

SECOND REGULAR SESSION

SENATE BILL NO. 745

97TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUNZLINGER.

Read 1st time January 21, 2014, and ordered printed.

TERRY L. SPIELER, Secretary.

5104S.02I

AN ACT

To repeal sections 571.101, 571.104, 571.111, and 650.350, RSMo, and to enact in lieu thereof four new sections relating to concealed carry permits, with an existing penalty provision.

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

Section A. Sections 571.101, 571.104, 571.111, and 650.350, RSMo, are
2 repealed and four new sections enacted in lieu thereof, to be known as sections
3 571.101, 571.104, 571.111, and 650.350, to read as follows:

571.101. 1. All applicants for concealed carry permits issued pursuant to
2 subsection 7 of this section must satisfy the requirements of sections 571.101 to
3 571.121. If the said applicant can show qualification as provided by sections
4 571.101 to 571.121, the county or city sheriff shall issue a concealed carry permit
5 authorizing the carrying of a concealed firearm on or about the applicant's person
6 or within a vehicle. A concealed carry permit shall be valid for a period of five
7 years from the date of issuance or renewal. The concealed carry permit is valid
8 throughout this state. A concealed carry endorsement issued prior to August 28,
9 2013, shall continue for a period of three years from the date of issuance or
10 renewal to authorize the carrying of a concealed firearm on or about the
11 applicant's person or within a vehicle in the same manner as a concealed carry
12 permit issued under subsection 7 of this section on or after August 28, 2013.

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

16 (1) Is at least twenty-one years of age, is a citizen or permanent resident
17 of the United States and either:

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

- 18 (a) Has assumed residency in this state; or
- 19 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse
20 of such member of the military;
- 21 (2) Is at least twenty-one years of age, or is at least eighteen years of age
22 and a member of the United States Armed Forces or honorably discharged from
23 the United States Armed Forces, and is a citizen of the United States and either:
- 24 (a) Has assumed residency in this state;
- 25 (b) Is a member of the Armed Forces stationed in Missouri; or
- 26 (c) The spouse of such member of the military stationed in Missouri and
27 twenty-one years of age;
- 28 (3) Has not pled guilty to or entered a plea of nolo contendere or been
29 convicted of a crime punishable by imprisonment for a term exceeding one year
30 under the laws of any state or of the United States other than a crime classified
31 as a misdemeanor under the laws of any state and punishable by a term of
32 imprisonment of two years or less that does not involve an explosive weapon,
33 firearm, firearm silencer or gas gun;
- 34 (4) Has not been convicted of, pled guilty to or entered a plea of nolo
35 contendere to one or more misdemeanor offenses involving crimes of violence
36 within a five-year period immediately preceding application for a concealed carry
37 permit or if the applicant has not been convicted of two or more misdemeanor
38 offenses involving driving while under the influence of intoxicating liquor or
39 drugs or the possession or abuse of a controlled substance within a five-year
40 period immediately preceding application for a concealed carry permit;
- 41 (5) Is not a fugitive from justice or currently charged in an information
42 or indictment with the commission of a crime punishable by imprisonment for a
43 term exceeding one year under the laws of any state of the United States other
44 than a crime classified as a misdemeanor under the laws of any state and
45 punishable by a term of imprisonment of two years or less that does not involve
46 an explosive weapon, firearm, firearm silencer, or gas gun;
- 47 (6) Has not been discharged under dishonorable conditions from the
48 United States Armed Forces;
- 49 (7) Has not engaged in a pattern of behavior, documented in public or
50 closed records, that causes the sheriff to have a reasonable belief that the
51 applicant presents a danger to himself or others;
- 52 (8) Is not adjudged mentally incompetent at the time of application or for
53 five years prior to application, or has not been committed to a mental health

54 facility, as defined in section 632.005, or a similar institution located in another
55 state following a hearing at which the defendant was represented by counsel or
56 a representative;

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

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

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

64 (12) Is not otherwise prohibited from possessing a firearm under section
65 571.070 or 18 U.S.C. 922(g).

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

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

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

76 (3) An affirmation that the applicant is at least twenty-one years of age
77 or is eighteen years of age or older and a member of the United States Armed
78 Forces or honorably discharged from the United States Armed Forces;

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

85 (5) An affirmation that the applicant has not been convicted of, pled guilty
86 to, or entered a plea of nolo contendere to one or more misdemeanor offenses
87 involving crimes of violence within a five-year period immediately preceding
88 application for a permit or if the applicant has not been convicted of two or more
89 misdemeanor offenses involving driving while under the influence of intoxicating

90 liquor or drugs or the possession or abuse of a controlled substance within a
91 five-year period immediately preceding application for a permit;

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

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

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

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

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

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

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

121 4. An application for a concealed carry permit shall be made to the sheriff
122 of the county or any city not within a county in which the applicant resides. An
123 application shall be filed in writing, signed under oath and under the penalties
124 of perjury, and shall state whether the applicant complies with each of the
125 requirements specified in subsection 2 of this section. In addition to the

