

FIRST REGULAR SESSION

SENATE BILL NO. 39

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0218S.011

AN ACT

To repeal sections 70.441, 571.107, 577.703, and 577.712, RSMo, and to enact in lieu thereof four new sections relating to the carrying of firearms on public transportation systems, with existing penalty provisions.

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

Section A. Sections 70.441, 571.107, 577.703, and 577.712, RSMo, are
2 repealed and four new sections enacted in lieu thereof, to be known as sections
3 70.441, 571.107, 577.703, and 577.712, to read as follows:

70.441. 1. As used in this section, the following terms have the following
2 meanings:

3 (1) "Agency", the bi-state development agency created by compact under
4 section 70.370;

5 (2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or
6 train, locomotive, or other vehicle used or held for use by the agency as a means
7 of transportation of passengers;

8 (3) "Facilities" includes all property and equipment, including, without
9 limitation, rights-of-way and related trackage, rails, signals, power, fuel,
10 communication and ventilation systems, power plants, stations, terminals,
11 signage, storage yards, depots, repair and maintenance shops, yards, offices,
12 parking lots and other real estate or personal property used or held for or
13 incidental to the operation, rehabilitation or improvement of any public mass
14 transportation system of the agency;

15 (4) "Person", any individual, firm, copartnership, corporation, association
16 or company; and

17 (5) "Sound production device" includes, but is not limited to, any radio

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

18 receiver, phonograph, television receiver, musical instrument, tape recorder,
19 cassette player, speaker device and any sound amplifier.

20 2. In interpreting or applying this section, the following provisions shall
21 apply:

22 (1) Any act otherwise prohibited by this section is lawful if specifically
23 authorized by agreement, permit, license or other writing duly signed by an
24 authorized officer of the agency or if performed by an officer, employee or
25 designated agent of the agency acting within the scope of his or her employment
26 or agency;

27 (2) Rules shall apply with equal force to any person assisting, aiding or
28 abetting another, including a minor, in any of the acts prohibited by the rules or
29 assisting, aiding or abetting another in the avoidance of any of the requirements
30 of the rules; and

31 (3) The singular shall mean and include the plural; the masculine gender
32 shall mean the feminine and the neuter genders; and vice versa.

33 3. (1) No person shall use or enter upon the light rail conveyances of the
34 agency without payment of the fare or other lawful charges established by the
35 agency. Any person on any such conveyance must have properly validated fare
36 media in his possession. This ticket must be valid to or from the station the
37 passenger is using, and must have been used for entry for the trip then being
38 taken;

39 (2) No person shall use any token, pass, badge, ticket, document, transfer,
40 card or fare media to gain entry to the facilities or conveyances of, or make use
41 of the services of, the agency, except as provided, authorized or sold by the agency
42 and in accordance with any restriction on the use thereof imposed by the agency;

43 (3) No person shall enter upon parking lots designated by the agency as
44 requiring payment to enter, either by electronic gate or parking meters, where the
45 cost of such parking fee is visibly displayed at each location, without payment of
46 such fees or other lawful charges established by the agency;

47 (4) Except for employees of the agency acting within the scope of their
48 employment, no person shall sell, provide, copy, reproduce or produce, or create
49 any version of any token, pass, badge, ticket, document, transfer, card or any
50 other fare media or otherwise authorize access to or use of the facilities,
51 conveyances or services of the agency without the written permission of an
52 authorized representative of the agency;

53 (5) No person shall put or attempt to put any paper, article, instrument

54 or item, other than a token, ticket, badge, coin, fare card, pass, transfer or other
55 access authorization or other fare media issued by the agency and valid for the
56 place, time and manner in which used, into any fare box, pass reader, ticket
57 vending machine, parking meter, parking gate or other fare collection instrument,
58 receptacle, device, machine or location;

59 (6) Tokens, tickets, fare cards, badges, passes, transfers or other fare
60 media that have been forged, counterfeited, imitated, altered or improperly
61 transferred or that have been used in a manner inconsistent with this section
62 shall be confiscated;

63 (7) No person may perform any act which would interfere with the
64 provision of transit service or obstruct the flow of traffic on facilities or
65 conveyances or which would in any way interfere or tend to interfere with the
66 safe and efficient operation of the facilities or conveyances of the agency;

67 (8) All persons on or in any facility or conveyance of the agency shall:

68 (a) Comply with all lawful orders and directives of any agency employee
69 acting within the scope of his employment;

70 (b) Obey any instructions on notices or signs duly posted on any agency
71 facility or conveyance; and

72 (c) Provide accurate, complete and true information or documents
73 requested by agency personnel acting within the scope of their employment and
74 otherwise in accordance with law;

75 (9) No person shall falsely represent himself or herself as an agent,
76 employee or representative of the agency;

77 (10) No person on or in any facility or conveyance shall:

78 (a) Litter, dump garbage, liquids or other matter, or create a nuisance,
79 hazard or unsanitary condition, including, but not limited to, spitting and
80 urinating, except in facilities provided;

81 (b) Drink any alcoholic beverage or possess any opened or unsealed
82 container of alcoholic beverage, except on premises duly licensed for the sale of
83 alcoholic beverages, such as bars and restaurants;

84 (c) Enter or remain in any facility or conveyance while his ability to
85 function safely in the environment of the agency transit system is impaired by the
86 consumption of alcohol or by the taking of any drug;

87 (d) Loiter or stay on any facility of the agency;

88 (e) Consume foods or liquids of any kind, except in those areas specifically
89 authorized by the agency;

90 (f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe
91 or torch, except in those areas or locations specifically authorized by the agency;
92 or

93 (g) Throw or cause to be propelled any stone, projectile or other article at,
94 from, upon or in a facility or conveyance;

95 (11) **Except as otherwise provided under section 571.107**, no
96 weapon or other instrument intended for use as a weapon may be carried in or
97 on any facility or conveyance, except for law enforcement personnel. For the
98 purposes hereof, a weapon shall include, but not be limited to, a firearm,
99 switchblade knife, sword, or any instrument of any kind known as blackjack, billy
100 club, club, sandbag, metal knuckles, leather bands studded with metal, wood
101 impregnated with metal filings or razor blades; except that this subdivision shall
102 not apply to a rifle or shotgun which is unloaded and carried in any enclosed
103 case, box or other container which completely conceals the item from view and
104 identification as a weapon;

105 (12) No explosives, flammable liquids, acids, fireworks or other highly
106 combustible materials or radioactive materials may be carried on or in any
107 facility or conveyance, except as authorized by the agency;

108 (13) No person, except as specifically authorized by the agency, shall enter
109 or attempt to enter into any area not open to the public, including, but not
110 limited to, motorman's cabs, conductor's cabs, bus operator's seat location,
111 closed-off areas, mechanical or equipment rooms, concession stands, storage
112 areas, interior rooms, tracks, roadbeds, tunnels, plants, shops, barns, train yards,
113 garages, depots or any area marked with a sign restricting access or indicating
114 a dangerous environment;

115 (14) No person may ride on the roof, the platform between rapid transit
116 cars, or on any other area outside any rapid transit car or bus or other
117 conveyance operated by the agency;

118 (15) No person shall extend his hand, arm, leg, head or other part of his
119 or her person or extend any item, article or other substance outside of the window
120 or door of a moving rapid transit car, bus or other conveyance operated by the
121 agency;

122 (16) No person shall enter or leave a rapid transit car, bus or other
123 conveyance operated by the agency except through the entrances and exits
124 provided for that purpose;

125 (17) No animals may be taken on or into any conveyance or facility except

126 the following:

127 (a) An animal enclosed in a container, accompanied by the passenger and
128 carried in a manner which does not annoy other passengers; and

129 (b) Working dogs for law enforcement agencies, agency dogs on duty, dogs
130 properly harnessed and accompanying blind or hearing-impaired persons to aid
131 such persons, or dogs accompanying trainers carrying a certificate of
132 identification issued by a dog school;

133 (18) No vehicle shall be operated carelessly, or negligently, or in disregard
134 of the rights or safety of others or without due caution and circumspection, or at
135 a speed in such a manner as to be likely to endanger persons or property on
136 facilities of the agency. The speed limit on parking lots and access roads shall
137 be posted as fifteen miles per hour unless otherwise designated.

