

SECOND REGULAR SESSION

HOUSE BILL NO. 2523

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE REED.

4791H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 571.010, 571.030, 571.060, 571.070, 571.101, 571.107, 571.117, 571.205, 571.215, and 571.225, RSMo, and to enact in lieu thereof eleven new sections relating to firearms, with penalty provisions.

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

Section A. Sections 571.010, 571.030, 571.060, 571.070, 571.101, 571.107, 571.117, 2 571.205, 571.215, and 571.225, RSMo, are repealed and eleven new sections enacted in lieu 3 thereof, to be known as sections 571.010, 571.030, 571.060, 571.070, 571.078, 571.101, 4 571.107, 571.117, 571.205, 571.215, and 571.225, to read as follows:

571.010. As used in this chapter, the following terms shall mean:

2 (1) "Antique, curio or relic firearm", any firearm so defined by the National Gun 3 Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of 4 Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

5 (a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or 6 conventional center fire ignition with fixed ammunition and manufactured in or before 1898, 7 said ammunition not being manufactured any longer; this includes any matchlock, wheel 8 lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

9 (b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due 10 to its unique design, ignition system, operation or at least fifty years old, associated with a 11 historical event, renown personage or major war;

12 (2) "Blackjack", any instrument that is designed or adapted for the purpose of 13 stunning or inflicting physical injury by striking a person, and which is readily capable of 14 lethal use;

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.

- 15 (3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is
16 intended for blasting, but not otherwise defined as an explosive under this section, provided
17 that the finished product, as mixed for use of shipment, cannot be detonated by means of a
18 numbered 8 test blasting cap when unconfined;
- 19 (4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length,
20 measured from the face of the bolt or standing breech;
- 21 (5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any
22 other distinguishing number or identification mark;
- 23 (6) "Detonator", any device containing a detonating charge that is used for initiating
24 detonation in an explosive, including but not limited to, electric blasting caps of instantaneous
25 and delay types, nonelectric blasting caps for use with safety fuse or shock tube and
26 detonating cord delay connectors;
- 27 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar
28 device designed or adapted for the purpose of inflicting death, serious physical injury, or
29 substantial property damage; or any device designed or adapted for delivering or shooting
30 such a weapon. For the purposes of this subdivision, the term "explosive" shall mean any
31 chemical compound mixture or device, the primary or common purpose of which is to
32 function by explosion, including but not limited to, dynamite and other high explosives, pellet
33 powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords,
34 and igniters or blasting agents;
- 35 (8) "Firearm", any weapon that is designed or adapted to expel a projectile by the
36 action of an explosive;
- 37 (9) "Firearm silencer", any instrument, attachment, or appliance that is designed or
38 adapted to muffle the noise made by the firing of any firearm;
- 39 (10) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance
40 other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas
41 that will cause death or serious physical injury, but not any device that ejects a repellant or
42 temporary incapacitating substance;
- 43 (11) "Intoxicated", substantially impaired mental or physical capacity resulting from
44 introduction of any substance into the body;
- 45 (12) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily
46 capable of inflicting serious physical injury or death by cutting or stabbing a person. For
47 purposes of this chapter, knife does not include any ordinary pocketknife with no blade more
48 than four inches in length;
- 49 (13) "Knuckles", any instrument that consists of finger rings or guards made of a hard
50 substance that is designed or adapted for the purpose of inflicting serious physical injury or
51 death by striking a person with a fist enclosed in the knuckles;

52 (14) "Machine gun", any firearm that is capable of firing more than one shot
53 automatically, without manual reloading, by a single function of the trigger;

54 (15) **"Military-style semi-automatic firearm":**

55 (a) Any repeating firearm whose action mechanism automatically loads
56 ammunition into the chamber and prepares it for subsequent firing but requires a
57 shooter to manually discharge each shot; or

58 (b) Any firearm that is not deemed a machine gun but that is capable of firing
59 shots at a rate that is within the range of the typical firing rate of a machine gun
60 regardless of whether the firearm was originally manufactured with such capability or
61 was modified to have such capability by a switch, Glock switch, auto sear, bump stock,
62 trigger crank, or any other manufactured or homemade component.

63

64 The term "military-style semi-automatic firearm" shall not include any firearm
65 designed primarily for hunting or sporting purposes, as determined by the department
66 of public safety by rule;

67 (16) "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other weapon
68 that is not a firearm, which is capable of expelling a projectile that could inflict serious
69 physical injury or death by striking or piercing a person;

70 ~~[(16)]~~ (17) "Rifle", any firearm designed or adapted to be fired from the shoulder and
71 to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a
72 rifled bore by a single function of the trigger;

73 ~~[(17)]~~ (18) "School", any charter school, as such term is defined in section 160.400,
74 any private school, as such term is defined in section 166.700, or any public school, as such
75 term is defined in section 160.011;

76 ~~[(18)]~~ (19) "Short barrel", a barrel length of less than sixteen inches for a rifle and
77 eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or
78 an overall rifle or shotgun length of less than twenty-six inches;

79 ~~[(19)]~~ (20) "Shotgun", any firearm designed or adapted to be fired from the shoulder
80 and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a
81 single projectile through a smooth bore barrel by a single function of the trigger;

82 ~~[(20)]~~ (21) "Spring gun", any fused, timed or nonmanually controlled trap or device
83 designed or adapted to set off an explosion for the purpose of inflicting serious physical injury
84 or death;

85 ~~[(21)]~~ (22) "Switchblade knife", any knife which has a blade that folds or closes into
86 the handle or sheath, and:

87 (a) That opens automatically by pressure applied to a button or other device located
88 on the handle; or

89 (b) That opens or releases from the handle or sheath by the force of gravity or by the
90 application of centrifugal force.

571.030. 1. A person commits the offense of unlawful use of weapons, except as
2 otherwise provided by sections 571.101 to 571.121 **and sections 571.205 to 571.230**, if he or
3 she knowingly:

4 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack
5 or any other weapon readily capable of lethal use ~~[into any area where firearms are restricted~~
6 ~~under section 571.107]~~; or

7 (2) Sets a spring gun; or

8 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat,
9 aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for
10 the assembling of people; or

11 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of
12 lethal use in an angry or threatening manner; or

13 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her
14 person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile
15 weapon in either a negligent or unlawful manner or discharges such firearm or projectile
16 weapon unless acting in self-defense; or

17 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,
18 courthouse, or church building; or

19 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or
20 across a public highway or discharges or shoots a firearm into any outbuilding; or

21 (8) Carries a firearm or any other weapon readily capable of lethal use into any
22 church or place where people have assembled for worship, or into any election precinct on
23 any election day, or into any building owned or occupied by any agency of the federal
24 government, state government, or political subdivision thereof; or

25 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section
26 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any
27 building or habitable structure, unless the person was lawfully acting in self-defense; or

28 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily
29 capable of lethal use into any school, onto any school bus, or onto the premises of any
30 function or activity sponsored or sanctioned by school officials or the district school board; or

31 (11) Possesses a firearm while also knowingly in possession of a controlled substance
32 that is sufficient for a felony violation of section 579.015.

33 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the
34 persons described in this subsection, regardless of whether such uses are reasonably
35 associated with or are necessary to the fulfillment of such person's official duties except as

36 otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1
37 of this section shall not apply to or affect any of the following persons, when such uses are
38 reasonably associated with or are necessary to the fulfillment of such person's official duties,
39 except as otherwise provided in this subsection:

40 (1) All state, county and municipal peace officers who have completed the training
41 required by the police officer standards and training commission pursuant to sections 590.030
42 to 590.050 and who possess the duty and power of arrest for violation of the general criminal
43 laws of the state or for violation of ordinances of counties or municipalities of the state,
44 whether such officers are on or off duty, and whether such officers are within or outside of the
45 law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in
46 subsection 12 of this section, and who carry the identification defined in subsection 13 of this
47 section, or any person summoned by such officers to assist in making arrests or preserving the
48 peace while actually engaged in assisting such officer;

49 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other
50 institutions for the detention of persons accused or convicted of crime;

51 (3) Members of the Armed Forces or National Guard while performing their official
52 duty;

53 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with
54 the judicial power of the state and those persons vested by Article III of the Constitution of
55 the United States with the judicial power of the United States, the members of the federal
56 judiciary;

57 (5) Any person whose bona fide duty is to execute process, civil or criminal;

58 (6) Any federal probation officer or federal flight deck officer as defined under the
59 federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such
60 officers are on duty, or within the law enforcement agency's jurisdiction;

61 (7) Any state probation or parole officer, including supervisors and members of the
62 parole board;

63 (8) Any corporate security advisor meeting the definition and fulfilling the
64 requirements of the regulations established by the department of public safety under section
65 590.750;

66 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

67 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney;
68 circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge; or any
69 person appointed by a court to be a special prosecutor who has completed the firearms safety
70 training course required under subsection 2 of section 571.111;

71 (11) Any member of a fire department or fire protection district who is employed on a
72 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued

73 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such
74 uses are reasonably associated with or are necessary to the fulfillment of such person's official
75 duties; and

76 (12) Upon the written approval of the governing body of a fire department or fire
77 protection district, any paid fire department or fire protection district member who is
78 employed on a full-time basis and who has a valid concealed carry endorsement issued prior
79 to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably
80 associated with or are necessary to the fulfillment of such person's official duties.