126 completed application, the applicant for a concealed carry permit must also
127 submit the following:

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

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

133 5. (1) Before an application for a concealed carry permit is approved, the
134 sheriff shall make only such inquiries as he or she deems necessary into the
135 accuracy of the statements made in the application. The sheriff may require that
136 the applicant display a Missouri driver's license or nondriver's license or military
137 identification and orders showing the person being stationed in Missouri. In
138 order to determine the applicant's suitability for a concealed carry permit, the
139 applicant shall be fingerprinted. No other biometric data shall be collected from
140 the applicant. The sheriff shall [request a criminal background check, including]
141 **conduct** an inquiry of the National Instant Criminal Background Check System[,
142 through the appropriate law enforcement agency] within three working days after
143 submission of the properly completed application for a concealed carry permit. If
144 no disqualifying record is identified by these checks at the state level, the
145 fingerprints shall be forwarded to the Federal Bureau of Investigation for a
146 national criminal history record check. Upon receipt of the completed
147 [background checks,] **report from the National Instant Criminal**
148 **Background Check System and the response from the Federal Bureau**
149 **of Investigation national criminal history record check**, the sheriff shall
150 examine the results and, if no disqualifying information is identified, shall issue
151 a concealed carry permit within three working days.

152 (2) In the event the [background checks] **report from the National**
153 **Instant Criminal Background Check System and the response from the**
154 **Federal Bureau of Investigation national criminal history record check**
155 prescribed by subdivision (1) of this subsection are not completed within forty-five
156 calendar days and no disqualifying information concerning the applicant has
157 otherwise come to the sheriff's attention, the sheriff shall issue a provisional
158 permit, clearly designated on the certificate as such, which the applicant shall
159 sign in the presence of the sheriff or the sheriff's designee. This permit, when
160 carried with a valid Missouri driver's or nondriver's license or a valid military
161 identification, shall permit the applicant to exercise the same rights in accordance

162 with the same conditions as pertain to a concealed carry permit issued under this
163 section, provided that it shall not serve as an alternative to an national instant
164 criminal background check required by 18 U.S.C. 922(t). The provisional permit
165 shall remain valid until such time as the sheriff either issues or denies the
166 certificate of qualification under subsection 6 or 7 **of this section**. The sheriff
167 shall revoke a provisional permit issued under this subsection within twenty-four
168 hours of receipt of any [background check] **report** that identifies a disqualifying
169 record, and shall notify the [Missouri uniform law enforcement] **concealed**
170 **carry permit** system **established under subsection 5 of section**
171 **650.350**. The revocation of a provisional permit issued under this section shall
172 be proscribed in a manner consistent to the denial and review of an application
173 under subsection 6 of this section.

174 6. The sheriff may refuse to approve an application for a concealed carry
175 permit if he or she determines that any of the requirements specified in
176 subsection 2 of this section have not been met, or if he or she has a substantial
177 and demonstrable reason to believe that the applicant has rendered a false
178 statement regarding any of the provisions of sections 571.101 to 571.121. If the
179 applicant is found to be ineligible, the sheriff is required to deny the application,
180 and notify the applicant in writing, stating the grounds for denial and informing
181 the applicant of the right to submit, within thirty days, any additional
182 documentation relating to the grounds of the denial. Upon receiving any
183 additional documentation, the sheriff shall reconsider his or her decision and
184 inform the applicant within thirty days of the result of the reconsideration. The
185 applicant shall further be informed in writing of the right to appeal the denial
186 pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional
187 reviews and denials by the sheriff, the person submitting the application shall
188 appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

189 7. If the application is approved, the sheriff shall issue a concealed carry
190 permit to the applicant within a period not to exceed three working days after his
191 or her approval of the application. The applicant shall sign the concealed carry
192 permit in the presence of the sheriff or his or her designee [and shall within
193 seven days of receipt of the certificate of qualification take the certificate of
194 qualification to the department of revenue. Upon verification of the certificate of
195 qualification and completion of a driver's license or nondriver's license application
196 pursuant to chapter 302, the director of revenue shall issue a new driver's license
197 or nondriver's license with an endorsement which identifies that the applicant

198 has received a certificate of qualification to carry concealed weapons issued
199 pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to
200 receive such driver's license or nondriver's license. Notwithstanding any other
201 provision of chapter 302, a nondriver's license with a concealed carry endorsement
202 shall expire three years from the date the certificate of qualification was issued
203 pursuant to this section].

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

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

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

208 (3) The date of issuance; and

209 (4) The expiration date.

210 The permit shall be no larger than two **and one-eighth** inches wide by three and
211 **[one-fourth] three-eighths** inches long and shall be of a uniform style prescribed
212 by the department of public safety. The permit shall also be assigned a [Missouri
213 uniform law enforcement] **concealed carry permit** system county code and
214 shall be stored in sequential number.

