

SECOND REGULAR SESSION

SENATE BILL NO. 1382

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

4465S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 571.107 and 571.215, RSMo, and to enact in lieu thereof two new sections relating to concealed firearms, with penalty provisions.

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

Section A. Sections 571.107 and 571.215, RSMo, are
2 repealed and two new sections enacted in lieu thereof, to be
3 known as sections 571.107 and 571.215, to read as follows:

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

14 (1) Any police, sheriff, or highway patrol office or
15 station without the consent of the chief law enforcement
16 officer in charge of that office or station. Possession of
17 a firearm in a vehicle on the premises of the office or

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

station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

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

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

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

50 enforcement capacity for a court as may be specified by
51 supreme court rule pursuant to subdivision (6) of this
52 subsection from carrying a concealed firearm within any of
53 the areas described in this subdivision. Possession of a
54 firearm in a vehicle on the premises of any of the areas
55 listed in this subdivision shall not be a criminal offense
56 so long as the firearm is not removed from the vehicle or
57 brandished while the vehicle is on the premises;

58 (5) Any meeting of the governing body of a unit of
59 local government; or any meeting of the general assembly or
60 a committee of the general assembly, except that nothing in
61 this subdivision shall preclude a member of the body holding
62 a valid concealed carry permit or endorsement from carrying
63 a concealed firearm at a meeting of the body which he or she
64 is a member. Possession of a firearm in a vehicle on the
65 premises shall not be a criminal offense so long as the
66 firearm is not removed from the vehicle or brandished while
67 the vehicle is on the premises. Nothing in this subdivision
68 shall preclude a member of the general assembly, a full-time
69 employee of the general assembly employed under Section 17,
70 Article III, Constitution of Missouri, legislative employees
71 of the general assembly as determined under section 21.155,
72 or statewide elected officials and their employees, holding
73 a valid concealed carry permit or endorsement, from carrying
74 a concealed firearm in the state capitol building or at a
75 meeting whether of the full body of a house of the general
76 assembly or a committee thereof, that is held in the state
77 capitol building;

78 (6) The general assembly, supreme court, county or
79 municipality may by rule, administrative regulation, or
80 ordinance prohibit or limit the carrying of concealed
81 firearms by permit or endorsement holders in that portion of

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

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

premises. Nothing in this subdivision authorizes any individual who has been issued a concealed carry permit or endorsement to possess any firearm while intoxicated;

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

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

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

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

(12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager

pursuant to rules promulgated by the gaming commission.
Possession of a firearm in a vehicle on the premises of a
riverboat gambling operation shall not be a criminal offense
so long as the firearm is not removed from the vehicle or
brandished while the vehicle is on the premises;

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

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

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

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

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

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

(18) Any public library. Possession of a firearm in a vehicle on the premises of a public library shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to ~~[(17)]~~ **(18)** of subsection 1 of this section by any individual who holds a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation

for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit, and, if applicable, endorsement to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her concealed carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for a concealed carry permit for a period of three years. Upon conviction of charges arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county which issued the concealed carry permit, or, if the person is a holder of a concealed carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county which issued the certificate of qualification for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if applicable, the certificate of qualification for a concealed carry endorsement. If the person holds an endorsement, the department of revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and take action to remove the concealed carry endorsement from the individual's driving record. The director of revenue shall notify the licensee that he or she must apply for a new license pursuant to chapter 302 which does not contain such endorsement. The notice issued by the department of revenue shall be mailed to the last known

241 address shown on the individual's driving record. The
242 notice is deemed received three days after mailing.

571.215. 1. A Missouri lifetime or extended concealed
2 carry permit issued under sections 571.205 to 571.230 shall
3 authorize the person in whose name the permit is issued to
4 carry concealed firearms on or about his or her person or
5 vehicle throughout the state. No Missouri lifetime or
6 extended concealed carry permit shall authorize any person
7 to carry concealed firearms into:

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

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

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

27 (4) Any courthouse solely occupied by the circuit,
28 appellate or supreme court, or any courtrooms,
29 administrative offices, libraries, or other rooms of any
30 such court whether or not such court solely occupies the