138 4. (1) Unless a greater penalty is otherwise provided by the laws of the
139 state, any violation of this section shall constitute a misdemeanor, and any
140 person committing a violation thereof shall be subject to arrest and, upon
141 conviction in a court of competent jurisdiction, shall pay a fine in an amount not
142 less than twenty-five dollars and no greater than two hundred fifty dollars per
143 violation, in addition to court costs. Any default in the payment of a fine imposed
144 pursuant to this section without good cause shall result in imprisonment for not
145 more than thirty days;

146 (2) Unless a greater penalty is provided by the laws of the state, any
147 person convicted a second or subsequent time for the same offense under this
148 section shall be guilty of a misdemeanor and sentenced to pay a fine of not less
149 than fifty dollars nor more than five hundred dollars in addition to court costs,
150 or to undergo imprisonment for up to sixty days, or both such fine and
151 imprisonment;

152 (3) Any person failing to pay the proper fare, fee or other charge for use
153 of the facilities and conveyances of the agency shall be subject to payment of such
154 charge as part of the judgment against the violator. All proceeds from judgments
155 for unpaid fares or charges shall be directed to the appropriate agency official;

156 (4) All juvenile offenders violating the provisions of this section shall be
157 subject to the jurisdiction of the juvenile court as provided in chapter 211;

158 (5) As used in this section, the term "conviction" shall include all pleas of
159 guilty and findings of guilt.

160 5. Any person who is convicted, pleads guilty, or pleads nolo contendere
161 for failing to pay the proper fare, fee, or other charge for the use of the facilities

162 and conveyances of the bi-state development agency, as described in subdivision
163 (3) of subsection 4 of this section, may, in addition to the unpaid fares or charges
164 and any fines, penalties, or sentences imposed by law, be required to reimburse
165 the reasonable costs attributable to the enforcement, investigation, and
166 prosecution of such offense by the bi-state development agency. The court shall
167 direct the reimbursement proceeds to the appropriate agency official.

168 6. (1) Stalled or disabled vehicles may be removed from the roadways of
169 the agency property by the agency and parked or stored elsewhere at the risk and
170 expense of the owner;

171 (2) Motor vehicles which are left unattended or abandoned on the property
172 of the agency for a period of over seventy-two hours may be removed as provided
173 for in section 304.155, except that the removal may be authorized by personnel
174 designated by the agency under section 70.378.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101
2 to 571.121, a valid concealed carry endorsement issued prior to August 28, 2013,
3 or a concealed carry endorsement or permit issued by another state or political
4 subdivision of another state shall authorize the person in whose name the permit
5 or endorsement is issued to carry concealed firearms on or about his or her person
6 or vehicle throughout the state. No concealed carry permit issued pursuant to
7 sections 571.101 to 571.121, valid concealed carry endorsement issued prior to
8 August 28, 2013, or a concealed carry endorsement or permit issued by another
9 state or political subdivision of another state shall authorize any person to carry
10 concealed firearms into:

11 (1) Any police, sheriff, or highway patrol office or station without the
12 consent of the chief law enforcement officer in charge of that office or
13 station. Possession of a firearm in a vehicle on the premises of the office or
14 station shall not be a criminal offense so long as the firearm is not removed from
15 the vehicle or brandished while the vehicle is on the premises;

16 (2) Within twenty-five feet of any polling place on any election day.
17 Possession of a firearm in a vehicle on the premises of the polling place shall not
18 be a criminal offense so long as the firearm is not removed from the vehicle or
19 brandished while the vehicle is on the premises;

20 (3) The facility of any adult or juvenile detention or correctional
21 institution, prison or jail. Possession of a firearm in a vehicle on the premises of
22 any adult, juvenile detention, or correctional institution, prison or jail shall not
23 be a criminal offense so long as the firearm is not removed from the vehicle or

24 brandished while the vehicle is on the premises;

25 (4) Any courthouse solely occupied by the circuit, appellate or supreme
26 court, or any courtrooms, administrative offices, libraries or other rooms of any
27 such court whether or not such court solely occupies the building in
28 question. This subdivision shall also include, but not be limited to, any juvenile,
29 family, drug, or other court offices, any room or office wherein any of the courts
30 or offices listed in this subdivision are temporarily conducting any business
31 within the jurisdiction of such courts or offices, and such other locations in such
32 manner as may be specified by supreme court rule pursuant to subdivision (6) of
33 this subsection. Nothing in this subdivision shall preclude those persons listed
34 in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction
35 and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection
36 2 of section 571.030, or such other persons who serve in a law enforcement
37 capacity for a court as may be specified by supreme court rule pursuant to
38 subdivision (6) of this subsection from carrying a concealed firearm within any
39 of the areas described in this subdivision. Possession of a firearm in a vehicle on
40 the premises of any of the areas listed in this subdivision shall not be a criminal
41 offense so long as the firearm is not removed from the vehicle or brandished while
42 the vehicle is on the premises;