215 9. (1) The sheriff shall keep a record of all applications for a concealed
216 carry permit or a provisional permit and his or her action thereon. Any record
217 of an application that is incomplete or denied for any reason shall be kept for a
218 period not to exceed one year. Any record of an application that was approved
219 shall be kept for a period of one year after the expiration and nonrenewal of the
220 permit. [Beginning August 28, 2013, the department of revenue shall not keep
221 any record of an application for a concealed carry permit. Any information
222 collected by the department of revenue related to an application for a concealed
223 carry endorsement prior to August 28, 2013, shall be given to the members of
224 MoSMART, created under section 650.350, for the dissemination of the
225 information to the sheriff of any county or city not within a county in which the
226 applicant resides to keep in accordance with the provisions of this subsection.]

227 (2) The sheriff shall report the issuance of a concealed carry permit or
228 provisional permit to the [Missouri uniform law enforcement] **concealed carry**
229 **permit** system. All information on any such permit that is protected information
230 on any driver's or nondriver's license shall have the same personal protection for
231 purposes of sections 571.101 to 571.121. An applicant's status as a holder of a
232 concealed carry permit, provisional permit, or a concealed carry endorsement
233 issued prior to August 28, 2013, shall not be public information and shall be

234 considered personal protected information. Information retained **in the**
235 **concealed carry permit system** under this subsection shall not be [batch
236 processed for query] **distributed to any federal, state, or private entities**
237 and shall only be made available for a single entry query of an individual in the
238 event the individual is a subject of interest in an active criminal investigation or
239 is arrested for a crime. **A sheriff may access the concealed carry permit**
240 **system for administrative purposes to issue a permit, verify the**
241 **accuracy of permit holder information, change the name or address of**
242 **a permit holder, suspend or revoke a permit, cancel an expired permit,**
243 **or cancel a permit upon receipt of a certified death certificate for the**
244 **permit holder.** Any person who violates the provisions of this [subsection]
245 **subdivision** by disclosing protected information shall be guilty of a class A
246 misdemeanor.

247 10. Information regarding any holder of a concealed carry permit, or a
248 concealed carry endorsement issued prior to August 28, 2013, is a closed record.
249 No bulk download or batch data shall be [performed or] distributed to any
250 federal, state, or private entity, except to MoSMART [as provided under
251 subsection 9 of this section] **or a designee thereof.** Any state agency that has
252 retained any documents or records, including fingerprint records provided by an
253 applicant for a concealed carry endorsement prior to August 28, 2013, shall
254 destroy such documents or records, upon successful issuance of a permit.

255 11. For processing an application for a concealed carry permit pursuant
256 to sections 571.101 to 571.121, the sheriff in each county shall charge a
257 nonrefundable fee not to exceed one hundred dollars which shall be paid to the
258 treasury of the county to the credit of the sheriff's revolving fund.

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

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

267 14. For the purposes of this chapter, "concealed carry permit" shall
268 include any concealed carry endorsement issued by the department of revenue
269 before January 1, 2014, and any concealed carry document issued by any sheriff

270 or under the authority of any sheriff after December 31, 2013.

571.104. 1. [(1) A concealed carry permit issued pursuant to sections
2 571.101 to 571.121, and, if applicable,] A concealed carry endorsement issued
3 prior to August 28, 2013, shall be suspended or revoked if the concealed carry
4 [permit or] endorsement holder becomes ineligible for such [permit or]
5 endorsement under the criteria established in subdivisions [(2),] (3), (4), (5), [(7)]
6 (8), and (11) of subsection 2 of section 571.101 or upon the issuance of a valid full
7 order of protection. **The following procedures shall be followed:**

8 [(2)] (1) When a valid full order of protection, or any arrest warrant,
9 discharge, or commitment for the reasons listed in subdivision [(2),] (3), (4), (5),
10 [(7)] (8), or (11) of subsection 2 of section 571.101, is issued against a person
11 holding [a concealed carry permit issued pursuant to sections 571.101 to 571.121,
12 or] a concealed carry endorsement issued prior to August 28, 2013, upon
13 notification of said order, warrant, discharge or commitment or upon an order of
14 a court of competent jurisdiction in a criminal proceeding, a commitment
15 proceeding or a full order of protection proceeding ruling that a person holding
16 a concealed carry [permit or] endorsement presents a risk of harm to themselves
17 or others, then upon notification of such order, the holder of the concealed carry
18 [permit or] endorsement shall surrender [the permit, and, if applicable,] the
19 driver's license or nondriver's license containing the concealed carry endorsement
20 to the court, officer, or other official serving the order, warrant, discharge, or
21 commitment.

