

**HOUSE AMENDMENT NO. \_\_\_\_\_**  
**TO**  
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**Offered By**

1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for House Bill No. 1462,  
2 Page 1, Line 2, by inserting after said line the following:

3  
4 "Further amend said bill and section, Page 16, Line 404, by inserting after said section and line the  
5 following:

6  
7 "571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise  
8 provided by sections 571.101 to 571.121 and 571.205, if he or she knowingly:

9 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any  
10 other weapon readily capable of lethal use into any area where firearms are restricted under section  
11 571.107; or

12 (2) Sets a spring gun; or

13 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or  
14 motor vehicle as defined in section 302.010, or any building or structure used for the assembling of  
15 people; or

16 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal  
17 use in an angry or threatening manner; or

18 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person,  
19 while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in  
20 either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting  
21 in self-defense; or

22 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,  
23 courthouse, or church building; or

24 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across  
25 a public highway or discharges or shoots a firearm into any outbuilding; or

26 (8) Carries a firearm or any other weapon readily capable of lethal use into any church or  
27 place where people have assembled for worship, or into any election precinct on any election day, or  
28 into any building owned or occupied by any agency of the federal government, state government, or  
29 political subdivision thereof; or

30 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010,  
31 discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or  
32 habitable structure, unless the person was lawfully acting in self-defense; or

33 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of  
34 lethal use into any school, onto any school bus, or onto the premises of any function or activity

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1 sponsored or sanctioned by school officials or the district school board; or

2 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is  
3 sufficient for a felony violation of section 579.015.

4 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the  
5 persons described in this subsection, regardless of whether such uses are reasonably associated with  
6 or are necessary to the fulfillment of such person's official duties except as otherwise provided in  
7 this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply  
8 to or affect any of the following persons, when such uses are reasonably associated with or are  
9 necessary to the fulfillment of such person's official duties, except as otherwise provided in this  
10 subsection:

11 (1) All state, county and municipal peace officers who have completed the training required  
12 by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and  
13 who possess the duty and power of arrest for violation of the general criminal laws of the state or for  
14 violation of ordinances of counties or municipalities of the state, whether such officers are on or off  
15 duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or  
16 all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the  
17 identification defined in subsection 13 of this section, or any person summoned by such officers to  
18 assist in making arrests or preserving the peace while actually engaged in assisting such officer;

19 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other  
20 institutions for the detention of persons accused or convicted of crime;

21 (3) Members of the Armed Forces or National Guard while performing their official duty;

22 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the  
23 judicial power of the state and those persons vested by Article III of the Constitution of the United  
24 States with the judicial power of the United States, the members of the federal judiciary;

25 (5) Any person whose bona fide duty is to execute process, civil or criminal;

26 (6) Any federal probation officer or federal flight deck officer as defined under the federal  
27 flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on  
28 duty, or within the law enforcement agency's jurisdiction;

29 (7) Any state probation or parole officer, including supervisors and members of the parole  
30 board;

31 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of  
32 the regulations established by the department of public safety under section 590.750;

33 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

34 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit  
35 attorney or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed  
36 by a court to be a special prosecutor who has completed the firearms safety training course required  
37 under subsection 2 of section 571.111;

38 (11) Any member of a fire department or fire protection district who is employed on a full-  
39 time basis as a fire investigator and who has a valid concealed carry endorsement issued prior to  
40 August 28, 2013, or a valid concealed carry permit under section 571.111 when such uses are  
41 reasonably associated with or are necessary to the fulfillment of such person's official duties; and

42 (12) Upon the written approval of the governing body of a fire department or fire protection  
43 district, any paid fire department or fire protection district member who is employed on a full-time  
44 basis and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid  
45 concealed carry permit, when such uses are reasonably associated with or are necessary to the  
46 fulfillment of such person's official duties.

47 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the  
48 actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
49 ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision

1 (1) of subsection 1 of this section does not apply to any person nineteen years of age or older or  
2 eighteen years of age or older and a member of the United States Armed Forces, or honorably  
3 discharged from the United States Armed Forces, transporting a concealable firearm in the  
4 passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise  
5 lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile  
6 weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which  
7 the actor has possession, authority or control, or is traveling in a continuous journey peaceably  
8 through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is  
9 otherwise lawfully possessed by a person while traversing school premises for the purposes of  
10 transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a  
11 school-sanctioned firearm-related event or club event.

12 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person  
13 who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121 or 571.205, a  
14 valid concealed carry endorsement issued before August 28, 2013, or a valid permit or endorsement  
15 to carry concealed firearms issued by another state or political subdivision of another state.

16 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall  
17 not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

18 6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit  
19 any state employee from having a firearm in the employee's vehicle on the state's property provided  
20 that the vehicle is locked and the firearm is not visible. This subsection shall only apply to the state  
21 as an employer when the state employee's vehicle is on property owned or leased by the state and  
22 the state employee is conducting activities within the scope of his or her employment. For the  
23 purposes of this subsection, "state employee" means an employee of the executive, legislative, or  
24 judicial branch of the government of the state of Missouri.

