

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

Offered By

1 AMEND House Committee Substitute for Senate Substitute No. 2 for Senate Committee Substitute for  
2 Senate Bill No. 523, Page 24, Section 190.100, Line 25, by inserting after the number "(7)" the following:

3  
4 "Community paramedic", a person who is certified as an emergency medical technician-paramedic  
5 and is certified by the department in accordance with standards prescribed in section 190.098;  
6 (8)"; and

7  
8 Further amend said bill and section, Page 25, Line 63, by inserting after the word "technician"" the words "or  
9 "EMT""; and

10  
11 Further amend said bill, page, and section, Lines 66-76, by deleting said lines and inserting in lieu thereof the  
12 following:

13  
14 ~~"[(18) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed~~  
15 ~~a course of instruction in basic life support as prescribed by the department and is licensed by the department~~  
16 ~~in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department~~  
17 ~~pursuant to sections 190.001 to 190.245;~~

18 ~~———(19) "Emergency medical technician-community paramedic", "community paramedic", or "EMT-~~  
19 ~~CP", a person who is certified as an emergency medical technician-paramedic and is certified by the~~  
20 ~~department in accordance with standards prescribed in section 190.098;~~

21 ~~———(20) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully~~  
22 ~~completed a course of instruction in advanced life support care as prescribed by the department and is~~  
23 ~~licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the~~  
24 ~~department pursuant to sections 190.001 to 190.245;]" and~~

25  
26 Further amend said bill and section, Page 26, Line 98, by inserting after the number "(28)" the following:

27  
28 "Paramedic", a person who has successfully completed a course of instruction in advanced  
29 life support care as prescribed by the department and is licensed by the department in accordance with  
30 sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;  
31 (29)"; and

32  
33 Further amend said bill, page, and section, Line 114, by deleting said line and inserting in lieu thereof the  
34 following:

35  
36 "representing volunteers, labor management, firefighters, [EMT-B's] EMTs, nurses, [EMT-P's]  
37 paramedics, physicians,"; and

38  
39 Further amend said bill and section, Pages 23-28, by renumbering subdivisions accordingly; and

40  
Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 Further amend said bill, Page 31, Section 190.142, Line 33, by deleting the word "EMT-P" and inserting in  
 2 lieu thereof the phrase "[~~EMT-P~~] paramedic"; and

3  
 4 Further amend said bill, Page 76, Section 285.040, Line 1 and 2, by deleting all of said lines and insert in lieu  
 5 thereof the following:

6  
 7 "285.040. No employee of a fire department of any city not within a county shall be required, as a  
 8 condition of employment, to reside within the city limits."; and

9  
 10 Further amend said bill, Page 93, Section 570.027, Line 17, by inserting after said section and line the  
 11 following:

12  
 13 "320.098. No county shall require attendance at a specific training academy by any candidate for a  
 14 firefighter position but may require a specific certification from the office of the state fire marshal."; and

15  
 16 Further amend said bill, Page 76, Section 570.027, Line 17, by inserting after said section and line the  
 17 following:

18  
 19 "571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise  
 20 provided by sections 571.101 to 571.121, if he or she knowingly:

21 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other  
 22 weapon readily capable of lethal use into any area where firearms are restricted under section 571.107; or

23 (2) Sets a spring gun; or

24 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor  
 25 vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or

26 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an  
 27 angry or threatening manner; or

28 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or  
 29 she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or  
 30 unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

31 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or  
 32 church building; or

33 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public  
 34 highway or discharges or shoots a firearm into any outbuilding; or

35 (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place  
 36 where people have assembled for worship, or into any election precinct on any election day, or into any  
 37 building owned or occupied by any agency of the federal government, state government, or political  
 38 subdivision thereof; or

39 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010,  
 40 discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable  
 41 structure, unless the person was lawfully acting in self-defense; or

42 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use  
 43 into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned  
 44 by school officials or the district school board; or

45 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is  
 46 sufficient for a felony violation of section 579.015.

47 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons  
 48 described in this subsection, regardless of whether such uses are reasonably associated with or are necessary  
 49 to the fulfillment of such person's official duties except as otherwise provided in this subsection.

