

FIRST REGULAR SESSION

SENATE BILL NO. 529

98TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR ONDER.

Read 1st time February 25, 2015, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2293S.02I

AN ACT

To repeal sections 577.703, 577.712, 578.305, and 578.320, RSMo, and to enact in lieu thereof five new sections relating to the carrying of concealed firearms on public transportation systems, with existing penalty provisions.

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

Section A. Sections 577.703, 577.712, 578.305, and 578.320, RSMo, are
2 repealed and five new sections enacted in lieu thereof, to be known as sections
3 571.525, 577.703, 577.712, 578.305, and 578.320, to read as follows:

**571.525. 1. Notwithstanding any provision of this chapter,
2 chapter 577, or chapter 578 to the contrary, a person carrying a firearm
3 concealed on or about his or her person who is lawfully in possession
4 of a valid concealed carry permit or endorsement shall not be
5 prohibited or impeded from accessing or using any publicly funded
6 transportation system, including systems providing bus or train
7 service, nor shall such person be harassed or detained for carrying a
8 concealed firearm on the property of such systems.**

9 **2. Subsection 1 of this section shall not apply to:**

10 **(1) Any bus operated by or under contract with a public or
11 private elementary, secondary, or vocational school or higher education
12 institution unless the governing body of the higher education
13 institution, school official, or the district school board has consented
14 to the carrying of concealed firearms on the bus; or**

15 **(2) The property of any corporation that provides intercity
16 passenger train service on railroads throughout the United States or
17 any private partnership that the corporation engages in.**

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

18 **3. A person carrying a concealed firearm on a transportation**
19 **system in accordance with this section shall not be prohibited from**
20 **acting in self defense or defense of others, as authorized under chapter**
21 **563, while on the property of the transportation system.**

577.703. 1. A person commits the offense of bus hijacking if he or she
2 seizes or exercises control, by force or violence or threat of force or violence, of
3 any bus. The offense of bus hijacking is a class B felony.

4 2. The offense of "assault with the intent to commit bus hijacking" is
5 defined as an intimidation, threat, assault or battery toward any driver,
6 attendant or guard of a bus so as to interfere with the performance of duties by
7 such person. Assault to commit bus hijacking is a class D felony.

8 3. Any person, who, in the commission of such intimidation, threat,
9 assault or battery with the intent to commit bus hijacking, employs a dangerous
10 or deadly weapon or other means capable of inflicting serious bodily injury shall,
11 upon conviction, be guilty of a class A felony.

12 4. **Except as otherwise provided under section 571.525**, any
13 passenger who boards a bus with a dangerous or deadly weapon or other means
14 capable of inflicting serious bodily injury concealed upon his or her person or
15 effects is guilty of the felony of "possession and concealment of a dangerous or
16 deadly weapon" upon a bus. Possession and concealment of a dangerous and
17 deadly weapon by a passenger upon a bus is a class D felony. The provisions of
18 this subsection shall not apply to:

19 **(1)** Duly elected or appointed law enforcement officers or commercial
20 security personnel who are in possession of weapons used within the course and
21 scope of their employment; [nor shall the provisions of this subsection apply to]

22 **(2)** Persons who are in possession of weapons or other means of inflicting
23 serious bodily injury with the consent of the owner of such bus, his or her agent,
24 or the lessee or bailee of such bus; **or**

25 **(3) Persons carrying concealed firearms who lawfully possess a**
26 **valid concealed carry permit or endorsement in accordance with**
27 **section 571.525.**

577.712. 1. In order to provide for the safety, comfort, and well-being of
2 passengers and others having a bona fide business interest in any terminal, a bus
3 transportation company may refuse admission to terminals to any person not
4 having bona fide business within the terminal. Any such refusal shall not be
5 inconsistent or contrary to state or federal laws, regulations pursuant thereto, or

6 to any ordinance of the political subdivision in which such terminal is located. A
7 duly authorized company representative may ask any person in a terminal or on
8 the premises of a terminal to identify himself or herself and state his or her
9 business. Failure to comply with such request or failure to state an acceptable
10 business purpose shall be grounds for the company representative to request that
11 such person leave the terminal. Refusal to comply with such request shall
12 constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

13 **2. Except as otherwise provided under section 571.525,** it is
14 unlawful for any person to carry a deadly or dangerous weapon or any explosives
15 or hazardous material into a terminal or aboard a bus. Possession of a deadly or
16 dangerous weapon, explosive or hazardous material shall be a class D
17 felony. Upon the discovery of any such item or material, the company may obtain
18 possession and retain custody of such item or material until it is transferred to
19 the custody of law enforcement officers.

578.305. 1. The offense of "bus hijacking" is defined as the seizure or
2 exercise of control, by force or violence or threat of force or violence, of any bus
3 within the jurisdiction of this state. Bus hijacking shall be a class B felony.

4 **2.** The offense of "assault with the intent to commit bus hijacking" is
5 defined as an intimidation, threat, assault or battery toward any driver,
6 attendant or guard of a bus so as to interfere with the performance of duties by
7 such person. Assault to commit bus hijacking shall be a class C felony.

8 **3.** Any person, who, in the commission of such intimidation, threat,
9 assault or battery with the intent to commit bus hijacking, employs a dangerous
10 or deadly weapon or other means capable of inflicting serious bodily injury shall,
11 upon conviction, be guilty of a class A felony.

12 **4. Except as otherwise provided under section 571.525,** any
13 passenger who boards a bus with a dangerous or deadly weapon or other means
14 capable of inflicting serious bodily injury concealed upon his person or effects is
15 guilty of the felony of "possession and concealment of a dangerous or deadly
16 weapon" upon a bus. Possession and concealment of a dangerous and deadly
17 weapon by a passenger upon a bus shall be a class C felony. The provisions of
18 this subsection shall not apply to:

19 **(1)** Duly elected or appointed law enforcement officers or commercial
20 security personnel who are in possession of weapons used within the course and
21 scope of their employment; [nor shall the provisions of this subsection apply to]

22 **(2)** Persons who are in possession of weapons or other means of inflicting

23 serious bodily injury with the consent of the owner of such bus, or his agent, or
24 the lessee or bailee of such bus; or

25 **(3) Persons carrying concealed firearms who lawfully possess a**
26 **valid concealed carry permit or endorsement in accordance with**
27 **section 571.525.**

578.320. 1. In order to provide for the safety, comfort, and well-being of
2 passengers and others having a bona fide business interest in any terminal, a bus
3 transportation company may refuse admission to terminals to any person not
4 having bona fide business within the terminal. Any such refusal shall not be
5 inconsistent or contrary to state or federal laws, regulations pursuant thereto, or
6 to any ordinance of the political subdivision in which such terminal is located. A
7 duly authorized company representative may ask any person in a terminal or on
8 the premises of a terminal to identify himself and state his business. Failure to
9 comply with such request or failure to state an acceptable business purpose shall
10 be grounds for the company representative to request that such person leave the
11 terminal. Refusal to comply with such request shall constitute disorderly
12 conduct. Disorderly conduct shall be a class C misdemeanor.

13 **2. Except as otherwise provided under section 571.525,** it is
14 unlawful for any person to carry a deadly or dangerous weapon or any explosives
15 or hazardous material into a terminal or aboard a bus. Possession of a deadly or
16 dangerous weapon, explosive or hazardous material shall be a class C
17 felony. Upon the discovery of any such item or material, the company may obtain
18 possession and retain custody of such item or material until it is transferred to
19 the custody of law enforcement officers.

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