81 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply
82 when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state
83 when ammunition is not readily accessible or when such weapons are not readily accessible.
84 Subdivision (1) of subsection 1 of this section does not apply to any person ~~[nineteen]~~
85 **twenty-one** years of age or older or eighteen years of age or older and a member of the
86 United States Armed Forces, or honorably discharged from the United States Armed Forces,
87 transporting a concealable firearm in the passenger compartment of a motor vehicle, so long
88 as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in
89 possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in
90 his or her dwelling unit or upon premises over which the actor has possession, authority or
91 control, or is traveling in a continuous journey peaceably through this state. Subdivision (10)
92 of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by
93 a person while traversing school premises for the purposes of transporting a student to or from
94 school, or possessed by an adult for the purposes of facilitation of a school-sanctioned
95 firearm-related event or club event.

96 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
97 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121
98 **or sections 571.205 to 571.230**, a valid concealed carry endorsement issued before August
99 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state
100 or political subdivision of another state.

101 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section
102 shall not apply to persons who are engaged in a lawful act of defense pursuant to section
103 563.031.

104 6. Notwithstanding any provision of this section to the contrary, the state shall not
105 prohibit any state employee from having a firearm in the employee's vehicle on the state's
106 property provided that the vehicle is locked and the firearm is not visible. This subsection
107 shall only apply to the state as an employer when the state employee's vehicle is on property
108 owned or leased by the state and the state employee is conducting activities within the scope
109 of his or her employment. For the purposes of this subsection, "state employee" means an

110 employee of the executive, legislative, or judicial branch of the government of the state of
111 Missouri.

112 7. (1) Subdivision (10) of subsection 1 of this section shall not apply to a person who
113 is a school officer commissioned by the district school board under section 162.215 or who is
114 a school protection officer, as described under section 160.665.

115 (2) Nothing in this section shall make it unlawful for a student to actually participate
116 in school-sanctioned gun safety courses, student military or ROTC courses, or other school-
117 sponsored or club-sponsored firearm-related events, provided the student does not carry a
118 firearm or other weapon readily capable of lethal use into any school, onto any school bus, or
119 onto the premises of any other function or activity sponsored or sanctioned by school officials
120 or the district school board.

121 8. A person who commits the crime of unlawful use of weapons under:

122 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a
123 class E felony;

124 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a
125 class B misdemeanor~~[-, except when a concealed weapon is carried onto any private property~~
126 ~~whose owner has posted the premises as being off limits to concealed firearms by means of~~
127 ~~one or more signs displayed in a conspicuous place of a minimum size of eleven inches by~~
128 ~~fourteen inches with the writing thereon in letters of not less than one inch, in which case the~~
129 ~~penalties of subsection 2 of section 571.107 shall apply];~~

130 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A
131 misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

132 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony,
133 except that if the violation of subdivision (9) of subsection 1 of this section results in injury or
134 death to another person, it is a class A felony.

135 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as
136 follows:

137 (1) For the first violation a person shall be sentenced to the maximum authorized term
138 of imprisonment for a class B felony;

139 (2) For any violation by a prior offender as defined in section 558.016, a person shall
140 be sentenced to the maximum authorized term of imprisonment for a class B felony without
141 the possibility of parole, probation or conditional release for a term of ten years;

142 (3) For any violation by a persistent offender as defined in section 558.016, a person
143 shall be sentenced to the maximum authorized term of imprisonment for a class B felony
144 without the possibility of parole, probation, or conditional release;

145 (4) For any violation which results in injury or death to another person, a person shall
146 be sentenced to an authorized disposition for a class A felony.

147 10. Any person knowingly aiding or abetting any other person in the violation of
148 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that
149 prescribed by this section for violations by other persons.

150 11. Notwithstanding any other provision of law, no person who pleads guilty to or is
151 found guilty of a felony violation of subsection 1 of this section shall receive a suspended
152 imposition of sentence if such person has previously received a suspended imposition of
153 sentence for any other firearms- or weapons-related felony offense.

154 12. As used in this section "qualified retired peace officer" means an individual who:

155 (1) Retired in good standing from service with a public agency as a peace officer,
156 other than for reasons of mental instability;

157 (2) Before such retirement, was authorized by law to engage in or supervise the
158 prevention, detection, investigation, or prosecution of, or the incarceration of any person for,
159 any violation of law, and had statutory powers of arrest;

160 (3) Before such retirement, was regularly employed as a peace officer for an
161 aggregate of fifteen years or more, or retired from service with such agency, after completing
162 any applicable probationary period of such service, due to a service-connected disability, as
163 determined by such agency;

164 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if
165 such a plan is available;

166 (5) During the most recent twelve-month period, has met, at the expense of the
167 individual, the standards for training and qualification for active peace officers to carry
168 firearms;

169 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug
170 or substance; and

171 (7) Is not prohibited by federal law from receiving a firearm.

172 13. The identification required by subdivision (1) of subsection 2 of this section is:

173 (1) A photographic identification issued by the agency from which the individual
174 retired from service as a peace officer that indicates that the individual has, not less recently
175 than one year before the date the individual is carrying the concealed firearm, been tested or
176 otherwise found by the agency to meet the standards established by the agency for training
177 and qualification for active peace officers to carry a firearm of the same type as the concealed
178 firearm; or

179 (2) A photographic identification issued by the agency from which the individual
180 retired from service as a peace officer; and

181 (3) A certification issued by the state in which the individual resides that indicates
182 that the individual has, not less recently than one year before the date the individual is
183 carrying the concealed firearm, been tested or otherwise found by the state to meet the

184 standards established by the state for training and qualification for active peace officers to
185 carry a firearm of the same type as the concealed firearm.

571.060. 1. A person commits the offense of unlawful transfer of weapons if he **or**
2 **she**:

3 (1) Knowingly sells, leases, loans, gives away or delivers a firearm or ammunition for
4 a firearm to any person who, under the provisions of section 571.070, is not lawfully entitled
5 to possess such;

6 (2) Knowingly sells, leases, loans, gives away or delivers a blackjack to a person less
7 than eighteen years old without the consent of the child's custodial parent or guardian, or
8 recklessly, as defined in section 562.016, sells, leases, loans, gives away or delivers any
9 firearm to a person less than eighteen years old without the consent of the child's custodial
10 parent or guardian; provided, that this does not prohibit the delivery of such weapons to any
11 peace officer or member of the Armed Forces **of the United States** or National Guard while
12 performing his **or her** official duty; ~~[or]~~

13 (3) Recklessly, as defined in section 562.016, sells, leases, loans, gives away or
14 delivers a firearm or ammunition for a firearm to a person who is intoxicated; **or**

15 **(4) Knowingly sells, offers for sale, leases, loans, gives away, or delivers any**
16 **military-style semi-automatic firearm, provided that this does not prohibit the sale or**
17 **delivery of military-style semi-automatic firearms to any peace officer or member of the**
18 **Armed Forces of the United States or National Guard while performing his or her**
19 **official duty.**

20 2. Unlawful transfer of weapons under subdivision (1) of subsection 1 of this section
21 is a class E felony; unlawful transfer of weapons under ~~[subdivisions]~~ **subdivision (2) [and]**,
22 **(3), or (4)** of subsection 1 of this section is a class A misdemeanor.

