

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Bill No. 544, Page 40, Section 173.2712, Line 15, by
2 inserting after said section and line the following:

3
4 "190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

5 (1) "Advanced emergency medical technician" or "AEMT", a person who has successfully
6 completed a course of instruction in certain aspects of advanced life support care as prescribed by the
7 department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and
8 regulations adopted by the department pursuant to sections 190.001 to 190.245;

9 (2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric
10 patient such as defined by national curricula, and any modifications to that curricula specified in rules
11 adopted by the department pursuant to sections 190.001 to 190.245;

12 (3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed,
13 constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the
14 transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who
15 require the presence of medical equipment being used on such individuals, but the term does not include any
16 motor vehicle specially designed, constructed or converted for the regular transportation of persons who are
17 disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used
18 within airports;

19 (4) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance
20 transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules
21 promulgated by the department pursuant to sections 190.001 to 190.245;

22 (5) "Ambulance service area", a specific geographic area in which an ambulance service has been
23 authorized to operate;

24 (6) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as
25 defined by national curricula, and any modifications to that curricula specified in rules adopted by the
26 department pursuant to sections 190.001 to 190.245;

27 (7) "Community paramedic", a person who is certified as an emergency medical technician-
28 paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

29 (8) "Council", the state advisory council on emergency medical services;

30 ~~[(8)]~~ (9) "Department", the department of health and senior services, state of Missouri;

31 ~~[(9)]~~ (10) "Director", the director of the department of health and senior services or the director's
32 duly authorized representative;

33 ~~[(10)]~~ (11) "Dispatch agency", any person or organization that receives requests for emergency
34 medical services from the public, by telephone or other means, and is responsible for dispatching emergency
35 medical services;

36 ~~[(11)]~~ (12) "Emergency", the sudden and, at the time, unexpected onset of a health condition that
37 manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an
38 average knowledge of health and medicine, to believe that the absence of immediate medical care could result
39 in:

40 (a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her

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1 unborn child, in significant jeopardy;

2 (b) Serious impairment to a bodily function;

3 (c) Serious dysfunction of any bodily organ or part;

4 (d) Inadequately controlled pain;

5 ~~[(12)-]~~ (13) "Emergency medical dispatcher", a person who receives emergency calls from the public
6 and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national
7 curriculum of the United States Department of Transportation and any modifications to such curricula
8 specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

9 ~~[(13)-]~~ (14) "Emergency medical responder", a person who has successfully completed an emergency
10 first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation
11 and any modifications to such curricula specified by the department through rules adopted under sections
12 190.001 to 190.245 and who provides emergency medical care through employment by or in association with
13 an emergency medical response agency;

14 ~~[(14)-]~~ (15) "Emergency medical response agency", any person that regularly provides a level of care
15 that includes first response, basic life support or advanced life support, exclusive of patient transportation;

16 ~~[(15)-]~~ (16) "Emergency medical services for children (EMS-C) system", the arrangement of
17 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical
18 services required in prevention and management of incidents which occur as a result of a medical emergency
19 or of an injury event, natural disaster or similar situation;

20 ~~[(16)-]~~ (17) "Emergency medical services (EMS) system", the arrangement of personnel, facilities
21 and equipment for the effective and coordinated delivery of emergency medical services required in
22 prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar
23 situation;

24 ~~[(17)-]~~ (18) "Emergency medical technician or EMT", a person licensed in emergency medical care in
25 accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department
26 pursuant to sections 190.001 to 190.245;

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

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

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

38 ~~[(21)-]~~ (19) "Emergency services", health care items and services furnished or required to screen and
39 stabilize an emergency which may include, but shall not be limited to, health care services that are provided
40 in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or
41 emergency medical response agency;

42 ~~[(22)-]~~ (20) "Health care facility", a hospital, nursing home, physician's office or other fixed location
43 at which medical and health care services are performed;

44 ~~[(23)-]~~ (21) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of
45 section 197.020, or a hospital operated by the state;

46 ~~[(24)-]~~ (22) "Medical control", supervision provided by or under the direction of physicians, ~~[or]~~ their
47 designated registered nurse, or a physician assistant, including both online medical control, instructions by
48 radio, telephone, or other means of direct communications, and offline medical control through supervision
49 by treatment protocols, case review, training, and standing orders for treatment;

50 ~~[(25)-]~~ (23) "Medical direction", medical guidance and supervision provided by a physician to an
51 emergency services provider or emergency medical services system;

52 ~~[(26)-]~~ (24) "Medical director", a physician licensed pursuant to chapter 334 designated by the
53 ambulance service or emergency medical response agency and who meets criteria specified by the

department by rules pursuant to sections 190.001 to 190.245;

~~[(27)-]~~ (25) "Memorandum of understanding", an agreement between an emergency medical response agency or dispatch agency and an ambulance service or services within whose territory the agency operates, in order to coordinate emergency medical services;

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

~~[(28)-]~~ (27) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is called for assistance;

~~[(29)-]~~ (28) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation, municipal or private, and whether organized for profit or not, state, county, political subdivision, state department, commission, board, bureau or fraternal organization, estate, public trust, business or common law trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user or provider;

~~[(30)-]~~ (29) "Physician", a person licensed as a physician pursuant to chapter 334;

