

SECOND REGULAR SESSION

HOUSE JOINT RESOLUTION NO. 178

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MERIDETH.

5680H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 23 of Article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to firearms.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next
2 following the first Monday in November, 2024, or at a special election to be called by the
3 governor for that purpose, there is hereby submitted to the qualified voters of this state, for
4 adoption or rejection, the following amendment to Article I of the Constitution of the state of
5 Missouri:

Section A. Section 23, Article I, Constitution of Missouri, is repealed and one new
2 section adopted in lieu thereof, to be known as Section 23, to read as follows:

Section 23. **1.** That the right of every citizen to keep and bear arms, ammunition, and
2 accessories typical to the normal function of such arms, in defense of his home, person,
3 family and property, or when lawfully summoned in aid of the civil power, shall not be
4 questioned. The rights guaranteed by this section shall be unalienable. Any restriction on
5 these rights shall be subject to strict scrutiny and the state of Missouri shall be obligated to
6 uphold these rights and shall under no circumstances decline to protect against their
7 infringement. Nothing in this section shall be construed to prevent the general assembly from
8 enacting general laws which limit the rights of convicted violent felons or those adjudicated
9 by a court to be a danger to self or others as result of a mental disorder or mental infirmity.

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.

10 **2. No transfer of ownership of a firearm shall be allowed unless the transfer is**
11 **approved or facilitated by a licensed firearms dealer so that the recipient of the transfer**
12 **is subjected to a background check. If the background check indicates the recipient of**
13 **the transfer may possess the firearm or if the background check is not completed within**
14 **a set number of days as provided by law, the transfer shall be allowed. If the**
15 **background check indicates that the recipient of the transfer cannot possess the firearm,**
16 **the transfer shall not be allowed and shall be deemed illegal.**

17 **3. Any political subdivision may enact local ordinances, upon approval by a**
18 **majority vote of the residents therein, imposing regulations or limits on the responsible**
19 **sale, possession, display, use, or storage of firearms within the boundaries of the political**
20 **subdivision; provided, however, that no such regulation or limit shall violate the Second**
21 **Amendment protection of the right to bear arms.**

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