571.070. 1. A person commits the offense of unlawful possession of a firearm if such
2 person knowingly has any firearm in his or her possession and:

3 (1) Such person has been convicted of a felony under the laws of this state, or of a
4 crime under the laws of any state or of the United States which, if committed within this state,
5 would be a felony; ~~[or]~~

6 (2) Such person is a fugitive from justice, is habitually in an intoxicated or drugged
7 condition, or is currently adjudged mentally incompetent; **or**

8 **(3) Such person is under twenty-one years of age.**

9 2. Unlawful possession of a firearm is a class C felony, unless a person has been
10 convicted of a dangerous felony as defined in section 556.061, or the person has a prior
11 conviction for unlawful possession of a firearm in which case it is a class B felony.

12 3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to
13 the possession of an antique firearm.

14 **4. The provisions of subdivision (3) of subsection 1 of this section shall not apply**
15 **to:**

16 **(1) Any person lawfully in possession of both:**

17 **(a) A valid concealed carry permit issued under sections 571.101 to 571.121 or**
18 **sections 571.205 to 571.230 or a valid concealed carry permit or endorsement issued by**
19 **another state or a political subdivision of another state; and**

20 **(b) Proof of the person's current or former service in the Armed Forces of the**
21 **United States;**

22 **(2) Any peace officer or member of the Armed Forces of the United States or**
23 **National Guard while performing his or her official duty; or**

24 **(3) Any person while engaged in hunting, firearms training, or recreational**
25 **sporting events as long as the person is under the direct supervision of a person who is:**

26 **(a) Twenty-one years of age or older; and**

27 **(b) Lawfully in possession of a valid concealed carry permit issued under**
28 **sections 571.101 to 571.121 or sections 571.205 to 571.230, a valid concealed carry**
29 **endorsement issued prior to August 28, 2013, or a valid concealed carry permit or**
30 **endorsement issued by another state or a political subdivision of another state.**

571.078. The department of public safety shall promulgate rules to implement
2 **the provisions of subdivision (15) of section 571.010 relating to determining whether a**
3 **firearm is designed primarily for hunting or sporting purposes. Any rule or portion of a**
4 **rule, as that term is defined in section 536.010, that is created under the authority**
5 **delegated in this section shall become effective only if it complies with and is subject to**
6 **all of the provisions of chapter 536 and, if applicable, section 536.028. This section and**
7 **chapter 536 are nonseverable and if any of the powers vested with the general assembly**
8 **pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul**
9 **a rule are subsequently held unconstitutional, then the grant of rulemaking authority**
10 **and any rule proposed or adopted after August 28, 2026, shall be invalid and void.**

571.101. 1. All applicants for concealed carry permits issued pursuant to subsection
2 **7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said**
3 **applicant can show qualification as provided by sections 571.101 to 571.121, the county or**
4 **city sheriff shall issue a concealed carry permit authorizing the carrying of a concealed**
5 **firearm on or about the applicant's person or within a vehicle. A concealed carry permit shall**
6 **be valid from the date of issuance or renewal until five years from the last day of the month in**
7 **which the permit was issued or renewed. The concealed carry permit is valid throughout this**
8 **state. Although the permit is considered valid in the state, a person who fails to renew his or**
9 **her permit within five years from the date of issuance or renewal shall not be eligible for an**
10 **exception to a National Instant Criminal Background Check under federal regulations**

11 currently codified under 27 CFR 478.102(d), relating to the transfer, sale, or delivery of
12 firearms from licensed dealers. A concealed carry endorsement issued prior to August 28,
13 2013, shall continue from the date of issuance or renewal until three years from the last day of
14 the month in which the endorsement was issued or renewed to authorize the carrying of a
15 concealed firearm on or about the applicant's person or within a vehicle in the same manner as
16 a concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.

17 2. A concealed carry permit issued pursuant to subsection 7 of this section shall be
18 issued by the sheriff or his or her designee of the county or city in which the applicant resides,
19 if the applicant:

20 (1) Is [~~at least nineteen~~] **twenty-one** years of age **or older**, is a citizen or permanent
21 resident of the United States, and either:

22 (a) Has assumed residency in this state; or

23 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such
24 member of the military;

25 (2) Is [~~at least nineteen~~] **twenty-one** years of age **or older**, or is at least eighteen years
26 of age and a member of the United States Armed Forces or honorably discharged from the
27 United States Armed Forces, and is a citizen of the United States and either:

28 (a) Has assumed residency in this state;

29 (b) Is a member of the Armed Forces stationed in Missouri; or

30 (c) The spouse of such member of the military stationed in Missouri and [~~nineteen~~]
31 **twenty-one** years of age **or older**;

32 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
33 crime punishable by imprisonment for a term exceeding one year under the laws of any state
34 or of the United States other than a crime classified as a misdemeanor under the laws of any
35 state and punishable by a term of imprisonment of two years or less that does not involve an
36 explosive weapon, firearm, firearm silencer or gas gun;

37 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to
38 one or more misdemeanor offenses involving crimes of violence within a five-year period
39 immediately preceding application for a concealed carry permit or if the applicant has not
40 been convicted of two or more misdemeanor offenses involving driving while under the
41 influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance
42 within a five-year period immediately preceding application for a concealed carry permit;

43 (5) Is not a fugitive from justice or currently charged in an information or indictment
44 with the commission of a crime punishable by imprisonment for a term exceeding one year
45 under the laws of any state of the United States other than a crime classified as a
46 misdemeanor under the laws of any state and punishable by a term of imprisonment of two
47 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

48 (6) Has not been discharged under dishonorable conditions from the United States
49 Armed Forces;

50 (7) Has not engaged in a pattern of behavior, documented in public or closed records,
51 that causes the sheriff to have a reasonable belief that the applicant presents a danger to
52 himself or others;

53 (8) Is not adjudged mentally incompetent at the time of application or for five years
54 prior to application, or has not been committed to a mental health facility, as defined in
55 section 632.005, or a similar institution located in another state following a hearing at which
56 the defendant was represented by counsel or a representative;

57 (9) Submits a completed application for a permit as described in subsection 3 of this
58 section;

59 (10) Submits an affidavit attesting that the applicant complies with the concealed
60 carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;

61 (11) Is not the respondent of a valid full order of protection which is still in effect;

62 (12) Is not otherwise prohibited from possessing a firearm under section 571.070 or
63 18 U.S.C. Section 922(g).

64 3. The application for a concealed carry permit issued by the sheriff of the county of
65 the applicant's residence shall contain only the following information:

66 (1) The applicant's name, address, telephone number, gender, date and place of birth,
67 and, if the applicant is not a United States citizen, the applicant's country of citizenship and
68 any alien or admission number issued by the Federal Bureau of Customs and Immigration
69 Enforcement or any successor agency;

70 (2) An affirmation that the applicant has assumed residency in Missouri or is a
71 member of the Armed Forces stationed in Missouri or the spouse of such a member of the
72 Armed Forces and is a citizen or permanent resident of the United States;

73 (3) An affirmation that the applicant is ~~[at least nineteen]~~ **twenty-one** years of age **or**
74 **older** or is eighteen years of age or older and a member of the United States Armed Forces or
75 honorably discharged from the United States Armed Forces;

76 (4) An affirmation that the applicant has not pled guilty to or been convicted of a
77 crime punishable by imprisonment for a term exceeding one year under the laws of any state
78 or of the United States other than a crime classified as a misdemeanor under the laws of any
79 state and punishable by a term of imprisonment of two years or less that does not involve an
80 explosive weapon, firearm, firearm silencer, or gas gun;

81 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or
82 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of
83 violence within a five-year period immediately preceding application for a permit or if the
84 applicant has not been convicted of two or more misdemeanor offenses involving driving

85 while under the influence of intoxicating liquor or drugs or the possession or abuse of a
86 controlled substance within a five-year period immediately preceding application for a
87 permit;

88 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
89 in an information or indictment with the commission of a crime punishable by imprisonment
90 for a term exceeding one year under the laws of any state or of the United States other than a
91 crime classified as a misdemeanor under the laws of any state and punishable by a term of
92 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
93 silencer or gas gun;

94 (7) An affirmation that the applicant has not been discharged under dishonorable
95 conditions from the United States Armed Forces;

96 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
97 of application or for five years prior to application, or has not been committed to a mental
98 health facility, as defined in section 632.005, or a similar institution located in another state,
99 except that a person whose release or discharge from a facility in this state pursuant to chapter
100 632, or a similar discharge from a facility in another state, occurred more than five years ago
101 without subsequent recommitment may apply;

102 (9) An affirmation that the applicant has received firearms safety training that meets
103 the standards of applicant firearms safety training defined in subsection 1 or 2 of section
104 571.111;

105 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
106 not the respondent of a valid full order of protection which is still in effect;

107 (11) A conspicuous warning that false statements made by the applicant will result in
108 prosecution for perjury pursuant to the laws of the state of Missouri; and

109 (12) A government-issued photo identification. This photograph shall not be
110 included on the permit and shall only be used to verify the person's identity for permit
111 renewal, or for the issuance of a new permit due to change of address, or for a lost or
112 destroyed permit.