~~[(31)-]~~ (30) "Political subdivision", any municipality, city, county, city not within a county, ambulance district or fire protection district located in this state which provides or has authority to provide ambulance service;

~~[(32)-]~~ (31) "Professional organization", any organized group or association with an ongoing interest regarding emergency medical services. Such groups and associations could include those representing volunteers, labor, management, firefighters, ~~[EMT-B's]~~ EMTs, nurses, ~~[EMT-P's]~~ paramedics, physicians, communications specialists and instructors. Organizations could also represent the interests of ground ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma centers, communication centers, pediatric services, labor unions and poison control services;

~~[(33)-]~~ (32) "Proof of financial responsibility", proof of ability to respond to damages for liability, on account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership, maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility shall be used as proof of self-insurance;

~~[(34)-]~~ (33) "Protocol", a predetermined, written medical care guideline, which may include standing orders;

~~[(35)-]~~ (34) "Regional EMS advisory committee", a committee formed within an emergency medical services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

~~[(36)-]~~ (35) "Specialty care transportation", the transportation of a patient requiring the services of an emergency medical technician-paramedic who has received additional training beyond the training prescribed by the department. Specialty care transportation services shall be defined in writing in the appropriate local protocols for ground and air ambulance services and approved by the local physician medical director. The protocols shall be maintained by the local ambulance service and shall define the additional training required of the emergency medical technician-paramedic;

~~[(37)-]~~ (36) "Stabilize", with respect to an emergency, the provision of such medical treatment as may be necessary to attempt to assure within reasonable medical probability that no material deterioration of an individual's medical condition is likely to result from or occur during ambulance transportation unless the likely benefits of such transportation outweigh the risks;

~~[(38)-]~~ (37) "State advisory council on emergency medical services", a committee formed to advise the department on policy affecting emergency medical service throughout the state;

~~[(39)-]~~ (38) "State EMS medical directors advisory committee", a subcommittee of the state advisory council on emergency medical services formed to advise the state advisory council on emergency medical services and the department on medical issues;

~~[(40)-]~~ (39) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram

analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

~~[(41)]~~ (40) "STEMI care", includes education and prevention, emergency transport, triage, and acute care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or treatment;

~~[(42)]~~ (41) "STEMI center", a hospital that is currently designated as such by the department to care for patients with ST-segment elevation myocardial infarctions;

~~[(43)]~~ (42) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the department;

~~[(44)]~~ (43) "Stroke care", includes emergency transport, triage, and acute intervention and other acute care services for stroke that potentially require immediate medical or surgical intervention or treatment, and may include education, primary prevention, acute intervention, acute and subacute management, prevention of complications, secondary stroke prevention, and rehabilitative services;

~~[(45)]~~ (44) "Stroke center", a hospital that is currently designated as such by the department;

~~[(46)]~~ (45) "Trauma", an injury to human tissues and organs resulting from the transfer of energy from the environment;

~~[(47)]~~ (46) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for major single system or multisystem injuries that potentially require immediate medical or surgical intervention or treatment;

~~[(48)]~~ (47) "Trauma center", a hospital that is currently designated as such by the department.

190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license.

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, in recognition of the EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

(3) The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Emergency medical technician and paramedic education and training requirements based on respective National Emergency Medical Services Education Standards and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Paramedic accreditation requirements. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review;

(4) Initial licensure testing requirements. Initial ~~[EMT-P]~~ paramedic licensure testing shall be through the national registry of EMTs;

(5) Continuing education and relicensure requirements; and

(6) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms

as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or a physician assistant or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said bill, Page 43, Section 285.040, Lines 1 to 2, by deleting all of said section and lines and inserting in lieu thereof the following:

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

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

Further amend said bill, Page 46, Section 550.125, Line 30, by inserting after said section and line the following:

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

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

(2) Sets a spring gun; or

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

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

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

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

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

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

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

(10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use

1 into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned
2 by school officials or the district school board; or

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

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

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

11 (1) All state, county and municipal peace officers who have completed the training required by the
12 police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess
13 the duty and power of arrest for violation of the general criminal laws of the state or for violation of
14 ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether
15 such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace
16 officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13
17 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace
18 while actually engaged in assisting such officer;

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

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

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

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

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

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

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

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

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

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

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

47 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is
48 transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily
49 accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section
50 does not apply to any person nineteen years of age or older or eighteen years of age or older and a member of
51 the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting
52 a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm
53 is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile

1 weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor
2 has possession, authority or control, or is traveling in a continuous journey peaceably through this state.
3 Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed
4 by a person while traversing school premises for the purposes of transporting a student to or from school, or
5 possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club
6 event.

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

11 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply
12 to persons who are engaged in a lawful act of defense pursuant to section 563.031.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

1 felony offense.

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

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

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

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

11 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is
12 available;

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

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

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

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

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

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

26 (3) A certification issued by the state in which the individual resides that indicates that the individual
27 has, not less recently than one year before the date the individual is carrying the concealed firearm, been
28 tested or otherwise found by the state to meet the standards established by the state for training and
29 qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and
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31 Further amend said bill, Pages 76 to 80, Section 13, Lines 1 to 56, and Section 14, Lines 1 to 75, by
32 removing all of said sections and lines from the bill; and
33

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