22 [(3) In cases involving a concealed carry endorsement issued prior to
23 August 28, 2013,] The official to whom the driver's license or nondriver's license
24 containing the concealed carry endorsement is surrendered shall issue a receipt
25 to the licensee for the license upon a form, approved by the director of revenue,
26 that serves as a driver's license or a nondriver's license and clearly states the
27 concealed carry endorsement has been suspended. The official shall then
28 transmit the driver's license or a nondriver's license containing the concealed
29 carry endorsement to the circuit court of the county issuing the order, warrant,
30 discharge, or commitment. [The concealed carry permit issued pursuant to
31 sections 571.101 to 571.121, and, if applicable,] The concealed carry endorsement
32 issued prior to August 28, 2013, shall be suspended until the order is terminated
33 or until the arrest results in a dismissal of all charges. **The official to whom**
34 **the endorsement is surrendered shall administratively suspend the**
35 **endorsement in the concealed carry permit system established under**

36 **subsection 5 of section 650.350 until such time as the order is**
37 **terminated or until the charges are dismissed.** Upon dismissal, the court
38 holding the [permit and, if applicable, the] driver's license or nondriver's license
39 containing the concealed carry endorsement shall return such [permit or] license
40 to the individual, **and the official to whom the endorsement was**
41 **surrendered shall administratively return the endorsement to good**
42 **standing within the concealed carry permit system.**

43 [(4)] **(2)** Any conviction, discharge, or commitment specified in sections
44 571.101 to 571.121 shall result in a revocation. Upon conviction, the court shall
45 forward a notice of conviction or action [and the permit to the issuing county
46 sheriff. If a concealed carry endorsement issued prior to August 28, 2013, is
47 revoked, the court shall forward the notice] and the driver's license or nondriver's
48 license with the concealed carry endorsement to the department of revenue. The
49 department of revenue shall notify the sheriff of the county which issued the
50 certificate of qualification for a concealed carry endorsement. The sheriff who
51 issued the [concealed carry permit, or the] certificate of qualification prior to
52 August 28, 2013, shall report the change in status of the [concealed carry permit
53 or] endorsement to the [Missouri uniform law enforcement] **concealed carry**
54 **permit system established under subsection 5 of section 650.350.** The
55 director of revenue shall immediately remove the endorsement issued prior to
56 August 28, 2013, from the individual's driving record within three days of the
57 receipt of the notice from the court. The director of revenue shall notify the
58 licensee that he or she must apply for a new license pursuant to chapter 302
59 which does not contain such endorsement. This requirement does not affect the
60 driving privileges of the licensee. The notice issued by the department of revenue
61 shall be mailed to the last known address shown on the individual's driving
62 record. The notice is deemed received three days after mailing.

63 **2. A concealed carry permit issued pursuant to sections 571.101**
64 **to 571.121 after August 28, 2013, shall be suspended or revoked if the**
65 **concealed carry permit holder becomes ineligible for such permit or**
66 **endorsement under the criteria established in subdivisions (3), (4), (5),**
67 **(8), and (11) of subsection 2 of section 571.101 or upon the issuance of**
68 **a valid full order of protection. The following procedures shall be**
69 **followed:**

70 **(1) When a valid full order of protection or any arrest warrant,**
71 **discharge, or commitment for the reasons listed in subdivision (3), (4),**

72 **(5), (8), or (11) of subsection 2 of section 571.101 is issued against a**
73 **person holding a concealed carry permit, upon notification of said**
74 **order, warrant, discharge, or commitment or upon an order of a court**
75 **of competent jurisdiction in a criminal proceeding, a commitment**
76 **proceeding, or a full order of protection proceeding ruling that a**
77 **person holding a concealed carry permit presents a risk of harm to**
78 **themselves or others, then upon notification of such order, the holder**
79 **of the concealed carry permit shall surrender the permit to the court,**
80 **officer, or other official serving the order, warrant, discharge, or**
81 **commitment. The permit shall be suspended until the order is**
82 **terminated or until the arrest results in a dismissal of all charges. The**
83 **official to whom the permit is surrendered shall administratively**
84 **suspend the permit in the concealed carry permit system until the**
85 **order is terminated or the charges are dismissed. Upon dismissal, the**
86 **court holding the permit shall return such permit to the individual and**
87 **the official to whom the permit was surrendered shall administratively**
88 **return the permit to good standing within the concealed carry permit**
89 **system.**

90 **(2) Any conviction, discharge, or commitment specified in**
91 **sections 571.101 to 571.121 shall result in a revocation. Upon**
92 **conviction, the court shall forward a notice of conviction or action and**
93 **the permit to the issuing county sheriff. The sheriff who issued the**
94 **concealed carry permit shall report the change in status of the**
95 **concealed carry permit to the concealed carry permit system.**