113 4. An application for a concealed carry permit shall be made to the sheriff of the
114 county or any city not within a county in which the applicant resides. An application shall be
115 filed in writing, signed under oath and under the penalties of perjury, and shall state whether
116 the applicant complies with each of the requirements specified in subsection 2 of this section.
117 In addition to the completed application, the applicant for a concealed carry permit must also
118 submit the following:

119 (1) A photocopy of a firearms safety training certificate of completion or other
120 evidence of completion of a firearms safety training course that meets the standards
121 established in subsection 1 or 2 of section 571.111; and

122 (2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

123 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall
124 make only such inquiries as he or she deems necessary into the accuracy of the statements
125 made in the application. The sheriff may require that the applicant display a Missouri driver's
126 license or nondriver's license or military identification and orders showing the person being
127 stationed in Missouri. In order to determine the applicant's suitability for a concealed carry
128 permit, the applicant shall be fingerprinted. No other biometric data shall be collected from
129 the applicant. The sheriff shall conduct an inquiry of the National Instant Criminal
130 Background Check System within three working days after submission of the properly
131 completed application for a concealed carry permit. If no disqualifying record is identified by
132 these checks at the state level, the fingerprints shall be forwarded to the Federal Bureau of
133 Investigation for a national criminal history record check. Upon receipt of the completed
134 report from the National Instant Criminal Background Check System and the response from
135 the Federal Bureau of Investigation national criminal history record check, the sheriff shall
136 examine the results and, if no disqualifying information is identified, shall issue a concealed
137 carry permit within three working days.

138 (2) In the event the report from the National Instant Criminal Background Check
139 System and the response from the Federal Bureau of Investigation national criminal history
140 record check prescribed by subdivision (1) of this subsection are not completed within forty-
141 five calendar days and no disqualifying information concerning the applicant has otherwise
142 come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated
143 on the certificate as such, which the applicant shall sign in the presence of the sheriff or the
144 sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's
145 license or a valid military identification, shall permit the applicant to exercise the same rights
146 in accordance with the same conditions as pertain to a concealed carry permit issued under
147 this section, provided that it shall not serve as an alternative to an national instant criminal
148 background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain
149 valid until such time as the sheriff either issues or denies the certificate of qualification under
150 subsection 6 or 7 of this section. The sheriff shall revoke a provisional permit issued under
151 this subsection within twenty-four hours of receipt of any report that identifies a disqualifying
152 record, and shall notify the concealed carry permit system established under subsection 5 of
153 section 650.350. The revocation of a provisional permit issued under this section shall be
154 proscribed in a manner consistent to the denial and review of an application under subsection
155 6 of this section.

156 6. The sheriff may refuse to approve an application for a concealed carry permit if he
157 or she determines that any of the requirements specified in subsection 2 of this section have
158 not been met, or if he or she has a substantial and demonstrable reason to believe that the

159 applicant has rendered a false statement regarding any of the provisions of sections 571.101
160 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the
161 application, and notify the applicant in writing, stating the grounds for denial and informing
162 the applicant of the right to submit, within thirty days, any additional documentation relating
163 to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall
164 reconsider his or her decision and inform the applicant within thirty days of the result of the
165 reconsideration. The applicant shall further be informed in writing of the right to appeal the
166 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews
167 and denials by the sheriff, the person submitting the application shall appeal the denial
168 pursuant to subsections 2, 3, 4, and 5 of section 571.114.

169 7. If the application is approved, the sheriff shall issue a concealed carry permit to the
170 applicant within a period not to exceed three working days after his or her approval of the
171 application. The applicant shall sign the concealed carry permit in the presence of the sheriff
172 or his or her designee.

173 8. The concealed carry permit shall specify only the following information:

174 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes,
175 and signature of the permit holder;

176 (2) The signature of the sheriff issuing the permit;

177 (3) The date of issuance; and

178 (4) The expiration date.

179

180 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths
181 inches long and shall be of a uniform style prescribed by the department of public safety. The
182 permit shall also be assigned a concealed carry permit system county code and shall be stored
183 in sequential number.

184 9. (1) The sheriff shall keep a record of all applications for a concealed carry permit
185 or a provisional permit and his or her action thereon. Any record of an application that is
186 incomplete or denied for any reason shall be kept for a period not to exceed one year. Any
187 record of an application that was approved shall be kept for a period of one year after the
188 expiration and nonrenewal of the permit.

189 (2) The sheriff shall report the issuance of a concealed carry permit or provisional
190 permit to the concealed carry permit system. All information on any such permit that is
191 protected information on any driver's or nondriver's license shall have the same personal
192 protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a
193 concealed carry permit, provisional permit, or a concealed carry endorsement issued prior to
194 August 28, 2013, shall not be public information and shall be considered personal protected
195 information. Information retained in the concealed carry permit system under this subsection

196 shall not be distributed to any federal, state, or private entities and shall only be made
197 available for a single entry query of an individual in the event the individual is a subject of
198 interest in an active criminal investigation or is arrested for a crime. A sheriff may access the
199 concealed carry permit system for administrative purposes to issue a permit, verify the
200 accuracy of permit holder information, change the name or address of a permit holder,
201 suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a
202 certified death certificate for the permit holder. Any person who violates the provisions of
203 this subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

204 10. Information regarding any holder of a concealed carry permit, or a concealed
205 carry endorsement issued prior to August 28, 2013, is a closed record. No bulk download or
206 batch data shall be distributed to any federal, state, or private entity, except to MoSMART or a
207 designee thereof. Any state agency that has retained any documents or records, including
208 fingerprint records provided by an applicant for a concealed carry endorsement prior to
209 August 28, 2013, shall destroy such documents or records, upon successful issuance of a
210 permit.

211 11. For processing an application for a concealed carry permit pursuant to sections
212 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed
213 one hundred dollars which shall be paid to the treasury of the county to the credit of the
214 sheriff's revolving fund. This fee shall include the cost to reimburse the Missouri state
215 highway patrol for the costs of fingerprinting and criminal background checks. An additional
216 fee shall be added to each credit card, debit card, or other electronic transaction equal to the
217 charge paid by the state or the applicant for the use of the credit card, debit card, or other
218 electronic payment method by the applicant.

219 12. For processing a renewal for a concealed carry permit pursuant to sections
220 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed
221 fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's
222 revolving fund.

223 13. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include
224 the sheriff of any county or city not within a county or his or her designee and in counties of
225 the first classification the sheriff may designate the chief of police of any city, town, or
226 municipality within such county.

227 14. For the purposes of this chapter, "concealed carry permit" shall include any
228 concealed carry endorsement issued by the department of revenue before January 1, 2014,
229 and any concealed carry document issued by any sheriff or under the authority of any sheriff
230 after December 31, 2013.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121,
2 a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry

3 endorsement or permit issued by another state or political subdivision of another state shall
4 authorize the person in whose name the permit or endorsement is issued to carry concealed
5 firearms on or about his or her person or vehicle throughout the state, **except that any person**
6 **under twenty-one years of age in possession of such a permit or endorsement shall not**
7 **carry concealed firearms without also carrying proof of his or her current or former**
8 **service in the Armed Forces of the United States on his or her person. Any such permit**
9 **or endorsement held by a person under twenty-one years of age who is not a member of**
10 **the Armed Forces of the United States or honorably discharged from the Armed Forces**
11 **of the United States shall be void and invalid in this state.** No concealed carry permit
12 issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement issued
13 prior to August 28, 2013, or a concealed carry endorsement or permit issued by another state
14 or political subdivision of another state shall authorize any person to carry concealed firearms
15 into:

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

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

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

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

40 the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of
41 any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm
42 is not removed from the vehicle or brandished while the vehicle is on the premises;

