

FIRST REGULAR SESSION

HOUSE BILL NO. 878

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE APPELBAUM.

1979H.011

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal section 571.020, RSMo, and to enact in lieu thereof one new section relating to high-capacity magazines, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 571.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.020, to read as follows:

571.020. 1. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary, or poison substance or material with the purpose to possess, manufacture, or sell an explosive weapon;

(3) A gas gun;

(4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; ~~or~~

(5) Knuckles;

(6) **A high-capacity magazine, which shall mean a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition; or**

~~(6)~~ (7) Any of the following in violation of federal law:

(a) A machine gun;

(b) A short-barreled rifle or shotgun;

(c) A firearm silencer; or

(d) A switchblade knife.

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 2. A person does not commit an offense pursuant to this section if his or her conduct
19 involved any of the items in subdivisions (1) to [~~(5)~~] **(6)** of subsection 1 **of this section**, the
20 item was possessed in conformity with any applicable federal law, and the conduct:

21 (1) Was incident to the performance of official duty by the **United States Armed**
22 **Forces, National Guard, a governmental law enforcement agency, or a penal institution;** [~~or~~]

23 (2) Was incident to engaging in a lawful commercial or business transaction with an
24 organization enumerated in subdivision (1) of this [~~section~~] **subsection;** [~~or~~]

25 (3) Was incident to using an explosive weapon in a manner reasonably related to a
26 lawful industrial or commercial enterprise; [~~or~~]

27 (4) Was incident to displaying the weapon in a public museum or exhibition; or

28 (5) Was incident to using the weapon in a manner reasonably related to a lawful
29 dramatic performance.

30 3. An offense pursuant to subdivision (1), (2), (3) [~~or~~], (6), **or (7)** of subsection 1 of
31 this section is a class D felony; a crime pursuant to subdivision (4) or (5) of subsection 1 of
32 this section is a class A misdemeanor.

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