50 Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the  
 51 following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such  
 52 person's official duties, except as otherwise provided in this subsection:

53 (1) All state, county and municipal peace officers who have completed the training required by the

1 police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess  
 2 the duty and power of arrest for violation of the general criminal laws of the state or for violation of  
 3 ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether  
 4 such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace  
 5 officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13  
 6 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace  
 7 while actually engaged in assisting such officer;

8 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for  
 9 the detention of persons accused or convicted of crime;

10 (3) Members of the Armed Forces or National Guard while performing their official duty;

11 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial  
 12 power of the state and those persons vested by Article III of the Constitution of the United States with the  
 13 judicial power of the United States, the members of the federal judiciary;

14 (5) Any person whose bona fide duty is to execute process, civil or criminal;

15 (6) Any federal probation officer or federal flight deck officer as defined under the federal flight  
 16 deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the  
 17 law enforcement agency's jurisdiction;

18 (7) Any state probation or parole officer, including supervisors and members of the board of  
 19 probation and parole;

20 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the  
 21 regulations established by the department of public safety under section 590.750;

22 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

23 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney  
 24 or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a  
 25 special prosecutor who has completed the firearms safety training course required under subsection 2 of  
 26 section 571.111;

27 (11) Any member of a fire department or fire protection district who is employed on a full-time basis  
 28 as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a  
 29 valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are  
 30 necessary to the fulfillment of such person's official duties; and

31 (12) Upon the written approval of the governing body of a fire department or fire protection district,  
 32 any ~~paid~~ fire department or fire protection district member who ~~is employed on a full-time basis and~~ who  
 33 has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit,  
 34 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official  
 35 duties.

36 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is  
 37 transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily  
 38 accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section  
 39 does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of  
 40 the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting  
 41 a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm  
 42 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile  
 43 weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor  
 44 has possession, authority or control, or is traveling in a continuous journey peaceably through this state.  
 45 Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed  
 46 by a person while traversing school premises for the purposes of transporting a student to or from school, or  
 47 possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club  
 48 event.

49 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who  
 50 has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry  
 51 endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms  
 52 issued by another state or political subdivision of another state.

53 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply

1 to persons who are engaged in a lawful act of defense pursuant to section 563.031.

2 6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state  
3 employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is  
4 locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the  
5 state employee's vehicle is on property owned or leased by the state and the state employee is conducting  
6 activities within the scope of his or her employment. For the purposes of this subsection, "state employee"  
7 means an employee of the executive, legislative, or judicial branch of the government of the state of  
8 Missouri.

9 7. Nothing in this section shall make it unlawful for a student to actually participate in school-  
10 sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-  
11 sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily  
12 capable of lethal use into any school, onto any school bus, or onto the premises of any other function or  
13 activity sponsored or sanctioned by school officials or the district school board.

14 8. A person who commits the crime of unlawful use of weapons under:

15 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E felony;

16 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B  
17 misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted  
18 the premises as being off-limits to concealed firearms by means of one or more signs displayed in a  
19 conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters  
20 of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

21 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if  
22 the firearm is unloaded and a class E felony if the firearm is loaded;

23 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if  
24 the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is  
25 a class A felony.

26 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

27 (1) For the first violation a person shall be sentenced to the maximum authorized term of  
28 imprisonment for a class B felony;

29 (2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to  
30 the maximum authorized term of imprisonment for a class B felony without the possibility of parole,  
31 probation or conditional release for a term of ten years;

32 (3) For any violation by a persistent offender as defined in section 558.016, a person shall be  
33 sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of  
34 parole, probation, or conditional release;

35 (4) For any violation which results in injury or death to another person, a person shall be sentenced  
36 to an authorized disposition for a class A felony.

37 10. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of  
38 subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for  
39 violations by other persons.

40 11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of  
41 a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such  
42 person has previously received a suspended imposition of sentence for any other firearms- or weapons-related  
43 felony offense.

44 12. As used in this section "qualified retired peace officer" means an individual who:

45 (1) Retired in good standing from service with a public agency as a peace officer, other than for  
46 reasons of mental instability;

47 (2) Before such retirement, was authorized by law to engage in or supervise the prevention,  
48 detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and  
49 had statutory powers of arrest;

50 (3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen  
51 years or more, or retired from service with such agency, after completing any applicable probationary period  
52 of such service, due to a service-connected disability, as determined by such agency;

53 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is

1 available;

2 (5) During the most recent twelve-month period, has met, at the expense of the individual, the  
3 standards for training and qualification for active peace officers to carry firearms;

4 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance;  
5 and

6 (7) Is not prohibited by federal law from receiving a firearm.

7 13. The identification required by subdivision (1) of subsection 2 of this section is:

8 (1) A photographic identification issued by the agency from which the individual retired from  
9 service as a peace officer that indicates that the individual has, not less recently than one year before the date  
10 the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the  
11 standards established by the agency for training and qualification for active peace officers to carry a firearm  
12 of the same type as the concealed firearm; or

13 (2) A photographic identification issued by the agency from which the individual retired from  
14 service as a peace officer; and

15 (3) A certification issued by the state in which the individual resides that indicates that the individual  
16 has, not less recently than one year before the date the individual is carrying the concealed firearm, been  
17 tested or otherwise found by the state to meet the standards established by the state for training and  
18 qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and

19  
20 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.