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

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

70 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
71 premises, which portion is primarily devoted to that purpose, without the consent of the
72 owner or manager. The provisions of this subdivision shall not apply to the licensee of said
73 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant
74 open to the general public having dining facilities for not less than fifty persons and that
75 receives at least fifty-one percent of its gross annual income from the dining facilities by the
76 sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the

77 premises of the establishment and shall not be a criminal offense so long as the firearm is not
78 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this
79 subdivision authorizes any individual who has been issued a concealed carry permit or
80 endorsement to possess any firearm while intoxicated;

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

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

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

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

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

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

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

112 (15) Any private property whose owner has posted the premises as being off-limits to
113 concealed firearms by means of one or more signs displayed in a conspicuous place of a

114 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not
115 less than one inch. The owner, business or commercial lessee, manager of a private business
116 enterprise, or any other organization, entity, or person may prohibit persons holding a
117 concealed carry permit or endorsement from carrying concealed firearms on the premises and
118 may prohibit employees, not authorized by the employer, holding a concealed carry permit or
119 endorsement from carrying concealed firearms on the property of the employer. If the
120 building or the premises are open to the public, the employer of the business enterprise shall
121 post signs on or about the premises if carrying a concealed firearm is prohibited. Possession
122 of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm
123 is not removed from the vehicle or brandished while the vehicle is on the premises. An
124 employer may prohibit employees or other persons holding a concealed carry permit or
125 endorsement from carrying a concealed firearm in vehicles owned by the employer;

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

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

133 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17)
134 of subsection 1 of this section by any individual who holds a concealed carry permit issued
135 pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to
136 August 28, 2013, shall not be a criminal act but may subject the person to denial to the
137 premises or removal from the premises. If such person refuses to leave the premises and a
138 peace officer is summoned, such person may be issued a citation for an amount not to exceed
139 one hundred dollars for the first offense. If a second citation for a similar violation occurs
140 within a six-month period, such person shall be fined an amount not to exceed two hundred
141 dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall
142 be suspended for a period of one year. If a third citation for a similar violation is issued
143 within one year of the first citation, such person shall be fined an amount not to exceed five
144 hundred dollars and shall have his or her concealed carry permit, and, if applicable,
145 endorsement revoked and such person shall not be eligible for a concealed carry permit for a
146 period of three years. Upon conviction of charges arising from a citation issued pursuant to
147 this subsection, the court shall notify the sheriff of the county which issued the concealed
148 carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to
149 August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of
150 qualification for a concealed carry endorsement and the department of revenue. The sheriff

151 shall suspend or revoke the concealed carry permit or, if applicable, the certificate of
152 qualification for a concealed carry endorsement. If the person holds an endorsement, the
153 department of revenue shall issue a notice of such suspension or revocation of the concealed
154 carry endorsement and take action to remove the concealed carry endorsement from the
155 individual's driving record. The director of revenue shall notify the licensee that he or she
156 must apply for a new license pursuant to chapter 302 which does not contain such
157 endorsement. The notice issued by the department of revenue shall be mailed to the last
158 known address shown on the individual's driving record. The notice is deemed received three
159 days after mailing.

571.117. 1. Any person who has knowledge that another person, who was issued a
2 concealed carry permit pursuant to sections 571.101 to 571.121, or concealed carry
3 endorsement prior to August 28, 2013, never was or no longer is eligible for such permit or
4 endorsement under the criteria established in sections 571.101 to 571.121 may file a petition
5 with the clerk of the small claims court to revoke that person's concealed carry permit or
6 endorsement. The petition shall be in a form substantially similar to the petition for
7 revocation of concealed carry permit or endorsement provided in this section. ~~[Appeal]~~
8 **Revocation petition** forms shall be provided by the clerk of the small claims court free of
9 charge to any person:

10 SMALL CLAIMS COURT

11 In the Circuit Court of _____, Missouri

12 _____, PLAINTIFF

13)

14)

15 vs.) Case Number _____

16)

17 _____, DEFENDANT,

18 Carry Permit or Endorsement Holder

19 _____, DEFENDANT,

20 Sheriff of Issuance

21 PETITION FOR REVOCATION OF A
22 CONCEALED CARRY PERMIT OR CONCEALED CARRY
23 ENDORSEMENT

24 Plaintiff states to the court that the defendant, _____, has a concealed
25 carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or
26 a concealed carry endorsement issued prior to August 28, 2013, and
27 that the defendant's concealed carry permit or concealed carry
28 endorsement should now be revoked because the defendant either

never was or no longer is eligible for such a permit or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant, _____, never was or no longer is eligible for such permit or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- | | |
|--------------------------|---|
| <input type="checkbox"/> | Defendant is not [at least nineteen] twenty-one years of age or older or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces. |
| <input type="checkbox"/> | Defendant is not a citizen or permanent resident of the United States. |
| <input type="checkbox"/> | Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri. |
| <input type="checkbox"/> | Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding [two years] one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of [one year] two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun. |
| <input type="checkbox"/> | Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013. |

- 65 ☐ Defendant is a fugitive from justice or currently charged in an
66 information or indictment with the commission of a crime
67 punishable by imprisonment for a term exceeding one year under
68 the laws of any state of the United States other than a crime
69 classified as a misdemeanor under the laws of any state and
70 punishable by a term of imprisonment of two years or less that
71 does not involve an explosive weapon, firearm, firearm silencer, or
72 gas gun.
-
- 73 ☐ Defendant has been discharged under dishonorable conditions
74 from the United States Armed Forces.
-
- 75 ☐ Defendant is reasonably believed by the sheriff to be a danger to
76 self or others based on previous, documented pattern.
-
- 77 ☐ Defendant is adjudged mentally incompetent at the time of
78 application or for five years prior to application, or has been
79 committed to a mental health facility, as defined in section
80 632.005, RSMo, or a similar institution located in another state,
81 except that a person whose release or discharge from a facility in
82 this state pursuant to chapter 632, RSMo, or a similar discharge
83 from a facility in another state, occurred more than five years ago
84 without subsequent recommitment may apply.
-
- 85 ☐ Defendant failed to submit a completed application for a concealed
86 carry permit issued pursuant to sections 571.101 to 571.121,
87 RSMo, or a concealed carry endorsement issued prior to August
88 28, 2013.
-
- 89 ☐ Defendant failed to submit to or failed to clear the required
90 background check. (Note: This does not apply if the defendant has
91 submitted to a background check and been issued a provisional
92 permit pursuant to subdivision (2) of subsection 5 of section
93 571.101, and the results of the background check are still pending.)
-
- 94 ☐ Defendant failed to submit an affidavit attesting that the applicant
95 complies with the concealed carry safety training requirement
96 pursuant to subsection 1 of section 571.111, RSMo.
-
- 97 ☐ Defendant is otherwise disqualified from possessing a firearm
98 pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo,
99 because (specify reason):
-

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

_____, PLAINTIFF

2. If at the hearing the plaintiff shows that the defendant was not eligible for the concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, at the time of issuance or renewal or is no longer eligible for a concealed carry permit or the concealed carry endorsement, the court shall issue an appropriate order to cause the revocation of the concealed carry permit and, if applicable, the concealed carry endorsement. Costs shall not be assessed against the sheriff.

3. The finder of fact, in any action brought against a permit or endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the permit or endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a concealed carry permit or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a certificate of qualification for a concealed carry endorsement issued prior to August 28, 2013, so long as the sheriff acted in good faith.

571.205. 1. Upon request and payment of the required fee, the sheriff shall issue a concealed carry permit that is valid through the state of Missouri for the lifetime of the permit holder to a Missouri resident who meets the requirements of sections 571.205 to 571.230, known as a Missouri lifetime concealed carry permit. A person may also request, and the sheriff shall issue upon payment of the required fee, a concealed carry permit that is valid

6 through the state of Missouri for a period of either ten years or twenty-five years from the
7 date of issuance or renewal to a Missouri resident who meets the requirements of sections
8 571.205 to 571.230. Such permit shall be known as a Missouri extended concealed carry
9 permit. A person issued a Missouri lifetime or extended concealed carry permit shall be
10 required to comply with the provisions of sections 571.205 to 571.230. If the applicant can
11 show qualification as provided by sections 571.205 to 571.230, the sheriff shall issue a
12 Missouri lifetime or extended concealed carry permit authorizing the carrying of a concealed
13 firearm on or about the applicant's person or within a vehicle.