96 **[2.] 3. A concealed carry permit shall be renewed for a qualified applicant**
97 **upon receipt of the properly completed renewal application and the required**
98 **renewal fee by the sheriff of the county of the applicant's residence. The renewal**
99 **application shall contain the same required information as set forth in subsection**
100 **3 of section 571.101, except that in lieu of the fingerprint requirement of**
101 **subsection 5 of section 571.101 and the firearms safety training, the applicant**
102 **need only display his or her current concealed carry permit. A name-based**
103 **[background check, including an] inquiry of the National Instant Criminal**
104 **Background Check System, shall be completed for each renewal application. The**
105 **sheriff shall review the results of the [background check] report from the**
106 **National Instant Criminal Background Check System, and when the**
107 **sheriff has determined the applicant has successfully completed all renewal**
108 **requirements and is not disqualified under any provision of section 571.101, the**

109 sheriff shall issue a new concealed carry permit which contains the date such
110 permit was renewed. The process for renewing a concealed carry endorsement
111 issued prior to August 28, 2013, shall be the same as the process for renewing a
112 permit, except that in lieu of the fingerprint requirement of subsection 5 of
113 section 571.101 and the firearms safety training, the applicant need only display
114 his or her current driver's license or nondriver's license containing an
115 endorsement. Upon successful completion of all renewal requirements, the sheriff
116 shall issue a new concealed carry permit as provided under this subsection.

117 [3.] 4. A person who has been issued a concealed carry permit, or a
118 certificate of qualification for a concealed carry endorsement prior to August 28,
119 2013, who fails to file a renewal application for a concealed carry permit on or
120 before its expiration date must pay an additional late fee of ten dollars per month
121 for each month it is expired for up to six months. After six months, the sheriff
122 who issued the expired concealed carry permit or certificate of qualification shall
123 notify the [Missouri uniform law enforcement] **concealed carry permit** system
124 [and the individual] that such permit is expired and cancelled. If the person has
125 a concealed carry endorsement issued prior to August 28, 2013, the sheriff who
126 issued the certificate of qualification for the endorsement shall notify the director
127 of revenue that such certificate is expired regardless of whether the endorsement
128 holder has applied for a concealed carry permit under subsection 2 of this
129 section. The director of revenue shall immediately remove such endorsement
130 from the individual's driving record and notify the individual that his or her
131 driver's license or nondriver's license has expired. The notice shall be conducted
132 in the same manner as described in subsection 1 of this section. Any person who
133 has been issued a concealed carry permit pursuant to sections 571.101 to 571.121,
134 or a concealed carry endorsement issued prior to August 28, 2013, who fails to
135 renew his or her application within the six-month period must reapply for a new
136 concealed carry permit and pay the fee for a new application.

137 [4.] 5. Any person issued a concealed carry permit pursuant to sections
138 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28,
139 2013, shall notify the [sheriffs of both the old and new jurisdictions] **sheriff of**
140 **the new jurisdiction** of the permit or endorsement holder's change of residence
141 within thirty days after the changing of a permanent residence **to a location**
142 **outside the county of permit issuance**. The permit or endorsement holder
143 shall furnish proof to the sheriff in the new jurisdiction that the permit or
144 endorsement holder has changed his or her residence. **The sheriff in the new**

145 **jurisdiction shall notify the sheriff in the old jurisdiction of the permit**
146 **holder's change of address and the sheriff in the old jurisdiction shall**
147 **transfer any information on file for the permit holder to the sheriff in**
148 **the new jurisdiction within thirty days.** The sheriff of the new jurisdiction
149 may charge a processing fee of not more than ten dollars for any costs associated
150 with notification of a change in residence. [If the person has a concealed carry
151 endorsement issued prior to August 28, 2013, the endorsement holder shall also
152 furnish proof to the department of revenue of his or her residence change. In
153 such cases, the change of residence shall be made by the department of revenue
154 onto the individual's driving record.] The sheriff shall report the residence change
155 to the [Missouri uniform law enforcement system, and] **concealed carry permit**
156 **system, take possession and destroy the old permit, and then issue a**
157 **new permit to the permit holder.** The new address shall be accessible by the
158 [Missouri uniform law enforcement] **concealed carry permit** system within
159 three days of receipt of the information. **If the person has a concealed carry**
160 **endorsement issued prior to August 28, 2013, the endorsement holder**
161 **shall also furnish proof to the department of revenue of his or her**
162 **residence change. In such cases, the change of residence shall be made**
163 **by the department of revenue onto the individual's driving record.**

164 [5.] **6.** Any person issued a concealed carry permit pursuant to sections
165 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28,
166 2013, shall notify the sheriff or his or her designee of the permit or endorsement
167 holder's county or city of residence within seven days after actual knowledge of
168 the loss or destruction of his or her permit or driver's license or nondriver's
169 license containing a concealed carry endorsement. The permit or endorsement
170 holder shall furnish a statement to the sheriff that the permit or driver's license
171 or nondriver's license containing the concealed carry endorsement has been lost
172 or destroyed. After notification of the loss or destruction of a permit or driver's
173 license or nondriver's license containing a concealed carry endorsement, the
174 sheriff may charge a processing fee of ten dollars for costs associated with
175 [placing] **replacing** a lost or destroyed permit or driver's license or nondriver's
176 license containing a concealed carry endorsement and shall reissue a new
177 concealed carry permit within three working days of being notified by the
178 concealed carry permit or endorsement holder of its loss or destruction. The new
179 concealed carry permit shall contain the same personal information, including
180 expiration date, as the original concealed carry permit.

