rapid transit
22 car, bus or other conveyance operated by the agency;

23 (16) No person shall enter or leave a rapid transit car, bus or other conveyance operated by
24 the agency except through the entrances and exits provided for that purpose;

25 (17) No animals may be taken on or into any conveyance or facility except the following:

26 (a) An animal enclosed in a container, accompanied by the passenger and carried in a
27 manner which does not annoy other passengers; and

28 (b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly
29 harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs
30 accompanying trainers carrying a certificate of identification issued by a dog school;

31 (18) No vehicle shall be operated carelessly, or negligently, or in disregard of the rights or
32 safety of others or without due caution and circumspection, or at a speed in such a manner as to be
33 likely to endanger persons or property on facilities of the agency. The speed limit on parking lots
34 and access roads shall be posted as fifteen miles per hour unless otherwise designated.

35 4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any violation
36 of this section shall constitute a misdemeanor, and any person committing a violation thereof shall
37 be subject to arrest and, upon conviction in a court of competent jurisdiction, shall pay a fine in an
38 amount not less than twenty-five dollars and no greater than two hundred fifty dollars per violation,
39 in addition to court costs. Any default in the payment of a fine imposed pursuant to this section
40 without good cause shall result in imprisonment for not more than thirty days;

41 (2) Unless a greater penalty is provided by the laws of the state, any person convicted a
42 second or subsequent time for the same offense under this section shall be guilty of a misdemeanor
43 and sentenced to pay a fine of not less than fifty dollars nor more than five hundred dollars in
44 addition to court costs, or to undergo imprisonment for up to sixty days, or both such fine and
45 imprisonment;

46 (3) Any person failing to pay the proper fare, fee or other charge for use of the facilities and
47 conveyances of the agency shall be subject to payment of such charge as part of the judgment
48 against the violator. All proceeds from judgments for unpaid fares or charges shall be directed to the
49 appropriate agency official;

(4) All juvenile offenders violating the provisions of this section shall be subject to the jurisdiction of the juvenile court as provided in chapter 211;

(5) As used in this section, the term "conviction" shall include all pleas of guilty and findings of guilt.

5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-state development agency, as described in subdivision (3) of subsection 4 of this section, may, in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by law, be required to reimburse the reasonable costs attributable to the enforcement, investigation, and prosecution of such offense by the bi-state development agency. The court shall direct the reimbursement proceeds to the appropriate agency official.

6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency property by the agency and parked or stored elsewhere at the risk and expense of the owner;

(2) Motor vehicles which are left unattended or abandoned on the property of the agency for a period of over seventy-two hours may be removed as provided for in section 304.155, except that the removal may be authorized by personnel designated by the agency under section 70.378."; and

Further amend said bill, "; and

Further amend said amendment, Page 2, Line 21, by deleting all of said line and inserting in lieu thereof the following:

"the safer operation of the bus.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize the person in whose name the permit or endorsement is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state or political subdivision of another state shall authorize any person to carry concealed firearms into:

(1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

(4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision

1 shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within
2 their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2
3 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as
4 may be specified by supreme court rule pursuant to subdivision (6) of this subsection from carrying
5 a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in
6 a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense
7 so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
8 premises;

9 (5) Any meeting of the governing body of a unit of local government; or any meeting of the
10 general assembly or a committee of the general assembly, except that nothing in this subdivision
11 shall preclude a member of the body holding a valid concealed carry permit or endorsement from
12 carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a
13 firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not
14 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this
15 subdivision shall preclude a member of the general assembly, a full-time employee of the general
16 assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of
17 the general assembly as determined under section 21.155, or statewide elected officials and their
18 employees, holding a valid concealed carry permit or endorsement, from carrying a concealed
19 firearm in the state capitol building or at a meeting whether of the full body of a house of the
20 general assembly or a committee thereof, that is held in the state capitol building;

21 (6) The general assembly, supreme court, county or municipality may by rule,
22 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit
23 or endorsement holders in that portion of a building owned, leased or controlled by that unit of
24 government. Any portion of a building in which the carrying of concealed firearms is prohibited or
25 limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute,
26 rule or ordinance shall exempt any building used for public housing by private persons, highways or
27 rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of
28 government from any restriction on the carrying or possession of a firearm. The statute, rule or
29 ordinance shall not specify any criminal penalty for its violation but may specify that persons
30 violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the
31 building and if employees of the unit of government, be subjected to disciplinary measures for
32 violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall
33 not apply to any other unit of government;

34 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
35 premises, which portion is primarily devoted to that purpose, without the consent of the owner or
36 manager. The provisions of this subdivision shall not apply to the licensee of said establishment.
37 The provisions of this subdivision shall not apply to any bona fide restaurant open to the general
38 public having dining facilities for not less than fifty persons and that receives at least fifty-one
39 percent of its gross annual income from the dining facilities by the sale of food. This subdivision
40 does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and
41 shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished
42 while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has
43 been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

44 (8) Any area of an airport to which access is controlled by the inspection of persons and
45 property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal
46 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
47 the premises;

48 (9) Any place where the carrying of a firearm is prohibited by federal law;

49 (10) Any higher education institution or elementary or secondary school facility without the

