

FIRST REGULAR SESSION

SENATE BILL NO. 436

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR HOSKINS.

Read 1st time February 25, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

2215S.01I

AN ACT

To repeal section 571.010, RSMo, and to enact in lieu thereof one new section relating to fugitives from justice.

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

Section A. Section 571.010, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 571.010, to read as follows:

571.010. As used in this chapter, the following terms shall mean:

2 (1) "Antique, curio or relic firearm", any firearm so defined by the
3 National Gun Control Act, 18 U.S.C. Title 26, Section 5845, and the United States
4 Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

5 (a) "Antique firearm" is any firearm not designed or redesigned for using
6 rim fire or conventional center fire ignition with fixed ammunition and
7 manufactured in or before 1898, said ammunition not being manufactured any
8 longer; this includes any matchlock, wheel lock, flintlock, percussion cap or
9 similar type ignition system, or replica thereof;

10 (b) "Curio or relic firearm" is any firearm deriving value as a collectible
11 weapon due to its unique design, ignition system, operation or at least fifty years
12 old, associated with a historical event, renown personage or major war;

13 (2) "Blackjack", any instrument that is designed or adapted for the
14 purpose of stunning or inflicting physical injury by striking a person, and which
15 is readily capable of lethal use;

16 (3) "Blasting agent", any material or mixture, consisting of fuel and
17 oxidizer that is intended for blasting, but not otherwise defined as an explosive
18 under this section, provided that the finished product, as mixed for use of
19 shipment, cannot be detonated by means of a numbered 8 test blasting cap when

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

20 unconfined;

21 (4) "Concealable firearm", any firearm with a barrel less than sixteen
22 inches in length, measured from the face of the bolt or standing breech;

23 (5) "Deface", to alter or destroy the manufacturer's or importer's serial
24 number or any other distinguishing number or identification mark;

25 (6) "Detonator", any device containing a detonating charge that is used for
26 initiating detonation in an explosive, including but not limited to, electric blasting
27 caps of instantaneous and delay types, nonelectric blasting caps for use with
28 safety fuse or shock tube and detonating cord delay connectors;

29 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or
30 similar device designed or adapted for the purpose of inflicting death, serious
31 physical injury, or substantial property damage; or any device designed or
32 adapted for delivering or shooting such a weapon. For the purposes of this
33 subdivision, the term "explosive" shall mean any chemical compound mixture or
34 device, the primary or common purpose of which is to function by explosion,
35 including but not limited to, dynamite and other high explosives, pellet powder,
36 initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter
37 cords, and igniters or blasting agents;

38 (8) "Firearm", any weapon that is designed or adapted to expel a projectile
39 by the action of an explosive;

40 (9) "Firearm silencer", any instrument, attachment, or appliance that is
41 designed or adapted to muffle the noise made by the firing of any firearm;

42 (10) **"Fugitive from justice", any person who, knowing that he or**
43 **she is the defendant or co-defendant in any criminal case in which that**
44 **person is alleged to have committed any felony under the laws of this**
45 **state, the United States, or any other state or territory of the United**
46 **States, becomes a fugitive from justice by failing to appear for any**
47 **scheduled court proceeding pertaining to such felony for which proper**
48 **notice was provided or attempted. It is no defense to a prosecution**
49 **under this subdivision that the person did not receive notice of the**
50 **scheduled court proceeding;**

51 (11) "Gas gun", any gas ejection device, weapon, cartridge, container or
52 contrivance other than a gas bomb that is designed or adapted for the purpose of
53 ejecting any poison gas that will cause death or serious physical injury, but not
54 any device that ejects a repellant or temporary incapacitating substance;

55 [(11)] (12) "Intoxicated", substantially impaired mental or physical

56 capacity resulting from introduction of any substance into the body;

57 [(12)] (13) "Knife", any dagger, dirk, stiletto, or bladed hand instrument
58 that is readily capable of inflicting serious physical injury or death by cutting or
59 stabbing a person. For purposes of this chapter, "knife" does not include any
60 ordinary pocketknife with no blade more than four inches in length;

61 [(13)] (14) "Knuckles", any instrument that consists of finger rings or
62 guards made of a hard substance that is designed or adapted for the purpose of
63 inflicting serious physical injury or death by striking a person with a fist enclosed
64 in the knuckles;

65 [(14)] (15) "Machine gun", any firearm that is capable of firing more than
66 one shot automatically, without manual reloading, by a single function of the
67 trigger;

68 [(15)] (16) "Projectile weapon", any bow, crossbow, pellet gun, slingshot
69 or other weapon that is not a firearm, which is capable of expelling a projectile
70 that could inflict serious physical injury or death by striking or piercing a person;

71 [(16)] (17) "Rifle", any firearm designed or adapted to be fired from the
72 shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire
73 a projectile through a rifled bore by a single function of the trigger;

74 [(17)] (18) "Short barrel", a barrel length of less than sixteen inches for
75 a rifle and eighteen inches for a shotgun, both measured from the face of the bolt
76 or standing breech, or an overall rifle or shotgun length of less than twenty-six
77 inches;

78 [(18)] (19) "Shotgun", any firearm designed or adapted to be fired from
79 the shoulder and to use the energy of the explosive in a fixed shotgun shell to fire
80 a number of shot or a single projectile through a smooth bore barrel by a single
81 function of the trigger;

82 [(19)] (20) "Spring gun", any fused, timed or nonmanually controlled trap
83 or device designed or adapted to set off an explosion for the purpose of inflicting
84 serious physical injury or death;

85 [(20)] (21) "Switchblade knife", any knife which has a blade that folds or
86 closes into the handle or sheath, and:

87 (a) That opens automatically by pressure applied to a button or other
88 device located on the handle; or

89 (b) That opens or releases from the handle or sheath by the force of
90 gravity or by the application of centrifugal force.