181 [6.] 7. If a person issued a concealed carry permit, or endorsement issued
182 prior to August 28, 2013, changes his or her name, the person to whom the permit
183 or endorsement was issued shall obtain a corrected or new concealed carry permit
184 with a change of name from the sheriff who issued the original concealed carry
185 permit or the original certificate of qualification for an endorsement upon the
186 sheriff's verification of the name change. The sheriff may charge a processing fee
187 of not more than ten dollars for any costs associated with obtaining a corrected
188 or new concealed carry permit. The permit or endorsement holder shall furnish
189 proof of the name change to the sheriff within thirty days of changing his or her
190 name and display his or her concealed carry permit or current driver's license or
191 nondriver's license containing a concealed carry endorsement. The sheriff shall
192 report the name change to the [Missouri uniform law enforcement] **concealed**
193 **carry permit** system, and the new name shall be accessible by the [Missouri
194 uniform law enforcement] **concealed carry permit** system within three days
195 of receipt of the information.

196 [7.] 8. **The person with a concealed carry permit, or endorsement**
197 **issued prior to August 28, 2013, shall notify the sheriff of a name or**
198 **address change within thirty days of the change.** A concealed carry permit
199 and, if applicable, endorsement shall be automatically invalid after [thirty] **one**
200 **hundred eighty** days if the permit or endorsement holder has changed his or
201 her name or changed his or her residence and not notified the sheriff as required
202 in subsections [4] 5 and [6] 7 of this section. **The sheriff shall assess a late**
203 **penalty of ten dollars per month for each month, up to six months and**
204 **not to exceed sixty dollars, for the failure to notify the sheriff of the**
205 **change of name or address within thirty days.**

571.111. 1. An applicant for a concealed carry permit shall demonstrate
2 knowledge of firearms safety training. This requirement shall be fully satisfied
3 if the applicant for a concealed carry permit:

4 (1) Submits a photocopy of a certificate of firearms safety training course
5 completion, as defined in subsection 2 of this section, signed by a qualified
6 firearms safety instructor as defined in subsection 5 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant
8 completed a firearms safety course given by or under the supervision of any state,
9 county, municipal, or federal law enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of
11 this section; or

12 (4) Submits proof that the applicant currently holds any type of valid
13 peace officer license issued under the requirements of chapter 590; or

14 (5) Submits proof that the applicant is currently allowed to carry firearms
15 in accordance with the certification requirements of section 217.710; or

16 (6) Submits proof that the applicant is currently certified as any class of
17 corrections officer by the Missouri department of corrections and has passed at
18 least one eight-hour firearms training course, approved by the director of the
19 Missouri department of corrections under the authority granted to him or her,
20 that includes instruction on the justifiable use of force as prescribed in chapter
21 563; or

22 (7) Submits a photocopy of a certificate of firearms safety training course
23 completion that was issued on August 27, 2011, or earlier so long as the
24 certificate met the requirements of subsection 2 of this section that were in effect
25 on the date it was issued.

26 2. A certificate of firearms safety training course completion may be
27 issued to any applicant by any qualified firearms safety instructor. On the
28 certificate of course completion the qualified firearms safety instructor shall
29 affirm that the individual receiving instruction has taken and passed a firearms
30 safety course of at least eight hours in length taught by the instructor that
31 included:

32 (1) Handgun safety in the classroom, at home, on the firing range and
33 while carrying the firearm;

34 (2) A physical demonstration performed by the applicant that
35 demonstrated his or her ability to safely load and unload a revolver and a
36 semiautomatic pistol and demonstrated his or her marksmanship with both;

37 (3) The basic principles of marksmanship;

38 (4) Care and cleaning of concealable firearms;

39 (5) Safe storage of firearms at home;

40 (6) The requirements of this state for obtaining a concealed carry permit
41 from the sheriff of the individual's county of residence;

42 (7) The laws relating to firearms as prescribed in this chapter;

43 (8) The laws relating to the justifiable use of force as prescribed in
44 chapter 563;

45 (9) A live firing exercise of sufficient duration for each applicant to fire
46 both a revolver and a semiautomatic pistol, from a standing position or its
47 equivalent, a minimum of twenty rounds from each handgun at a distance of

48 seven yards from a B-27 silhouette target or an equivalent target;

49 (10) A live fire test administered to the applicant while the instructor was
50 present of twenty rounds from each handgun from a standing position or its
51 equivalent at a distance from a B-27 silhouette target, or an equivalent target,
52 of seven yards.