25 7. Nothing in this section shall make it unlawful for a student to actually participate in  
26 school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored  
27 or club-sponsored firearm-related events, provided the student does not carry a firearm or other  
28 weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of  
29 any other function or activity sponsored or sanctioned by school officials or the district school  
30 board.

31 8. A person who commits the crime of unlawful use of weapons under:

32 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E  
33 felony;

34 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B  
35 misdemeanor, except when a concealed weapon is carried onto any private property whose owner  
36 has posted the premises as being off-limits to concealed firearms by means of one or more signs  
37 displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the  
38 writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of  
39 section 571.107 shall apply;

40 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A  
41 misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

42 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except  
43 that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to  
44 another person, it is a class A felony.

45 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

46 (1) For the first violation a person shall be sentenced to the maximum authorized term of  
47 imprisonment for a class B felony;

48 (2) For any violation by a prior offender as defined in section 558.016, a person shall be  
49 sentenced to the maximum authorized term of imprisonment for a class B felony without the

1 possibility of parole, probation or conditional release for a term of ten years;

2 (3) For any violation by a persistent offender as defined in section 558.016, a person shall  
3 be sentenced to the maximum authorized term of imprisonment for a class B felony without the  
4 possibility of parole, probation, or conditional release;

5 (4) For any violation which results in injury or death to another person, a person shall be  
6 sentenced to an authorized disposition for a class A felony.

7 10. Any person knowingly aiding or abetting any other person in the violation of  
8 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed  
9 by this section for violations by other persons.

10 11. Notwithstanding any other provision of law, no person who pleads guilty to or is found  
11 guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of  
12 sentence if such person has previously received a suspended imposition of sentence for any other  
13 firearms- or weapons-related felony offense.

14 12. As used in this section "qualified retired peace officer" means an individual who:

15 (1) Retired in good standing from service with a public agency as a peace officer, other than  
16 for reasons of mental instability;

17 (2) Before such retirement, was authorized by law to engage in or supervise the prevention,  
18 detection, investigation, or prosecution of, or the incarceration of any person for, any violation of  
19 law, and had statutory powers of arrest;

20 (3) Before such retirement, was regularly employed as a peace officer for an aggregate of  
21 fifteen years or more, or retired from service with such agency, after completing any applicable  
22 probationary period of such service, due to a service-connected disability, as determined by such  
23 agency;

24 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a  
25 plan is available;

26 (5) During the most recent twelve-month period, has met, at the expense of the individual,  
27 the standards for training and qualification for active peace officers to carry firearms;

28 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or  
29 substance; and

30 (7) Is not prohibited by federal law from receiving a firearm.

31 13. The identification required by subdivision (1) of subsection 2 of this section is:

32 (1) A photographic identification issued by the agency from which the individual retired  
33 from service as a peace officer that indicates that the individual has, not less recently than one year  
34 before the date the individual is carrying the concealed firearm, been tested or otherwise found by  
35 the agency to meet the standards established by the agency for training and qualification for active  
36 peace officers to carry a firearm of the same type as the concealed firearm; or

37 (2) A photographic identification issued by the agency from which the individual retired  
38 from service as a peace officer; and

39 (3) A certification issued by the state in which the individual resides that indicates that the  
40 individual has, not less recently than one year before the date the individual is carrying the  
41 concealed firearm, been tested or otherwise found by the state to meet the standards established by  
42 the state for training and qualification for active peace officers to carry a firearm of the same type as  
43 the concealed firearm."; and"; and

44 Further amend said amendment and page, Line 5, by inserting after said line the following:

45 "Further amend said bill, Page 20, Section 571.107, Lines 101 to 126, by deleting all of said lines  
46 and inserting in lieu thereof the following:

1           "~~(14) [Any church or other place of religious worship without the consent of the minister or~~  
2 ~~person or persons representing the religious organization that exercises control over the place of~~  
3 ~~religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal~~  
4 ~~offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on~~  
5 ~~the premises;~~

6           ~~(15)~~ Any private property whose owner has posted the premises as being off-limits to  
7 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum  
8 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch.  
9 The owner, business or commercial lessee, manager of a private business enterprise, or any other  
10 organization, entity, or person may prohibit persons holding a concealed carry permit or  
11 endorsement from carrying concealed firearms on the premises and may prohibit employees, not  
12 authorized by the employer, holding a concealed carry permit or endorsement from carrying  
13 concealed firearms on the property of the employer. If the building or the premises are open to the  
14 public, the employer of the business enterprise shall post signs on or about the premises if carrying a  
15 concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a  
16 criminal offense so long as the firearm is not removed from the vehicle or brandished while the  
17 vehicle is on the premises. An employer may prohibit employees or other persons holding a  
18 concealed carry permit or endorsement from carrying a concealed firearm in vehicles owned by the  
19 employer;

20           ~~[(16)]~~ (15) Any sports arena or stadium with a seating capacity of five thousand or more.  
21 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the  
22 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

23           ~~[(17)]~~ (16) Any hospital accessible by the public. Possession of a firearm in a vehicle on the  
24 premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the  
25 vehicle or brandished while the vehicle is on the premises."; and"; and

26  
27 Further amend said bill by amending the title, enacting clause, and intersectional references  
28 accordingly.

29  
30 THIS AMENDMENT AMENDS 3488H02.07H.