

SECOND REGULAR SESSION

HOUSE BILL NO. 1391

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE PRICE.

3048H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 571, RSMo, by adding thereto one new section relating to the storage of firearms, with penalty provisions.

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

Section A. Chapter 571, RSMo, is amended by adding thereto one new section, to be known as section 571.066, to read as follows:

571.066. 1. As used in this section, the following terms mean:

(1) "Child", any person under eighteen years of age;

(2) "Readily-dischargeable firearm", a firearm that is loaded with ammunition, regardless of whether a round of ammunition is in the firing chamber;

(3) "Secure", an act to prevent access to a readily-dischargeable firearm including, but not limited to, placing a firearm in a locked container or temporarily rendering the firearm inoperable by a trigger lock or other means.

2. A person commits the offense of unlawfully storing a firearm in the presence of a child if:

(1) A child accesses a readily-dischargeable firearm;

(2) The person knowingly, negligently, or recklessly:

(a) Failed to take measures that a reasonable person would take to secure the readily-dischargeable firearm; or

(b) Left the readily-dischargeable firearm in a location the person knew or should have known a child could access; and

(3) The firearm is discharged by a child and, as a result, any person is injured or killed.

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 **3. The offense of unlawfully storing a firearm in the presence of a child is a class**
19 **D misdemeanor, unless a death or serious bodily injury to the child or another person**
20 **results from the child discharging the readily-dischargeable firearm, in which case the**
21 **offense is a class A misdemeanor.**

22 **4. It is a defense to the offense of unlawfully storing a firearm in the presence of a**
23 **child if:**

24 **(1) The child's access to the readily-dischargeable firearm was under the**
25 **supervision of someone eighteen years of age or older;**

26 **(2) The firearm was being used for a lawful hunting or sporting purpose;**

27 **(3) The readily-dischargeable firearm was ultimately used in a lawful act of self-**
28 **defense; or**

29 **(4) The child unlawfully entered the property where the readily-dischargeable**
30 **firearm was located.**

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