43 (5) Any meeting of the governing body of a unit of local government; or
44 any meeting of the general assembly or a committee of the general assembly,
45 except that nothing in this subdivision shall preclude a member of the body
46 holding a valid concealed carry permit or endorsement from carrying a concealed
47 firearm at a meeting of the body which he or she is a member. Possession of a
48 firearm in a vehicle on the premises shall not be a criminal offense so long as the
49 firearm is not removed from the vehicle or brandished while the vehicle is on the
50 premises. Nothing in this subdivision shall preclude a member of the general
51 assembly, a full-time employee of the general assembly employed under Section
52 17, Article III, Constitution of Missouri, legislative employees of the general
53 assembly as determined under section 21.155, or statewide elected officials and
54 their employees, holding a valid concealed carry permit or endorsement, from
55 carrying a concealed firearm in the state capitol building or at a meeting whether
56 of the full body of a house of the general assembly or a committee thereof, that
57 is held in the state capitol building;

58 (6) The general assembly, supreme court, county or municipality may by
59 rule, administrative regulation, or ordinance prohibit or limit the carrying of

60 concealed firearms by permit or endorsement holders in that portion of a building
61 owned, leased or controlled by that unit of government. Any portion of a building
62 in which the carrying of concealed firearms is prohibited or limited shall be
63 clearly identified by signs posted at the entrance to the restricted area. The
64 statute, rule or ordinance shall exempt any building used for public housing by
65 private persons, highways or rest areas, firing ranges, and private dwellings
66 owned, leased, or controlled by that unit of government from any restriction on
67 the carrying or possession of a firearm. The statute, rule or ordinance shall not
68 specify any criminal penalty for its violation but may specify that persons
69 violating the statute, rule or ordinance may be denied entrance to the building,
70 ordered to leave the building and if employees of the unit of government, be
71 subjected to disciplinary measures for violation of the provisions of the statute,
72 rule or ordinance. The provisions of this subdivision shall not apply to any other
73 unit of government;

74 (7) Any establishment licensed to dispense intoxicating liquor for
75 consumption on the premises, which portion is primarily devoted to that purpose,
76 without the consent of the owner or manager. The provisions of this subdivision
77 shall not apply to the licensee of said establishment. The provisions of this
78 subdivision shall not apply to any bona fide restaurant open to the general public
79 having dining facilities for not less than fifty persons and that receives at least
80 fifty-one percent of its gross annual income from the dining facilities by the sale
81 of food. This subdivision does not prohibit the possession of a firearm in a vehicle
82 on the premises of the establishment and shall not be a criminal offense so long
83 as the firearm is not removed from the vehicle or brandished while the vehicle is
84 on the premises. Nothing in this subdivision authorizes any individual who has
85 been issued a concealed carry permit or endorsement to possess any firearm while
86 intoxicated;

87 (8) Any area of an airport to which access is controlled by the inspection
88 of persons and property. Possession of a firearm in a vehicle on the premises of
89 the airport shall not be a criminal offense so long as the firearm is not removed
90 from the vehicle or brandished while the vehicle is on the premises;

91 (9) Any place where the carrying of a firearm is prohibited by federal law;

92 (10) Any higher education institution or elementary or secondary school
93 facility without the consent of the governing body of the higher education
94 institution or a school official or the district school board, unless the person with
95 the concealed carry endorsement or permit is a teacher or administrator of an

96 elementary or secondary school who has been designated by his or her school
97 district as a school protection officer and is carrying a firearm in a school within
98 that district, in which case no consent is required. Possession of a firearm in a
99 vehicle on the premises of any higher education institution or elementary or
100 secondary school facility shall not be a criminal offense so long as the firearm is
101 not removed from the vehicle or brandished while the vehicle is on the premises;

102 (11) Any portion of a building used as a child care facility without the
103 consent of the manager. Nothing in this subdivision shall prevent the operator
104 of a child care facility in a family home from owning or possessing a firearm or
105 a concealed carry permit or endorsement;

