

HOUSE AMENDMENT NO. _____
TO
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Offered By

1 AMEND House Amendment No. _____ to House Committee Substitute for House Bill No. 301,
2 Page 4, Line 48, by deleting said line and inserting in lieu thereof the following:

3
4 "not necessary for the protection of the public.

5 571.020. 1. A person commits an offense if such person knowingly possesses,
6 manufactures, transports, repairs, or sells:

7 (1) An explosive weapon;

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

10 (3) A gas gun;

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

13 (5) ~~Knuckles; or~~

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

15 (a) A machine gun;

16 (b) A short-barreled rifle or shotgun;

17 (c) A firearm silencer; or

18 (d) A switchblade knife.

19 2. A person does not commit an offense pursuant to this section if his or her conduct
20 involved any of the items in subdivisions (1) to ~~[(5)]~~ (4) of subsection 1, the item was possessed in
21 conformity with any applicable federal law, and the conduct:

22 (1) Was incident to the performance of official duty by the Armed Forces, National Guard, a
23 governmental law enforcement agency, or a penal institution; or

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

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

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

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

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

34
Action Taken _____ Date _____

1 Further amend said bill, Page 21, Section 571.070, Line 19, by inserting after said section and line
2 the following:

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

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

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

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

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

1 (6) The general assembly, supreme court, county or municipality may by rule,
2 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit
3 or endorsement holders in that portion of a building owned, leased or controlled by that unit of
4 government. Any portion of a building in which the carrying of concealed firearms is prohibited or
5 limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute,
6 rule or ordinance shall exempt any building used for public housing by private persons, highways or
7 rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of
8 government from any restriction on the carrying or possession of a firearm. The statute, rule or
9 ordinance shall not specify any criminal penalty for its violation but may specify that persons
10 violating the statute, rule or ordinance may be denied entrance to the building, ordered to leave the
11 building and if employees of the unit of government, be subjected to disciplinary measures for
12 violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall
13 not apply to any other unit of government;

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

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

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

29 (10) Any higher education institution or elementary or secondary school facility without the
30 consent of the governing body of the higher education institution or a school official or the district
31 school board, unless the person with the concealed carry endorsement or permit is a teacher or
32 administrator of an elementary or secondary school who has been designated by his or her school
33 district as a school protection officer and is carrying a firearm in a school within that district, in
34 which case no consent is required. Possession of a firearm in a vehicle on the premises of any
35 higher education institution or elementary or secondary school facility shall not be a criminal
36 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
37 the premises;

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

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

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

49 (14) Any church or other place of religious worship without the consent of the minister or

1 person or persons representing the religious organization that exercises control over the place of
2 religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal
3 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
4 the premises;

5 (15) Any private property whose owner has posted the premises as being off-limits to
6 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum
7 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch.
8 The owner, business or commercial lessee, manager of a private business enterprise, or any other
9 organization, entity, or person may prohibit persons holding a concealed carry permit or
10 endorsement from carrying concealed firearms on the premises and may prohibit employees, not
11 authorized by the employer, holding a concealed carry permit or endorsement from carrying
12 concealed firearms on the property of the employer. If the building or the premises are open to the
13 public, the employer of the business enterprise shall post signs on or about the premises if carrying a
14 concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a
15 criminal offense so long as the firearm is not removed from the vehicle or brandished while the
16 vehicle is on the premises. An employer may prohibit employees or other persons holding a
17 concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the
18 employer;

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

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

25 2. Carrying of a concealed firearm or knuckles in a location specified in subdivisions (1) to
26 (17) of subsection 1 of this section by any individual who holds a concealed carry permit issued
27 pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August
28 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal
29 from the premises. If such person refuses to leave the premises and a peace officer is summoned,
30 such person may be issued a citation for an amount not to exceed one hundred dollars for the first
31 offense. If a second citation for a similar violation occurs within a six-month period, such person
32 shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable,
33 endorsement to carry concealed firearms shall be suspended for a period of one year. If a third
34 citation for a similar violation is issued within one year of the first citation, such person shall be
35 fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit,
36 and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry
37 permit for a period of three years. Upon conviction of charges arising from a citation issued
38 pursuant to this subsection, the court shall notify the sheriff of the county which issued the
39 concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to
40 August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of
41 qualification for a concealed carry endorsement and the department of revenue. The sheriff shall
42 suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a
43 concealed carry endorsement. If the person holds an endorsement, the department of revenue shall
44 issue a notice of such suspension or revocation of the concealed carry endorsement and take action
45 to remove the concealed carry endorsement from the individual's driving record. The director of
46 revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302
47 which does not contain such endorsement. The notice issued by the department of revenue shall be
48 mailed to the last known address shown on the individual's driving record. The notice is deemed
49 received three days after mailing."; and"; and

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2 Further amend said bill by amending the title, enacting clause, and intersectional references
3 accordingly.

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5 THIS AMENDMENT AMENDS 0695H02.33H.