31 building in question. This subdivision shall also include,
32 but not be limited to, any juvenile, family, drug, or other
33 court offices, any room or office wherein any of the courts
34 or offices listed in this subdivision are temporarily
35 conducting any business within the jurisdiction of such
36 courts or offices, and such other locations in such manner
37 as may be specified by supreme court rule under subdivision
38 (6) of this subsection. Nothing in this subdivision shall
39 preclude those persons listed in subdivision (1) of
40 subsection 2 of section 571.030 while within their
41 jurisdiction and on duty, those persons listed in
42 subdivisions (2), (4), and (10) of subsection 2 of section
43 571.030, or such other persons who serve in a law
44 enforcement capacity for a court as may be specified by
45 supreme court rule under subdivision (6) of this subsection
46 from carrying a concealed firearm within any of the areas
47 described in this subdivision. Possession of a firearm in a
48 vehicle on the premises of any of the areas listed in this
49 subdivision shall not be a criminal offense so long as the
50 firearm is not removed from the vehicle or brandished while
51 the vehicle is on the premises;

52 (5) Any meeting of the governing body of a unit of
53 local government, or any meeting of the general assembly or
54 a committee of the general assembly, except that nothing in
55 this subdivision shall preclude a member of the body holding
56 a valid Missouri lifetime or extended concealed carry permit
57 from carrying a concealed firearm at a meeting of the body
58 which he or she is a member. Possession of a firearm in a
59 vehicle on the premises shall not be a criminal offense so
60 long as the firearm is not removed from the vehicle or
61 brandished while the vehicle is on the premises. Nothing in
62 this subdivision shall preclude a member of the general

63 assembly, a full-time employee of the general assembly
64 employed under Section 17, Article III, Constitution of
65 Missouri, legislative employees of the general assembly as
66 determined under section 21.155, or statewide elected
67 officials and their employees, holding a valid Missouri
68 lifetime or extended concealed carry permit, from carrying a
69 concealed firearm in the state capitol building or at a
70 meeting whether of the full body of a house of the general
71 assembly or a committee thereof, that is held in the state
72 capitol building;

73 (6) The general assembly, supreme court, county, or
74 municipality may by rule, administrative regulation, or
75 ordinance prohibit or limit the carrying of concealed
76 firearms by permit holders in that portion of a building
77 owned, leased, or controlled by that unit of government.
78 Any portion of a building in which the carrying of concealed
79 firearms is prohibited or limited shall be clearly
80 identified by signs posted at the entrance to the restricted
81 area. The statute, rule, or ordinance shall exempt any
82 building used for public housing by private persons,
83 highways or rest areas, firing ranges, and private dwellings
84 owned, leased, or controlled by that unit of government from
85 any restriction on the carrying or possession of a firearm.
86 The statute, rule, or ordinance shall not specify any
87 criminal penalty for its violation but may specify that
88 persons violating the statute, rule, or ordinance may be
89 denied entrance to the building, ordered to leave the
90 building and if employees of the unit of government, be
91 subjected to disciplinary measures for violation of the
92 provisions of the statute, rule, or ordinance. The
93 provisions of this subdivision shall not apply to any other
94 unit of government;

95 (7) Any establishment licensed to dispense
96 intoxicating liquor for consumption on the premises, which
97 portion is primarily devoted to that purpose, without the
98 consent of the owner or manager. The provisions of this
99 subdivision shall not apply to the licensee of said
100 establishment. The provisions of this subdivision shall not
101 apply to any bona fide restaurant open to the general public
102 having dining facilities for not less than fifty persons and
103 that receives at least fifty-one percent of its gross annual
104 income from the dining facilities by the sale of food. This
105 subdivision does not prohibit the possession of a firearm in
106 a vehicle on the premises of the establishment and shall not
107 be a criminal offense so long as the firearm is not removed
108 from the vehicle or brandished while the vehicle is on the
109 premises. Nothing in this subdivision authorizes any
110 individual who has been issued a Missouri lifetime or
111 extended concealed carry permit to possess any firearm while
112 intoxicated;

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

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

121 (10) Any higher education institution or elementary or
122 secondary school facility without the consent of the
123 governing body of the higher education institution or a
124 school official or the district school board, unless the
125 person with the Missouri lifetime or extended concealed
126 carry permit is a teacher or administrator of an elementary