14 2. A Missouri lifetime or extended concealed carry permit shall be suspended if the
15 permit holder becomes a resident of another state. The permit may be reactivated upon
16 reestablishment of Missouri residency if the applicant meets the requirements of sections
17 571.205 to 571.230, and upon successful completion of a name-based inquiry of the National
18 Instant Background Check System.

19 3. A Missouri lifetime or extended concealed carry permit shall be issued by the
20 sheriff or his or her designee of the county or city in which the applicant resides, if the
21 applicant:

22 (1) Is ~~[at least nineteen]~~ **twenty-one** years of age **or older**, is a citizen or permanent
23 resident of the United States, and has assumed residency in this state, or is at least eighteen
24 years of age and a member of the United States Armed Forces or honorably discharged from
25 the United States Armed Forces, and is a citizen of the United States and has assumed
26 residency in this state;

27 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
28 crime punishable by imprisonment for a term exceeding one year under the laws of any state
29 or of the United States, other than a crime classified as a misdemeanor under the laws of any
30 state and punishable by a term of imprisonment of two years or less that does not involve an
31 explosive weapon, firearm, firearm silencer, or gas gun;

32 (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to
33 one or more misdemeanor offenses involving crimes of violence within a five-year period
34 immediately preceding application for a Missouri lifetime or extended concealed carry permit
35 or if the applicant has not been convicted of two or more misdemeanor offenses involving
36 driving while under the influence of intoxicating liquor or drugs or the possession or abuse of
37 a controlled substance within a five-year period immediately preceding application for a
38 Missouri lifetime or extended concealed carry permit;

39 (4) Is not a fugitive from justice or currently charged in an information or indictment
40 with the commission of a crime punishable by imprisonment for a term exceeding one year
41 under the laws of any state of the United States, other than a crime classified as a

42 misdemeanor under the laws of any state and punishable by a term of imprisonment of two
43 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

44 (5) Has not been discharged under dishonorable conditions from the United States
45 Armed Forces;

46 (6) Has not engaged in a pattern of behavior, documented in public or closed records,
47 that causes the sheriff to have a reasonable belief that the applicant presents a danger to
48 himself or herself or others;

49 (7) Is not adjudged mentally incompetent at the time of application or for five years
50 prior to application, or has not been committed to a mental health facility, as defined in
51 section 632.005, or a similar institution located in another state following a hearing at which
52 the defendant was represented by counsel or a representative;

53 (8) Submits a completed application for a permit as described in subsection 4 of this
54 section;

55 (9) Submits an affidavit attesting that the applicant complies with the concealed carry
56 safety training requirement under subsections 1 and 2 of section 571.111;

57 (10) Is not the respondent of a valid full order of protection which is still in effect;

58 (11) Is not otherwise prohibited from possessing a firearm under section 571.070 or
59 18 U.S.C. Section 922(g).

60 4. The application for a Missouri lifetime or extended concealed carry permit issued
61 by the sheriff of the county of the applicant's residence shall contain only the following
62 information:

63 (1) The applicant's name, address, telephone number, gender, date and place of birth,
64 and, if the applicant is not a United States citizen, the applicant's country of citizenship and
65 any alien or admission number issued by the United States Immigration and Customs
66 Enforcement or any successor agency;

67 (2) An affirmation that the applicant has assumed residency in Missouri and is a
68 citizen or permanent resident of the United States;

69 (3) An affirmation that the applicant is ~~[at least nineteen]~~ **twenty-one** years of age **or**
70 **older** or is eighteen years of age or older and a member of the United States Armed Forces or
71 honorably discharged from the United States Armed Forces;

72 (4) An affirmation that the applicant has not pled guilty to or been convicted of a
73 crime punishable by imprisonment for a term exceeding one year under the laws of any state
74 or of the United States other than a crime classified as a misdemeanor under the laws of any
75 state and punishable by a term of imprisonment of two years or less that does not involve an
76 explosive weapon, firearm, firearm silencer, or gas gun;

77 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or
78 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of

79 violence within a five-year period immediately preceding application for a permit or that the
80 applicant has not been convicted of two or more misdemeanor offenses involving driving
81 while under the influence of intoxicating liquor or drugs or the possession or abuse of a
82 controlled substance within a five-year period immediately preceding application for a
83 permit;

84 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
85 in an information or indictment with the commission of a crime punishable by imprisonment
86 for a term exceeding one year under the laws of any state or of the United States other than a
87 crime classified as a misdemeanor under the laws of any state and punishable by a term of
88 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
89 silencer, or gas gun;

90 (7) An affirmation that the applicant has not been discharged under dishonorable
91 conditions from the United States Armed Forces;

92 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
93 of application or for five years prior to application, or has not been committed to a mental
94 health facility, as defined in section 632.005, or a similar institution located in another state,
95 except that a person whose release or discharge from a facility in this state under chapter 632,
96 or a similar discharge from a facility in another state, occurred more than five years ago
97 without subsequent recommitment may apply;

98 (9) An affirmation that the applicant has received firearms safety training that meets
99 the standards of applicant firearms safety training defined in subsection 1 or 2 of section
100 571.111;

101 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
102 not the respondent of a valid full order of protection which is still in effect;

103 (11) A conspicuous warning that false statements made by the applicant will result in
104 prosecution for perjury under the laws of the state of Missouri; and

105 (12) A government-issued photo identification. This photograph shall not be
106 included on the permit and shall only be used to verify the person's identity for the issuance of
107 a new permit, issuance of a new permit due to change of name or address, renewal of an
108 extended permit, or for a lost or destroyed permit, or reactivation under subsection 2 of this
109 section.

110 5. An application for a Missouri lifetime or extended concealed carry permit shall be
111 made to the sheriff of the county in which the applicant resides. An application shall be filed
112 in writing, signed under oath and under the penalties of perjury, and shall state whether the
113 applicant complies with each of the requirements specified in subsection 3 of this section. In
114 addition to the completed application, the applicant for a Missouri lifetime or extended
115 concealed carry permit shall also submit the following:

116 (1) A photocopy of a firearms safety training certificate of completion or other
117 evidence of completion of a firearms safety training course that meets the standards
118 established in subsection 1 or 2 of section 571.111; and

119 (2) A nonrefundable permit fee as provided by subsection 12 of this section.

120 6. (1) Before an application for a Missouri lifetime or extended concealed carry
121 permit is approved, the sheriff shall make only such inquiries as he or she deems necessary
122 into the accuracy of the statements made in the application. The sheriff may require that the
123 applicant display a Missouri driver's license or nondriver's license or military identification.
124 No biometric data shall be collected from the applicant. The sheriff shall conduct an inquiry
125 of the National Instant Criminal Background Check System within three working days after
126 submission of the properly completed application for a Missouri lifetime or extended
127 concealed carry permit. Upon receipt of the completed report from the National Instant
128 Criminal Background Check System, the sheriff shall examine the results and, if no
129 disqualifying information is identified, shall issue a Missouri lifetime or extended concealed
130 carry permit within three working days.

131 (2) In the event the report from the National Instant Criminal Background Check
132 System and the response from the Federal Bureau of Investigation national criminal history
133 record check prescribed by subdivision (1) of this subsection are not completed within forty-
134 five calendar days and no disqualifying information concerning the applicant has otherwise
135 come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated
136 on the certificate as such, which the applicant shall sign in the presence of the sheriff or the
137 sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's
138 license, shall permit the applicant to exercise the same rights in accordance with the same
139 conditions as pertain to a Missouri lifetime or extended concealed carry permit issued under
140 this section, provided that it shall not serve as an alternative to a national instant criminal
141 background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain
142 valid until such time as the sheriff either issues or denies the permit under subsection 7 or 8 of
143 this section. The sheriff shall revoke a provisional permit issued under this subsection within
144 twenty-four hours of receipt of any report that identifies a disqualifying record, and shall
145 notify the concealed carry permit system established under subsection 5 of section 650.350.
146 The revocation of a provisional permit issued under this section shall be prescribed in a
147 manner consistent to the denial and review of an application under subsection 7 of this
148 section.