106 (12) Any riverboat gambling operation accessible by the public without the
107 consent of the owner or manager pursuant to rules promulgated by the gaming
108 commission. Possession of a firearm in a vehicle on the premises of a riverboat
109 gambling operation shall not be a criminal offense so long as the firearm is not
110 removed from the vehicle or brandished while the vehicle is on the premises;

111 (13) Any gated area of an amusement park. Possession of a firearm in a
112 vehicle on the premises of the amusement park shall not be a criminal offense so
113 long as the firearm is not removed from the vehicle or brandished while the
114 vehicle is on the premises;

115 (14) Any church or other place of religious worship without the consent
116 of the minister or person or persons representing the religious organization that
117 exercises control over the place of religious worship. Possession of a firearm in
118 a vehicle on the premises shall not be a criminal offense so long as the firearm
119 is not removed from the vehicle or brandished while the vehicle is on the
120 premises;

121 (15) Any private property whose owner has posted the premises as being
122 off-limits to concealed firearms by means of one or more signs displayed in a
123 conspicuous place of a minimum size of eleven inches by fourteen inches with the
124 writing thereon in letters of not less than one inch. The owner, business or
125 commercial lessee, manager of a private business enterprise, or any other
126 organization, entity, or person may prohibit persons holding a concealed carry
127 permit or endorsement from carrying concealed firearms on the premises and may
128 prohibit employees, not authorized by the employer, holding a concealed carry
129 permit or endorsement from carrying concealed firearms on the property of the
130 employer. If the building or the premises are open to the public, the employer of
131 the business enterprise shall post signs on or about the premises if carrying a

132 concealed firearm is prohibited. Possession of a firearm in a vehicle on the
133 premises shall not be a criminal offense so long as the firearm is not removed
134 from the vehicle or brandished while the vehicle is on the premises. An employer
135 may prohibit employees or other persons holding a concealed carry permit or
136 endorsement from carrying a concealed firearm in vehicles owned by the
137 employer;

138 (16) Any sports arena or stadium with a seating capacity of five thousand
139 or more. Possession of a firearm in a vehicle on the premises shall not be a
140 criminal offense so long as the firearm is not removed from the vehicle or
141 brandished while the vehicle is on the premises;

142 (17) Any hospital accessible by the public. Possession of a firearm in a
143 vehicle on the premises of a hospital shall not be a criminal offense so long as the
144 firearm is not removed from the vehicle or brandished while the vehicle is on the
145 premises.

146 2. Carrying of a concealed firearm in a location specified in subdivisions
147 (1) to (17) of subsection 1 of this section by any individual who holds a concealed
148 carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry
149 endorsement issued prior to August 28, 2013, shall not be a criminal act but may
150 subject the person to denial to the premises or removal from the premises. If
151 such person refuses to leave the premises and a peace officer is summoned, such
152 person may be issued a citation for an amount not to exceed one hundred dollars
153 for the first offense. If a second citation for a similar violation occurs within a
154 six-month period, such person shall be fined an amount not to exceed two
155 hundred dollars and his or her permit, and, if applicable, endorsement to carry
156 concealed firearms shall be suspended for a period of one year. If a third citation
157 for a similar violation is issued within one year of the first citation, such person
158 shall be fined an amount not to exceed five hundred dollars and shall have his or
159 her concealed carry permit, and, if applicable, endorsement revoked and such
160 person shall not be eligible for a concealed carry permit for a period of three
161 years. Upon conviction of charges arising from a citation issued pursuant to this
162 subsection, the court shall notify the sheriff of the county which issued the
163 concealed carry permit, or, if the person is a holder of a concealed carry
164 endorsement issued prior to August 28, 2013, the court shall notify the sheriff of
165 the county which issued the certificate of qualification for a concealed carry
166 endorsement and the department of revenue. The sheriff shall suspend or revoke
167 the concealed carry permit or, if applicable, the certificate of qualification for a

168 concealed carry endorsement. If the person holds an endorsement, the
169 department of revenue shall issue a notice of such suspension or revocation of the
170 concealed carry endorsement and take action to remove the concealed carry
171 endorsement from the individual's driving record. The director of revenue shall
172 notify the licensee that he or she must apply for a new license pursuant to
173 chapter 302 which does not contain such endorsement. The notice issued by the
174 department of revenue shall be mailed to the last known address shown on the
175 individual's driving record. The notice is deemed received three days after
176 mailing.

