

HCS HB 16 -- UNLAWFUL TRANSFER OF WEAPONS

SPONSOR: Schroer

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 7 to 4. Voted "Do Pass" by the Standing Committee on Rules- Legislative Oversight by a vote of 6 to 3.

The following is a summary of the House Committee Substitute for HB 16.

Currently, selling, leasing, lending, giving, or delivering a firearm to a person not legally allowed to possess one is prohibited. This bill states that a person commits the offense of unlawful transfer of weapons if they knowingly sell, lease, lend, give away, or deliver a firearm to a person under 18 years of age for the purpose of avoiding, interfering with, or preventing a lawful felony arrest, detention, or investigation of any alleged offense.

Currently, a person who recklessly sells, leases, loans, gives away or delivers a firearm to a minor, without the consent of the minor's parent, commits the offense of unlawful transfer of a weapon. This bill removes that provision.

This bill also clarifies existing language on the transfer of other items including blackjacks, and specifies that exceptions exist for peace officers and members of the National Guard.

Violations of subdivisions (1) and (2) under subsection 1 of this section is a class E felony. Violations of subdivisions (3) and (4) under subsection 1 of this section is a class A misdemeanor.

This bill has an emergency clause.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPONENTS: Supporters say that this bill protects the rights of law abiding gun owners. Columbia has many offenders who are minors, and this bill appropriately enhances public safety. This bill insures that children under the age of 18 do not possess guns without the consent of their custodial parent or guardian. Under federal law, juveniles are not permitted to possess a handgun. This bill will help create more tools for police officers to use when they encounter minors in possession of a firearm.

Testifying for the bill were Representative Schroer; Arnie C. "A.C" Dienoff; Dale Roberts, Columbia Police Officers' Association; Jimmie M. Edwards, City of St. Louis; and the Missouri Sheriffs' Association.

OPPONENTS: Those who oppose the bill say that this bill leaves the door open for separated parents or grandparents to disagree on whether a child is allowed to learn firearm safety, go hunting, or competitive shooting. This bill could lead to lawful citizens being convicted of a felony simply for teaching their children and grandchildren to shoot or hunt.

Testifying against the bill was Susan Myers.