

SENATE BILL NO. 441

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

0490S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 571, RSMo, by adding thereto one new section relating to firearms, with a penalty provision.

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 571.023, to read as follows:

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

(1) "Assault weapon", any:

(a) Semi-automatic rifle that has the capacity to accept a detachable magazine and has one or more of the following:

a. A pistol grip or thumbhole stock;

b. Any feature capable of functioning as a protruding grip that can be held by the nontrigger hand;

c. A folding or telescoping stock; or

d. A shroud attached to the barrel, or that partially or completely encircles the barrel, that allows the bearer to hold the firearm with the nontrigger hand without being burned, excluding a slide that encloses the barrel;

(b) Semi-automatic pistol or semi-automatic rifle with a fixed magazine that has the capacity to accept more than ten rounds of ammunition;

- 18 (c) Semi-automatic pistol that has the capacity to
19 accept a detachable magazine and has:
- 20 a. Any feature capable of functioning as a protruding
21 grip that can be held by the nontrigger hand;
- 22 b. A folding, telescoping, or thumbhole stock;
- 23 c. A shroud attached to the barrel, or that partially
24 or completely encircles the barrel, that allows the bearer
25 to hold the firearm with the nontrigger hand without being
26 burned, excluding a slide that encloses the barrel; or
- 27 d. The capacity to accept a detachable magazine at any
28 location other than the pistol grip;
- 29 (d) Semi-automatic shotgun that has:
- 30 a. A pistol grip or thumbhole stock;
- 31 b. Any feature capable of functioning as a protruding
32 grip that can be held by the nontrigger hand;
- 33 c. A folding or telescoping stock;
- 34 d. A fixed magazine capacity in excess of five rounds;
- 35 or
- 36 e. An ability to accept a detachable magazine;
- 37 (e) Shotgun with a revolving cylinder; or
- 38 (f) Conversion kit, part, or combination of parts from
39 which an assault weapon can be assembled if in the
40 possession or under the control of a single person.

41 "Assault weapon" shall not include any firearm made
42 permanently inoperable;

43 (2) "Detachable magazine", either:

44 (a) An ammunition feeding device that can be loaded or
45 unloaded while detached from a firearm and can be readily
46 inserted into a firearm; or

47 (b) A magazine that can be detached from a firearm by
48 pressing a button on the firearm either with a finger, tool,
49 or bullet;

50 (3) "Fixed magazine", an ammunition feeding device
51 contained in, or permanently attached to, a firearm in such
52 a manner that the device cannot be removed without
53 disassembly of the firearm action;

54 (4) "Large capacity magazine", any ammunition feeding
55 device with the capacity to accept more than ten rounds, but
56 excluding:

57 (a) A feeding device that has been permanently altered
58 so that it cannot accommodate more than ten rounds;

59 (b) A twenty-two caliber tubular magazine; or

60 (c) A tubular magazine contained in a lever-action
61 firearm.

62 2. No person, corporation, or other entity in the
63 state of Missouri shall manufacture, import, possess,
64 purchase, sell, or transfer any assault weapon or large
65 capacity magazine.

66 3. The provisions of this section shall not apply to:

67 (1) Any government officer, agent, or employee; member
68 of the United States Armed Forces; or peace officer, to the
69 extent that the person is authorized to acquire or possess
70 an assault weapon or large capacity magazine and does so
71 while acting within the scope of his or her duties;

72 (2) The manufacture of an assault weapon or large
73 capacity magazine by a firearms manufacturer for the purpose
74 of sale to an entity or person described under subdivision
75 (1) of this subsection, provided that the manufacturer is
76 properly licensed under federal and state laws;

77 (3) The sale or transfer of an assault weapon or large
78 capacity ammunition feeding device by a dealer, who is

79 properly licensed under federal, state, and local laws, to
80 an entity or person described under subdivision (1) of this
81 subsection for use by that entity or person for official
82 purposes; or

83 (4) Any person who, prior to and continuously since
84 the effective date of this section, was legally in
85 possession of an assault weapon or large capacity magazine.

86 4. A violation of this section is a class C felony.

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