

SECOND REGULAR SESSION

SENATE BILL NO. 538

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR LIBLA.

Pre-filed December 1, 2019, and ordered printed.

ADRIANE D. CROUSE, Secretary.

3891S.02I

AN ACT

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

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Section A. Section 571.070, RSMo, is repealed and one new section
2 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
2 firearm if such person knowingly has any firearm in his or her possession and:

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

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

8 2. Unlawful possession of a firearm is a class D felony, **unless a person**
9 **has been convicted of a dangerous felony pursuant to section 556.061,**
10 **the crime of armed criminal action pursuant to section 571.015, or the**
11 **offense of trafficking drugs pursuant to section 579.065 or 579.068, in**
12 **which case it is a class C felony.**

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

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