

SECOND REGULAR SESSION

HOUSE BILL NO. 1295

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DINKINS.

3714H.02I

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 171.410, RSMo, and to enact in lieu thereof two new sections relating to firearm safety instruction.

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

Section A. Section 171.410, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 170.042 and 171.410, to read as follows:

170.042. 1. Notwithstanding the provisions of section 160.516 or any other section, in school year 2021-22 and each school year thereafter, each school district shall require all students at a particular grade level chosen by the district, other than students exempted under subsection 3 of this section, to complete a physical education course that includes hunter safety instruction with a firearm safety component. The grade level chosen by the district for purposes of this subsection shall be sixth, seventh, or eighth grade.

2. In school year 2021-22 and each school year thereafter, each high school may offer a physical education course that includes firearm safety instruction. The instructor for the firearm safety instruction shall be qualified as described in subsection 6 of section 571.111. Students shall not be required to complete the course in order to graduate from high school. A high school shall not allow any student to enroll in the course until it has received permission from the student's parent or legal guardian.

3. No student shall be required to participate in hunter or firearm safety instruction if the student or the student's parent or legal guardian has any objection to such instruction.

4. The department of elementary and secondary education may promulgate rules to implement the provisions of this section. Any rule or portion of a rule, as that term is

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.

18 **defined in section 536.010, that is created under the authority delegated in this section shall**
19 **become effective only if it complies with and is subject to all of the provisions of chapter**
20 **536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable, and**
21 **if any of the powers vested with the general assembly pursuant to chapter 536 to review,**
22 **to delay the effective date, or to disapprove and annul a rule are subsequently held**
23 **unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted**
24 **after August 28, 2020, shall be invalid and void.**

171.410. 1. **Notwithstanding the provisions of section 160.516 or any other section,**
2 **in school year 2021-22 and each school year thereafter,** each school district and charter school
3 ~~[may] shall~~ annually teach the Eddie Eagle Gunsafe Program to first grade students~~[-School~~
4 ~~districts and charter schools may also teach]~~ **or** any substantially similar program of the same
5 qualifications or any successor program in lieu of the Eddie Eagle Gunsafe Program.

6 2. The purpose of the educational program shall be to promote the safety and protection
7 of children. The educational program shall emphasize how students should respond if they
8 encounter a firearm. School personnel and program instructors shall not make value judgments
9 about firearms.

10 3. No school district or charter school shall include or use a firearm or demonstrate the
11 use of a firearm when teaching the program.

12 4. Students with disabilities shall participate to the extent appropriate as determined by
13 the provisions of the Individuals with Disabilities Education Act or Section 504 of the
14 Rehabilitation Act.

15 5. School districts and charter schools may seek grant funding for the program from
16 public, private, and nonprofit entities.

17 **6. No student shall be required to participate in the program if the student or the**
18 **student's parent or legal guardian has any objection to such program.**

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