

SECOND REGULAR SESSION

# HOUSE BILL NO. 2138

103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BUTZ.

5556H.011

JOSEPH ENGLER, Chief Clerk

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## AN ACT

To repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to unlawful possession of a firearm, with penalty provisions.

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

Section A. Section 571.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.070, to read as follows:

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

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

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

**(3) Such person is under eighteen years of age and is on public property. However, possession under this subdivision is not an offense if such person has completed the hunter education course that is required by the department of conservation to obtain a hunting permit in this state.**

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

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

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