149 7. The sheriff may refuse to approve an application for a Missouri lifetime or
150 extended concealed carry permit if he or she determines that any of the requirements specified
151 in subsection 3 of this section have not been met, or if he or she has a substantial and
152 demonstrable reason to believe that the applicant has rendered a false statement regarding any

153 of the provisions of sections 571.205 to 571.230. If the applicant is found to be ineligible, the
154 sheriff is required to deny the application, and notify the applicant in writing, stating the
155 grounds for denial and informing the applicant of the right to submit, within thirty days, any
156 additional documentation relating to the grounds of the denial. Upon receiving any additional
157 documentation, the sheriff shall reconsider his or her decision and inform the applicant within
158 thirty days of the result of the reconsideration. The applicant shall further be informed in
159 writing of the right to appeal the denial under section 571.220. After two additional reviews
160 and denials by the sheriff, the person submitting the application shall appeal the denial under
161 section 571.220.

162 8. If the application is approved, the sheriff shall issue a Missouri lifetime or extended
163 concealed carry permit to the applicant within a period not to exceed three working days after
164 his or her approval of the application. The applicant shall sign the Missouri lifetime or
165 extended concealed carry permit in the presence of the sheriff or his or her designee.

166 9. The Missouri lifetime or extended concealed carry permit shall specify only the
167 following information:

168 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes,
169 and signature of the permit holder;

170 (2) The signature of the sheriff issuing the permit;

171 (3) The date of issuance;

172 (4) A clear statement indicating that the permit is only valid within the state of
173 Missouri; and

174 (5) If the permit is a Missouri extended concealed carry permit, the expiration date.
175

176 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths
177 inches long and shall be of a uniform style prescribed by the department of public safety. The
178 permit shall also be assigned a concealed carry permit system county code and shall be stored
179 in sequential number.

180 10. (1) The sheriff shall keep a record of all applications for a Missouri lifetime or
181 extended concealed carry permit or a provisional permit and his or her action thereon. Any
182 record of an application that is incomplete or denied for any reason shall be kept for a period
183 not to exceed one year.

184 (2) The sheriff shall report the issuance of a Missouri lifetime or extended concealed
185 carry permit or provisional permit to the concealed carry permit system. All information on
186 any such permit that is protected information on any driver's or nondriver's license shall have
187 the same personal protection for purposes of sections 571.205 to 571.230. An applicant's
188 status as a holder of a Missouri lifetime or extended concealed carry permit or provisional
189 permit shall not be public information and shall be considered personal protected information.

190 Information retained in the concealed carry permit system under this subsection shall not be
191 distributed to any federal, state, or private entities and shall only be made available for a
192 single entry query of an individual in the event the individual is a subject of interest in an
193 active criminal investigation or is arrested for a crime. A sheriff may access the concealed
194 carry permit system for administrative purposes to issue a permit, verify the accuracy of
195 permit holder information, change the name or address of a permit holder, suspend or revoke
196 a permit, cancel an expired permit, or cancel a permit upon receipt of a certified death
197 certificate for the permit holder. Any person who violates the provisions of this subdivision
198 by disclosing protected information shall be guilty of a class A misdemeanor.

199 11. Information regarding any holder of a Missouri lifetime or extended concealed
200 carry permit is a closed record. No bulk download or batch data shall be distributed to any
201 federal, state, or private entity, except to MoSMART or a designee thereof.

202 12. For processing an application, the sheriff in each county shall charge a
203 nonrefundable fee not to exceed:

204 (1) Two hundred dollars for a new Missouri extended concealed carry permit that is
205 valid for ten years from the date of issuance or renewal;

206 (2) Two hundred fifty dollars for a new Missouri extended concealed carry permit
207 that is valid for twenty-five years from the date of issuance or renewal;

208 (3) Fifty dollars for a renewal of a Missouri extended concealed carry permit;

209 (4) Five hundred dollars for a Missouri lifetime concealed carry permit,
210

211 which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

571.215. 1. A Missouri lifetime or extended concealed carry permit issued under
2 sections 571.205 to 571.230 shall authorize the person in whose name the permit is issued to
3 carry concealed firearms on or about his or her person or vehicle throughout the state, **except**
4 **that any person under twenty-one years of age in possession of such a permit shall not**
5 **carry concealed firearms without also carrying proof of his or her current or former**
6 **service in the Armed Forces of the United States on his or her person. Any such permit**
7 **held by a person under twenty-one years of age who is not a member of the Armed**
8 **Forces of the United States or honorably discharged from the Armed Forces of the**
9 **United States shall be void and invalid in this state.** No Missouri lifetime or extended
10 concealed carry permit shall authorize any person to carry concealed firearms into:

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

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

19 (3) The facility of any adult or juvenile detention or correctional institution, prison or
20 jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or
21 correctional institution, prison or jail shall not be a criminal offense so long as the firearm is
22 not removed from 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
25 such court solely occupies the building in question. This subdivision shall also include, but
26 not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein
27 any of the courts or offices listed in this subdivision are temporarily conducting any business
28 within the jurisdiction of such courts or offices, and such other locations in such manner as
29 may be specified by supreme court rule under subdivision (6) of this subsection. Nothing in
30 this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of
31 section 571.030 while within their jurisdiction and on duty, those persons listed in
32 subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who
33 serve in a law enforcement capacity for a court as may be specified by supreme court rule
34 under subdivision (6) of this subsection from carrying a concealed firearm within any of the
35 areas described in this subdivision. Possession of a firearm in a vehicle on the premises of
36 any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm
37 is not removed from the vehicle or brandished while the vehicle is on the premises;

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

51 (6) The general assembly, supreme court, county, or municipality may by rule,
52 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
53 permit holders in that portion of a building owned, leased, or controlled by that unit of
54 government. Any portion of a building in which the carrying of concealed firearms is
55 prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted
56 area. The statute, rule, or ordinance shall exempt any building used for public housing by
57 private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or
58 controlled by that unit of government from any restriction on the carrying or possession of a
59 firearm. The statute, rule, or ordinance shall not specify any criminal penalty for its violation
60 but may specify that persons violating the statute, rule, or ordinance may be denied entrance
61 to the building, ordered to leave the building and if employees of the unit of government, be
62 subjected to disciplinary measures for violation of the provisions of the statute, rule, or
63 ordinance. The provisions of this subdivision shall not apply to any other unit of government;

64 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
65 premises, which portion is primarily devoted to that purpose, without the consent of the
66 owner or manager. The provisions of this subdivision shall not apply to the licensee of said
67 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant
68 open to the general public having dining facilities for not less than fifty persons and that
69 receives at least fifty-one percent of its gross annual income from the dining facilities by the
70 sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the
71 premises of the establishment and shall not be a criminal offense so long as the firearm is not
72 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this
73 subdivision authorizes any individual who has been issued a Missouri lifetime or extended
74 concealed carry permit to possess any firearm while intoxicated;

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

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

80 (10) Any higher education institution or elementary or secondary school facility
81 without the consent of the governing body of the higher education institution or a school
82 official or the district school board, unless the person with the Missouri lifetime or extended
83 concealed carry permit is a teacher or administrator of an elementary or secondary school
84 who has been designated by his or her school district as a school protection officer and is
85 carrying a firearm in a school within that district, in which case no consent is required.
86 Possession of a firearm in a vehicle on the premises of any higher education institution or

87 elementary or secondary school facility shall not be a criminal offense so long as the firearm
88 is not removed from the vehicle or brandished while the vehicle is on the premises;

89 (11) Any portion of a building used as a child care facility without the consent of the
90 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a
91 family home from owning or possessing a firearm or a Missouri lifetime or extended
92 concealed carry permit;

93 (12) Any riverboat gambling operation accessible by the public without the consent
94 of the owner or manager under rules promulgated by the gaming commission. Possession of
95 a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a
96 criminal offense so long as the firearm is not removed from the vehicle or brandished while
97 the vehicle is on the premises;

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

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

106 (15) Any private property whose owner has posted the premises as being off-limits to
107 concealed firearms by means of one or more signs displayed in a conspicuous place of a
108 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not
109 less than one inch. The owner, business or commercial lessee, manager of a private business
110 enterprise, or any other organization, entity, or person may prohibit persons holding a
111 Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the
112 premises and may prohibit employees, not authorized by the employer, holding a Missouri
113 lifetime or extended concealed carry permit from carrying concealed firearms on the property
114 of the employer. If the building or the premises are open to the public, the employer of the
115 business enterprise shall post signs on or about the premises if carrying a concealed firearm is
116 prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal
117 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle
118 is on the premises. An employer may prohibit employees or other persons holding a Missouri
119 lifetime or extended concealed carry permit from carrying a concealed firearm in vehicles
120 owned by the employer;

121 (16) Any sports arena or stadium with a seating capacity of five thousand or more.
122 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as