177 **3. Notwithstanding any provision of this chapter, chapter 70, 577,**
178 **or 578 to the contrary, a person carrying a firearm concealed on or**
179 **about his or her person who is lawfully in possession of a valid**
180 **concealed carry permit or endorsement shall not be prohibited or**
181 **impeded from accessing or using any publicly funded transportation**
182 **system, nor shall such person be harassed or detained for carrying a**
183 **concealed firearm on the property, vehicles, or conveyances owned,**
184 **contracted, or leased by such systems that are accessible to the**
185 **public. For purposes of this section, "public transportation system"**
186 **means the property, equipment, rights-of-way, or buildings, either**
187 **publicly or privately owned and operated, of an entity that receives**
188 **public funds and holds itself out to the general public for the**
189 **transportation of persons. This includes portions of a public**
190 **transportation system provided through a contract with a private**
191 **entity, but excludes any corporation that provides intercity passenger**
192 **train service on railroads throughout the United States or any private**
193 **partnership in which the corporation engages.**

577.703. 1. A person commits the offense of bus hijacking if he or she
2 seizes or exercises control, by force or violence or threat of force or violence, of
3 any bus. The offense of bus hijacking is a class B felony.

4 2. The offense of "assault with the intent to commit bus hijacking" is
5 defined as an intimidation, threat, assault or battery toward any driver,
6 attendant or guard of a bus so as to interfere with the performance of duties by
7 such person. Assault to commit bus hijacking is a class D felony.

8 3. Any person, who, in the commission of such intimidation, threat,
9 assault or battery with the intent to commit bus hijacking, employs a dangerous
10 or deadly weapon or other means capable of inflicting serious bodily injury shall,

11 upon conviction, be guilty of a class A felony.

12 4. **Except as otherwise provided under section 571.107**, any
13 passenger who boards a bus with a dangerous or deadly weapon or other means
14 capable of inflicting serious bodily injury concealed upon his or her person or
15 effects is guilty of the felony of "possession and concealment of a dangerous or
16 deadly weapon" upon a bus. Possession and concealment of a dangerous and
17 deadly weapon by a passenger upon a bus is a class D felony. The provisions of
18 this subsection shall not apply to:

19 (1) Duly elected or appointed law enforcement officers or commercial
20 security personnel who are in possession of weapons used within the course and
21 scope of their employment; [nor shall the provisions of this subsection apply to]

22 (2) Persons who are in possession of weapons or other means of inflicting
23 serious bodily injury with the consent of the owner of such bus, his or her agent,
24 or the lessee or bailee of such bus;

25 (3) **Persons carrying concealed firearms who lawfully possess a**
26 **valid concealed carry permit or endorsement in accordance with**
27 **section 571.107; or**

28 (4) **Persons transporting a firearm in a nonfunctioning state or**
29 **in an unloaded state when ammunition is not readily accessible.**

577.712. 1. In order to provide for the safety, comfort, and well-being of
2 passengers and others having a bona fide business interest in any terminal, a bus
3 transportation company may refuse admission to terminals to any person not
4 having bona fide business within the terminal. Any such refusal shall not be
5 inconsistent or contrary to state or federal laws, regulations pursuant thereto, or
6 to any ordinance of the political subdivision in which such terminal is located. A
7 duly authorized company representative may ask any person in a terminal or on
8 the premises of a terminal to identify himself or herself and state his or her
9 business. Failure to comply with such request or failure to state an acceptable
10 business purpose shall be grounds for the company representative to request that
11 such person leave the terminal. Refusal to comply with such request shall
12 constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

13 2. **Except as otherwise provided under section 571.107**, it is
14 unlawful for any person to carry a deadly or dangerous weapon or any explosives
15 or hazardous material into a terminal or aboard a bus. Possession of a deadly or
16 dangerous weapon, explosive or hazardous material shall be a class D
17 felony. Upon the discovery of any such item or material, the company may obtain

18 possession and retain custody of such item or material until it is transferred to
19 the custody of law enforcement officers. **The provisions of this section shall**
20 **not apply to persons transporting a firearm in a nonfunctioning state**
21 **or in an unloaded state when ammunition is not readily accessible.**

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