

SECOND REGULAR SESSION

# SENATE BILL NO. 1026

99TH GENERAL ASSEMBLY

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INTRODUCED BY SENATORS NASHEED, CURLS AND CHAPPELLE-NADAL.

Read 1st time February 22, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

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## AN ACT

To amend chapter 571, RSMo, by adding thereto two new sections relating to the purchasing of firearms, with penalty provisions.

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

Section A. Chapter 571, RSMo, is amended by adding thereto two new sections, to be known as sections 571.600 and 571.610, to read as follows:

**571.600. It is the intention of the general assembly of the state of Missouri to grant the right to life to all humans and to regulate firearms to the full extent permitted by the Constitution of the United States, decisions of the United States Supreme Court, and federal statutes.**

**571.610. 1. No firearms shall be purchased without voluntary and informed consent, purchased freely and of sound mental state. A purchaser's decision shall be considered voluntary and informed and purchased freely and of sound mental state if, and only if, at least seventy-two hours prior to the purchase:**

**(1) The purchaser is presented with information about:**

**(a) The immediate and long-term medical risks associated with the use of firearms including, but not limited to, accidental injury to oneself or another, accidental death to any person, intentional injury to oneself or another, intentional death to any person, and possible adverse psychological effects associated with the above risks associated;**

**(b) The anatomical and physiological characteristics of those harmed by firearms at the time of their usage; and**

**(c) The immediate and long-term medical risks to those harmed by firearms, in light of the accidental or intentional harm they may**

17 cause to any person;

18           (2) The seller who is to sell the firearm has presented the  
19 purchaser, in person, printed materials provided by the department of  
20 public safety, which describe the probable anatomical and lifestyle  
21 characteristics of the persons harmed by firearm violence at two-year  
22 increments from time of harm suffered to an average American life  
23 expectancy, including color photographs or images of those harmed by  
24 firearm violence. Such descriptions shall include information about the  
25 total loss of life in the United States due to firearm violence, victim  
26 impact statements, information regarding the families of those lost and  
27 harmed by firearm violence and information on alternatives to  
28 firearms. The printed materials shall prominently display the following  
29 statement: "The life of each human being matters. Firearms may  
30 terminate the life of a separate, unique, living human being.";

31           (3) The seller who is to sell the firearm shall provide the  
32 purchaser with the opportunity to view at least seventy-two hours prior  
33 to the purchase a firearm victim impact panel and hear the testimony  
34 of those harmed by firearm violence. The purchaser shall be provided  
35 with a geographically indexed list of places maintained by the  
36 department of public safety where a firearm has contributed to loss of  
37 life or any harm to any person.

38           2. All information required to be provided to a person  
39 considering purchasing a firearm under subsection 1 of this section  
40 shall be presented to the purchaser individually, in the physical  
41 presence of the purchaser, and in a private room, to protect their  
42 privacy, to maintain the confidentiality of their decision, to ensure that  
43 the information focuses on their individual circumstances, to ensure he  
44 or she has an adequate opportunity to ask questions, and to ensure that  
45 he or she is in a sound mental state. Should a purchaser be unable to  
46 read materials provided to him or her, the materials shall be read to  
47 the purchaser by the seller. Should a purchaser need an interpreter to  
48 understand the information presented in the written materials, an  
49 interpreter shall be provided to the purchaser. Should a purchaser ask  
50 questions concerning any of the information or materials, answers shall  
51 be provided in a language he or she can understand.

52           3. No firearm shall be purchased unless and until the purchaser  
53 certifies in writing on a checklist form provided by the department of

54 public safety that he or she has been presented all the information  
55 required in subsection 1 of this section, that he or she has been  
56 provided the opportunity to view photos of the potential effects of  
57 firearms, witness a victim impact panel and hear the testimony of those  
58 affected by firearms violence, and that he or she further certifies that  
59 he or she purchases the firearm with voluntary and informed consent  
60 and purchases freely and of sound mental state.

61 4. No seller shall sell a firearm to a purchaser unless and until  
62 the seller has received a signed copy of the form prescribed in  
63 subsection 3 of this section. The seller shall retain a copy of the form  
64 for their records.

65 5. Any seller who violates any provision of this section shall be  
66 guilty of a class D felony.

67 6. A purchaser of firearms shall satisfy the background check  
68 requirements administered by the state highway patrol under section  
69 43.543 and shall not have been adjudged mentally incompetent for ten  
70 years prior to application, or has not been committed to a mental  
71 health facility, as defined in section 632.005, or a similar institution  
72 located in another state.

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