127 or secondary school who has been designated by his or her
128 school district as a school protection officer and is
129 carrying a firearm in a school within that district, in
130 which case no consent is required. Possession of a firearm
131 in a vehicle on the premises of any higher education
132 institution or elementary or secondary school facility shall
133 not be a criminal offense so long as the firearm is not
134 removed from the vehicle or brandished while the vehicle is
135 on the premises;

136 (11) Any portion of a building used as a child care
137 facility without the consent of the manager. Nothing in
138 this subdivision shall prevent the operator of a child care
139 facility in a family home from owning or possessing a
140 firearm or a Missouri lifetime or extended concealed carry
141 permit;

142 (12) Any riverboat gambling operation accessible by
143 the public without the consent of the owner or manager under
144 rules promulgated by the gaming commission. Possession of a
145 firearm in a vehicle on the premises of a riverboat gambling
146 operation shall not be a criminal offense so long as the
147 firearm is not removed from the vehicle or brandished while
148 the vehicle is on the premises;

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

154 (14) Any church or other place of religious worship
155 without the consent of the minister or person or persons
156 representing the religious organization that exercises
157 control over the place of religious worship. Possession of
158 a firearm in a vehicle on the premises shall not be a

159 criminal offense so long as the firearm is not removed from
160 the vehicle or brandished while the vehicle is on the
161 premises;

162 (15) Any private property whose owner has posted the
163 premises as being off-limits to concealed firearms by means
164 of one or more signs displayed in a conspicuous place of a
165 minimum size of eleven inches by fourteen inches with the
166 writing thereon in letters of not less than one inch. The
167 owner, business or commercial lessee, manager of a private
168 business enterprise, or any other organization, entity, or
169 person may prohibit persons holding a Missouri lifetime or
170 extended concealed carry permit from carrying concealed
171 firearms on the premises and may prohibit employees, not
172 authorized by the employer, holding a Missouri lifetime or
173 extended concealed carry permit from carrying concealed
174 firearms on the property of the employer. If the building
175 or the premises are open to the public, the employer of the
176 business enterprise shall post signs on or about the
177 premises if carrying a concealed firearm is prohibited.
178 Possession of a firearm in a vehicle on the premises shall
179 not be a criminal offense so long as the firearm is not
180 removed from the vehicle or brandished while the vehicle is
181 on the premises. An employer may prohibit employees or
182 other persons holding a Missouri lifetime or extended
183 concealed carry permit from carrying a concealed firearm in
184 vehicles owned by the employer;

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

190 (17) Any hospital accessible by the public.
191 Possession of a firearm in a vehicle on the premises of a
192 hospital shall not be a criminal offense so long as the
193 firearm is not removed from the vehicle or brandished while
194 the vehicle is on the premises; **or**

195 **(18) Any public library. Possession of a firearm in a**
196 **vehicle on the premises of a public library shall not be a**
197 **criminal offense so long as the firearm is not removed from**
198 **the vehicle or brandished while the vehicle is on the**
199 **premises.**

200 2. Carrying of a concealed firearm in a location
201 specified in subdivisions (1) to **[(17)] (18)** of subsection 1
202 of this section by any individual who holds a Missouri
203 lifetime or extended concealed carry permit shall not be a
204 criminal act but may subject the person to denial to the
205 premises or removal from the premises. If such person
206 refuses to leave the premises and a peace officer is
207 summoned, such person may be issued a citation for an amount
208 not to exceed one hundred dollars for the first offense. If
209 a second citation for a similar violation occurs within a
210 six-month period, such person shall be fined an amount not
211 to exceed two hundred dollars and his or her permit to carry
212 concealed firearms shall be suspended for a period of one
213 year. If a third citation for a similar violation is issued
214 within one year of the first citation, such person shall be
215 fined an amount not to exceed five hundred dollars and shall
216 have his or her Missouri lifetime or extended concealed
217 carry permit revoked and such person shall not be eligible
218 for a Missouri lifetime or extended concealed carry permit
219 or a concealed carry permit issued under sections 571.101 to
220 571.121 for a period of three years. Upon conviction of
221 charges arising from a citation issued under this

222 subsection, the court shall notify the sheriff of the county
223 which issued the Missouri lifetime or extended concealed
224 carry permit. The sheriff shall suspend or revoke the
225 Missouri lifetime or extended concealed carry permit.

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