53 3. A qualified firearms safety instructor shall not give a grade of passing
54 to an applicant for a concealed carry permit who:

55 (1) Does not follow the orders of the qualified firearms instructor or
56 cognizant range officer; or

57 (2) Handles a firearm in a manner that, in the judgment of the qualified
58 firearm safety instructor, poses a danger to the applicant or to others; or

59 (3) During the live fire testing portion of the course fails to hit the
60 silhouette portion of the targets with at least fifteen rounds, with both handguns.

61 4. Qualified firearms safety instructors who provide firearms safety
62 instruction to any person who applies for a concealed carry permit shall:

63 (1) Make the applicant's course records available upon request to the
64 sheriff of the county in which the applicant resides;

65 (2) Maintain all course records on students for a period of no less than
66 four years from course completion date; and

67 (3) Not have more than forty students **per certified instructor** in the
68 classroom portion of the course or more than five students per range officer
69 engaged in range firing.

70 5. A firearms safety instructor shall be considered to be a qualified
71 firearms safety instructor by any sheriff issuing a concealed carry permit
72 pursuant to sections 571.101 to 571.121 if the instructor:

73 (1) Is a valid firearms safety instructor certified by the National Rifle
74 Association holding a rating as a personal protection instructor or pistol
75 marksmanship instructor; or

76 (2) Submits a photocopy of a notarized certificate from a firearms safety
77 instructor's course offered by a local, state, or federal governmental agency; or

78 (3) Submits a photocopy of a notarized certificate from a firearms safety
79 instructor course approved by the department of public safety; or

80 (4) Has successfully completed a firearms safety instructor course given
81 by or under the supervision of any state, county, municipal, or federal law
82 enforcement agency; or

83 (5) Is a certified police officer firearms safety instructor.

84 6. Any firearms safety instructor qualified under subsection 5 of this
85 section may submit a copy of a training instructor certificate, course outline
86 bearing **the** notarized signature of **the** instructor, and **a** recent photograph of [his
87 or herself] **the instructor** to the sheriff of the county in which [he or she] **the**
88 **instructor** resides. [Each] **The sheriff shall review the training instructor**
89 **certificate along with the course outline and verify the firearms safety**
90 **instructor is qualified and the course meets the requirements provided**
91 **under this section. If the sheriff verifies the firearms safety instructor**
92 **is qualified and the course meets the requirements provided under this**
93 **section, the** sheriff shall collect an annual registration fee of ten dollars from
94 each qualified instructor who chooses to submit such information and [shall
95 retain a] **submit the registration to the Missouri sheriff**
96 **methamphetamine relief taskforce. The Missouri sheriff**
97 **methamphetamine relief taskforce, or its designated agent, shall create**
98 **and maintain a statewide** database of qualified instructors. This information
99 shall be a closed record except for access by any sheriff. **Firearms safety**
100 **instructors may register annually and the registration is only effective**
101 **for the calendar year in which the instructor registered. Any sheriff**
102 **may access the statewide database maintained by the Missouri sheriff**
103 **methamphetamine relief taskforce to verify the firearms safety**
104 **instructor is qualified and the course offered by the instructor meets**
105 **the requirements provided under this section. A sheriff shall presume**
106 **a firearms safety instructor meets the requirements provided under**
107 **this section if the firearms safety instructor is registered, unless a**
108 **sheriff has reason to believe otherwise.**

109 7. Any firearms safety instructor who knowingly provides any sheriff with
110 any false information concerning an applicant's performance on any portion of the
111 required training and qualification shall be guilty of a class C misdemeanor. A
112 violation of the provisions of this section shall result in the person being
113 prohibited from instructing concealed carry permit classes and issuing
114 certificates.

650.350. 1. There is hereby created within the department of public
2 safety the "Missouri Sheriff Methamphetamine Relief Taskforce"
3 (MoSMART). MoSMART shall be composed of five sitting sheriffs. Every two
4 years, the Missouri Sheriffs' Association board of directors will submit twenty
5 names of sitting sheriffs to the governor. The governor shall appoint five

6 members from the list of twenty names, having no more than three from any one
7 political party, to serve a term of two years on MoSMART. The members shall
8 elect a chair from among their membership. Members shall receive no
9 compensation for the performance of their duties pursuant to this section, but
10 each member shall be reimbursed from the MoSMART fund for actual and
11 necessary expenses incurred in carrying out duties pursuant to this section.

12 2. MoSMART shall meet no less than twice each calendar year with
13 additional meetings called by the chair upon the request of at least two members.
14 A majority of the appointed members shall constitute a quorum.

15 3. A special fund is hereby created in the state treasury to be known as
16 the "MoSMART Fund". The state treasurer shall invest the moneys in such fund
17 in the manner authorized by law. All moneys received for MoSMART from
18 interest, state, and federal moneys shall be deposited to the credit of the
19 fund. The director of the department of public safety shall distribute at least fifty
20 percent but not more than one hundred percent of the fund annually in the form
21 of grants approved by MoSMART.