1 consent of the governing body of the higher education institution or a school official or the district
2 school board, unless the person with the concealed carry endorsement or permit is a teacher or
3 administrator of an elementary or secondary school who has been designated by his or her school
4 district as a school protection officer and is carrying a firearm in a school within that district, in
5 which case no consent is required. Possession of a firearm in a vehicle on the premises of any
6 higher education institution or elementary or secondary school facility shall not be a criminal
7 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
8 the premises;

9 (11) Any portion of a building used as a child care facility without the consent of the
10 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family
11 home from owning or possessing a firearm or a concealed carry permit or endorsement;

12 (12) Any riverboat gambling operation accessible by the public without the consent of the
13 owner or manager pursuant to rules promulgated by the gaming commission. Possession of a
14 firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal
15 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
16 the premises;

17 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the
18 premises of the amusement park shall not be a criminal offense so long as the firearm is not
19 removed from the vehicle or brandished while the vehicle is on the premises;

20 (14) Any church or other place of religious worship without the consent of the minister or
21 person or persons representing the religious organization that exercises control over the place of
22 religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal
23 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
24 the premises;

25 (15) Any private property whose owner has posted the premises as being off-limits to
26 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum
27 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch.
28 The owner, business or commercial lessee, manager of a private business enterprise, or any other
29 organization, entity, or person may prohibit persons holding a concealed carry permit or
30 endorsement from carrying concealed firearms on the premises and may prohibit employees, not
31 authorized by the employer, holding a concealed carry permit or endorsement from carrying
32 concealed firearms on the property of the employer. If the building or the premises are open to the
33 public, the employer of the business enterprise shall post signs on or about the premises if carrying a
34 concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a
35 criminal offense so long as the firearm is not removed from the vehicle or brandished while the
36 vehicle is on the premises. An employer may prohibit employees or other persons holding a
37 concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the
38 employer;

39 (16) Any sports arena or stadium with a seating capacity of five thousand or more.
40 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the
41 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

42 (17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the
43 premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the
44 vehicle or brandished while the vehicle is on the premises.

45 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of
46 subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to
47 sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013,
48 shall not be a criminal act but may subject the person to denial to the premises or removal from the
49 premises. If such person refuses to leave the premises and a peace officer is summoned, such person

may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known address shown on the individual's driving record. The notice is deemed received three days after mailing.

3. Notwithstanding any provision of this chapter or chapter 70, 577, or 578 to the contrary, a person carrying a firearm concealed on or about his or her person who is lawfully in possession of a valid concealed carry permit or endorsement shall not be prohibited or impeded from accessing or using any publicly funded transportation system, nor shall such person be harassed or detained for carrying a concealed firearm on the property, vehicles, or conveyances owned, contracted, or leased by such systems that are accessible to the public. For purposes of this section, "public transportation system" means the property, equipment, rights-of-way, or buildings, either publicly or privately owned and operated, of an entity that receives public funds and holds itself out to the general public for the transportation of persons. This includes portions of a public transportation system provided through a contract with a private entity but excludes any corporation that provides intercity passenger train service on railroads throughout the United States or any private partnership in which the corporation engages.

577.703. 1. A person commits the offense of bus hijacking if he or she seizes or exercises control, by force or violence or threat of force or violence, of any bus. The offense of bus hijacking is a class B felony.

2. The offense of "assault with the intent to commit bus hijacking" is defined as an intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to interfere with the performance of duties by such person. Assault to commit bus hijacking is a class D felony.

3. Any person, who, in the commission of such intimidation, threat, assault or battery with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

4. Except as otherwise provided under section 571.107, any passenger who boards a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury concealed upon his or her person or effects is guilty of the felony of "possession and concealment of a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and deadly weapon by a passenger upon a bus is a class D felony. The provisions of this subsection shall not apply to:

(1) Duly elected or appointed law enforcement officers or commercial security personnel

who are in possession of weapons used within the course and scope of their employment; ~~[nor shall the provisions of this subsection apply to]~~

(2) Persons who are in possession of weapons or other means of inflicting serious bodily injury with the consent of the owner of such bus, his or her agent, or the lessee or bailee of such bus; or

(3) Persons carrying a concealed firearm who lawfully possess a valid concealed carry permit or endorsement in accordance with section 571.107.

577.712. 1. In order to provide for the safety, comfort, and well-being of passengers and others having a bona fide business interest in any terminal, a bus transportation company may refuse admission to terminals to any person not having bona fide business within the terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations pursuant thereto, or to any ordinance of the political subdivision in which such terminal is located. A duly authorized company representative may ask any person in a terminal or on the premises of a terminal to identify himself or herself and state his or her business. Failure to comply with such request or failure to state an acceptable business purpose shall be grounds for the company representative to request that such person leave the terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

2. Except as otherwise provided under section 571.107, it is unlawful for any person to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material shall be a class D felony. Upon the discovery of any such item or material, the company may obtain possession and retain custody of such item or material until it is transferred to the custody of law enforcement officers. The provisions of this section shall not apply to persons transporting a firearm in a nonfunctioning state or in an unloaded state if ammunition is not readily accessible."; and"; and

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

THIS AMENDS 0253S04.21H