123 the firearm is not removed from the vehicle or brandished while the vehicle is on the
124 premises;

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

128 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17)
129 of subsection 1 of this section by any individual who holds a Missouri lifetime or extended
130 concealed carry permit shall not be a criminal act but may subject the person to denial to the
131 premises or removal from the premises. If such person refuses to leave the premises and a
132 peace officer is summoned, such person may be issued a citation for an amount not to exceed
133 one hundred dollars for the first offense. If a second citation for a similar violation occurs
134 within a six-month period, such person shall be fined an amount not to exceed two hundred
135 dollars and his or her permit to carry concealed firearms shall be suspended for a period of
136 one year. If a third citation for a similar violation is issued within one year of the first
137 citation, such person shall be fined an amount not to exceed five hundred dollars and shall
138 have his or her Missouri lifetime or extended concealed carry permit revoked and such person
139 shall not be eligible for a Missouri lifetime or extended concealed carry permit or a concealed
140 carry permit issued under sections 571.101 to 571.121 for a period of three years. Upon
141 conviction of charges arising from a citation issued under this subsection, the court shall
142 notify the sheriff of the county which issued the Missouri lifetime or extended concealed
143 carry permit. The sheriff shall suspend or revoke the Missouri lifetime or extended concealed
144 carry permit.

571.225. 1. Any person who has knowledge that another person, who was issued a
2 Missouri lifetime or extended concealed carry permit under sections 571.205 to 571.230,
3 never was or no longer is eligible for such permit under the criteria established in sections
4 571.205 to 571.230 may file a petition with the clerk of the small claims court to revoke that
5 person's Missouri lifetime or extended concealed carry permit. The petition shall be in a form
6 substantially similar to the petition for revocation of a Missouri lifetime or extended
7 concealed carry permit provided in this section. ~~[Appeal]~~ **Revocation petition** forms shall be
8 provided by the clerk of the small claims court free of charge to any person:

9 SMALL CLAIMS COURT

10 In the Circuit Court of _____, Missouri

11 _____, PLAINTIFF

12)

13)

14 vs.) Case Number _____

15)

16)
 17 _____, DEFENDANT,
 18 Lifetime or Extended Carry Permit Holder
 19 _____, DEFENDANT,
 20 Sheriff of Issuance

21 PETITION FOR REVOCATION OF A
 22 MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY
 23 PERMIT

24 Plaintiff states to the court that the defendant, _____, has a Missouri
 25 lifetime or extended concealed carry permit issued pursuant to sections
 26 571.205 to 571.230, RSMo, and that the defendant's Missouri lifetime
 27 or extended concealed carry permit should now be revoked because the
 28 defendant either never was or no longer is eligible for such a permit
 29 pursuant to the provisions of sections 571.205 to 571.230, RSMo,
 30 specifically plaintiff states that defendant, _____, never was or no
 31 longer is eligible for such permit or endorsement for one or more of the
 32 following reasons:

33 (CHECK BELOW EACH REASON THAT APPLIES TO THIS
 34 DEFENDANT)

- | | | |
|----|--------------------------|---|
| 35 | <input type="checkbox"/> | Defendant is not [at least nineteen] twenty-one years of age or |
| 36 | | older or at least eighteen years of age and a member of the United |
| 37 | | States Armed Forces or honorably discharged from the United |
| 38 | | States Armed Forces. |
| 39 | <input type="checkbox"/> | Defendant is not a citizen or permanent resident of the United |
| 40 | | States. |
| 41 | <input type="checkbox"/> | Defendant had not resided in this state prior to issuance of the |
| 42 | | permit or is not a current resident of this state. |
| 43 | <input type="checkbox"/> | Defendant has pled guilty to or been convicted of a crime |
| 44 | | punishable by imprisonment for a term exceeding [two years] one |
| 45 | | year under the laws of any state or of the United States other than a |
| 46 | | crime classified as a misdemeanor under the laws of any state and |
| 47 | | punishable by a term of imprisonment of [one year] two years or |
| 48 | | less that does not involve an explosive weapon, firearm, firearm |
| 49 | | silencer, or gas gun. |
| 50 | <input type="checkbox"/> | Defendant has been convicted of, pled guilty to or entered a plea of |
| 51 | | nolo contendere to one or more misdemeanor offenses involving |

52 crimes of violence within a five-year period immediately
53 preceding application for a Missouri lifetime or extended
54 concealed carry permit issued pursuant to sections 571.205 to
55 571.230, RSMo, or the defendant has been convicted of two or
56 more misdemeanor offenses involving driving while under the
57 influence of intoxicating liquor or drugs or the possession or abuse
58 of a controlled substance within a five-year period immediately
59 preceding application for a concealed carry permit issued pursuant
60 to sections 571.205 to 571.230, RSMo.

61 ☐ Defendant is a fugitive from justice or currently charged in an
62 information or indictment with the commission of a crime
63 punishable by imprisonment for a term exceeding one year under
64 the laws of any state of the United States other than a crime
65 classified as a misdemeanor under the laws of any state and
66 punishable by a term of imprisonment of two years or less that
67 does not involve an explosive weapon, firearm, firearm silencer, or
68 gas gun.

69 ☐ Defendant has been discharged under dishonorable conditions
70 from the United States Armed Forces.

71 ☐ Defendant is reasonably believed by the sheriff to be a danger to
72 self or others based on previous, documented pattern.

73 ☐ Defendant is adjudged mentally incompetent at the time of
74 application or for five years prior to application, or has been
75 committed to a mental health facility, as defined in section
76 632.005, RSMo, or a similar institution located in another state,
77 except that a person whose release or discharge from a facility in
78 this state pursuant to chapter 632, RSMo, or a similar discharge
79 from a facility in another state, occurred more than five years ago
80 without subsequent recommitment may apply.

81 ☐ Defendant failed to submit a completed application for a concealed
82 carry permit issued pursuant to sections 571.205 to 571.230,
83 RSMo.

84 ☐ Defendant failed to submit to or failed to clear the required
85 background check. (Note: This does not apply if the defendant has
86 submitted to a background check and been issued a provisional
87 permit pursuant to subdivision (2) of subsection 6 of section

88 571.205, RSMo, and the results of the background check are still
 89 pending.)

90 ☐ Defendant failed to submit an affidavit attesting that the applicant
 91 complies with the concealed carry safety training requirement
 92 pursuant to subsections 1 and 2 of section 571.111, RSMo.

93 ☐ Defendant is otherwise disqualified from possessing a firearm
 94 pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo,
 95 because _____ (specify reason):

96 The plaintiff subject to penalty for perjury states that the information
 97 contained in this petition is true and correct to the best of the plaintiff's
 98 knowledge, is reasonably based upon the petitioner's personal
 99 knowledge and is not primarily intended to harass the defendant/
 100 respondent named herein.

101 _____, PLAINTIFF

102 2. If at the hearing the plaintiff shows that the defendant was not eligible for the
 103 Missouri lifetime or extended concealed carry permit issued under sections 571.205 to
 104 571.230 at the time of issuance or renewal or is no longer eligible for a Missouri lifetime or
 105 extended concealed carry permit the court shall issue an appropriate order to cause the
 106 revocation of the Missouri lifetime or extended concealed carry permit. Costs shall not be
 107 assessed against the sheriff.

108 3. The finder of fact, in any action brought against a permit holder under subsection 1
 109 of this section, shall make findings of fact and the court shall make conclusions of law
 110 addressing the issues at dispute. If it is determined that the plaintiff in such an action acted
 111 without justification or with malice or primarily with an intent to harass the permit holder or
 112 that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay
 113 the defendant/respondent all reasonable costs incurred in defending the action including, but
 114 not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines
 115 that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of
 116 fees and costs to be awarded should be liberally calculated in defendant/respondent's favor.
 117 Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to
 118 be at least one hundred fifty dollars per hour.

119 4. Any person aggrieved by any final judgment rendered by a small claims court in a
 120 petition for revocation of a Missouri lifetime or extended concealed carry permit may have a
 121 right to trial de novo as provided in sections 512.180 to 512.320.

122 5. The office of the county sheriff or any employee or agent of the county sheriff shall
 123 not be liable for damages in any civil action arising from alleged wrongful or improper

124 granting, renewing, or failure to revoke a Missouri lifetime or extended concealed carry
125 permit issued under sections 571.205 to 571.230 so long as the sheriff acted in good faith.

✓