22 4. Except for money deposited into the deputy sheriff salary
23 supplementation fund created under section 57.278 or money deposited into the
24 concealed carry permit fund created under subsection 5 of this section, all moneys
25 [appropriate] **appropriated** to or received by MoSMART shall be deposited and
26 credited to the MoSMART fund. The department of public safety shall only be
27 reimbursed for actual and necessary expenses for the administration of
28 MoSMART, which shall be no less than one percent and which shall not exceed
29 two percent of all moneys appropriated to the fund, except that the department
30 shall not receive any amount of the money deposited into the deputy sheriff
31 salary supplementation fund for administrative purposes. The provisions of
32 section 33.080 to the contrary notwithstanding, moneys in the MoSMART fund
33 shall not lapse to general revenue at the end of the biennium.

34 5. A special fund is hereby created in the state treasury to be known as
35 the "Concealed Carry Permit Fund". The state treasurer shall invest the moneys
36 in such fund in the manner authorized by law. All moneys **appropriated by**
37 **the general assembly to the fund** shall be deposited to the credit of the
38 fund. The director of the department of public safety shall annually distribute
39 all moneys in the fund in the form of grants approved by MoSMART. The
40 department of public safety shall administer all MoSMART grant deposits under
41 this section. Grant funds deposited into the fund created under this section shall

42 be spent first to ensure county law enforcement agencies' ability to comply with
43 the issuance of concealed carry permits including, but not limited to, equipment,
44 records management hardware and software, personnel, supplies, and other
45 services. **MoSMART, or a designee thereof, shall create, maintain, and**
46 **operate a statewide concealed carry permit system for Missouri sheriffs**
47 **and law enforcement purposes. The concealed carry permit system**
48 **shall consist of a server network accessible by all Missouri sheriffs and**
49 **law enforcement agencies for purposes that do not conflict with this**
50 **chapter. All equipment, software, and services necessary to create,**
51 **maintain, and operate the concealed carry permit system shall be the**
52 **property of MoSMART. A designee of MoSMART may administer and**
53 **operate the concealed carry permit system utilizing policies and**
54 **procedures established by MoSMART by way of a memorandum of**
55 **understanding and MoSMART protocol. Any equipment, software, or**
56 **services provided to a sheriff as part of the concealed carry permit**
57 **system shall become property of the sheriff's office and MoSMART shall**
58 **not be responsible for the maintenance or replacement of such**
59 **equipment, software or services.** Notwithstanding the provisions of section
60 33.080 to the contrary, any moneys remaining in the fund at the end of the
61 biennium shall not revert to the credit of the general revenue fund. The state
62 treasurer shall invest moneys in the fund in the same manner as other funds are
63 invested. Any interest and moneys earned on such investments shall be credited
64 to the fund.

65 6. Any rule or portion of a rule, as that term is defined in section 536.010,
66 that is created under the authority delegated in this section shall become effective
67 only if it complies with and is subject to all of the provisions of chapter 536 and,
68 if applicable, section 536.028. This section and chapter 536 are nonseverable and
69 if any of the powers vested with the general assembly pursuant to chapter 536 to
70 review, to delay the effective date or to disapprove and annul a rule are
71 subsequently held unconstitutional, then the grant of rulemaking authority and
72 any rule proposed or adopted after August 28, 2003, shall be invalid and void.

73 7. Any county law enforcement entity or established task force with a
74 memorandum of understanding and protocol may apply for grants from the
75 MoSMART fund on an application to be developed by the department of public
76 safety with the approval of MoSMART. All applications shall be evaluated by
77 MoSMART and approved or denied based upon the level of funding designated for

78 methamphetamine enforcement before 1997 and upon current need and
79 circumstances. No applicant shall receive a MoSMART grant in excess of one
80 hundred thousand dollars per year. The department of public safety shall
81 monitor all MoSMART grants.

82 8. MoSMART's anti-methamphetamine funding priorities are as follows:

83 (1) Sheriffs who are participating in coordinated multijurisdictional task
84 forces and have their task forces apply for funding;

85 (2) Sheriffs whose county has been designated HIDTA counties, yet have
86 received no HIDTA or narcotics assistance program funding; and

87 (3) Sheriffs without HIDTA designations or task forces, whose application
88 justifies the need for MoSMART funds to eliminate methamphetamine labs.

89 9. MoSMART shall administer the deputy sheriff salary supplementation
90 fund as provided under section 57.278.

91 [10. Beginning August 28, 2013, the department of revenue shall begin
92 transferring any records related to the issuance of a concealed carry permit to
93 MoSMART for dissemination to the sheriff of the county or city not within a
94 county in which the applicant or permit holder resides.]

Bill ✓

Copy