

FIRST REGULAR SESSION  
[TRULY AGREED TO AND FINALLY PASSED]  
HOUSE COMMITTEE SUBSTITUTE FOR

# SENATE BILL NO. 75

97TH GENERAL ASSEMBLY

2013

0366H.02T

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## AN ACT

To repeal sections 50.535, 57.010, 57.100, 57.104, 221.070, 302.181, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 650.350, RSMo, and to enact in lieu thereof twenty-one new sections relating to public safety, with penalty provisions, and an emergency clause for certain sections.

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

Section A. Sections 50.535, 57.010, 57.100, 57.104, 221.070, 302.181, 571.030, 571.037, 571.101, 571.102, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, and 650.350, RSMo, are repealed and twenty-one new sections enacted in lieu thereof, to be known as sections 50.535, 57.010, 57.100, 57.104, 170.315, 171.410, 221.070, 221.102, 302.181, 571.011, 571.030, 571.037, 571.101, 571.104, 571.107, 571.111, 571.114, 571.117, 571.121, 571.500, and 650.350, to read as follows:

50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected pursuant to subsections [10 and 11] **11 and 12** of section 571.101 shall be deposited by the county treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be expended at the direction of the county or city sheriff or his or her designee as provided in this section.

2. No prior approval of the expenditures from this fund shall be required by the governing body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund be required before any expenditure is made by the sheriff from this fund. This fund shall only be used by law

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

11 enforcement agencies for the purchase of equipment, to provide training, and to  
12 make necessary expenditures to process applications for concealed carry  
13 [endorsements] **permits** or renewals, including but not limited to the purchase  
14 of equipment, information and data exchange, training, fingerprinting and  
15 background checks, employment of additional personnel, and any expenditure  
16 necessitated by an action under section 571.114 or 571.117. If the moneys  
17 collected and deposited into this fund are not totally expended annually, then the  
18 unexpended balance shall remain in said fund and the balance shall be kept in  
19 said fund to accumulate from year to year. This fund may be audited by the state  
20 auditor's office or the appropriate auditing agency.

21 3. Notwithstanding any provision of this section to the contrary, the  
22 sheriff of every county, regardless of classification, is authorized to pay, from the  
23 sheriff's revolving fund, all reasonable and necessary costs and expenses for  
24 activities or services occasioned by compliance with sections 571.101 to  
25 571.121. Such was the intent of the general assembly in original enactment of  
26 this section and sections 571.101 to 571.121, and it is made express by this  
27 section in light of the decision in *Brooks v. State of Missouri*, (Mo. Sup. Ct.  
28 February 26, 2004). The application and renewal fees to be charged pursuant to  
29 section 571.101 shall be based on the sheriff's good faith estimate, made during  
30 regular budgeting cycles, of the actual costs and expenses to be incurred by  
31 reason of compliance with sections 571.101 to 571.121. If the maximum fee  
32 permitted by section 571.101 is inadequate to cover the actual reasonable and  
33 necessary expenses in a given year, and there are not sufficient accumulated  
34 unexpended funds in the revolving fund, a sheriff may present specific and  
35 verified evidence of the unreimbursed expenses to the office of administration,  
36 which upon certification by the attorney general shall reimburse such sheriff for  
37 those expenses from an appropriation made for that purpose.

38 4. If pursuant to subsection [12] **13** of section 571.101, the sheriff of a  
39 county of the first classification designates one or more chiefs of police of any  
40 town, city, or municipality within such county to accept and process applications  
41 for [certificates of qualification to obtain a concealed carry endorsement]  
42 **concealed carry permits**, then that sheriff shall reimburse such chiefs of  
43 police, out of the moneys deposited into this fund, for any reasonable expenses  
44 related to accepting and processing such applications.

57.010. 1. At the general election to be held in 1948, and at each general  
2 election held every four years thereafter, the voters in every county in this state

3 shall elect some suitable person sheriff. No person shall be eligible for the office  
4 of sheriff who has been convicted of a felony. Such person shall be a resident  
5 taxpayer and elector of said county, shall have resided in said county for more  
6 than one whole year next before filing for said office and shall be a person capable  
7 of efficient law enforcement. When any person shall be elected sheriff, such  
8 person shall enter upon the discharge of the duties of such person's office as chief  
9 law enforcement officer of that county on the first day of January next succeeding  
10 said election.

11 2. [Beginning January 1, 2003, any] **No person shall be eligible for**  
12 **the office of** sheriff who does not hold a valid peace officer license pursuant to  
13 chapter 590 [shall refrain from personally executing any of the police powers of  
14 the office of sheriff, including but not limited to participation in the activities of  
15 arrest, detention, vehicular pursuit, search and interrogation. Nothing in this  
16 section shall prevent any sheriff from administering the execution of police  
17 powers through duly commissioned deputy sheriffs]. **Any person filing for the**  
18 **office of sheriff shall have a valid peace officer license at the time of**  
19 **filing for office.** This subsection shall not apply[:

20 (1) During the first twelve months of the first term of office of any sheriff  
21 who is eligible to become licensed as a peace officer and who intends to become  
22 so licensed within twelve months after taking office, except this subdivision shall  
23 not be effective beginning January 1, 2010; or

24 (2)] to the sheriff of any county of the first classification with a charter  
25 form of government with a population over nine hundred thousand **or of any**  
26 **city not within a county.**

57.100. 1. Every sheriff shall quell and suppress assaults and batteries,  
2 riots, routs, affrays and insurrections; shall apprehend and commit to jail all  
3 felons and traitors, and execute all process directed to him by legal authority,  
4 including writs of replevin, attachments and final process issued by circuit and  
5 associate circuit judges.

6 2. **Beginning January 1, 2014, every sheriff shall maintain, house,**  
7 **and issue concealed carry permits as specified under chapter 571.**

57.104. 1. The sheriff of any county of the first classification not having  
2 a charter form of government, **county of the second classification, county**  
3 **of the third classification, and county of the fourth classification** may  
4 employ an attorney at law to aid and advise him in the discharge of his duties  
5 and to represent him in court. The sheriff shall set the compensation for an

6 attorney hired pursuant to this section within the allocation made by the county  
7 commission to the sheriff's department for compensation of employees to be paid  
8 out of the general revenue fund of the county.

9 2. The attorney employed by a sheriff pursuant to subsection 1 of this  
10 section shall be employed at the pleasure of the sheriff.

**170.315. 1. There is hereby established the Active Shooter and  
2 Intruder Response Training for Schools Program (ASIRT). Each school  
3 district and charter school may, by July 1, 2014, include in its teacher  
4 and school employee training a component on how to properly respond  
5 to students who provide them with information about a threatening  
6 situation and how to address situations in which there is a potentially  
7 dangerous or armed intruder in the school. Training may also include  
8 information and techniques on how to address situations where an  
9 active shooter is present in the school or on school property.**

10 2. Each school district and charter school may conduct the  
11 training on an annual basis. If no formal training has previously  
12 occurred, the length of the training may be eight hours. The length of  
13 annual continuing training may be four hours.

14 3. All school personnel shall participate in a simulated active  
15 shooter and intruder response drill conducted and led by law  
16 enforcement professionals. Each drill may include an explanation of its  
17 purpose and a safety briefing. The training shall require each  
18 participant to know and understand how to respond in the event of an  
19 actual emergency on school property or at a school event. The drill  
20 may include:

21 (1) Allowing school personnel to respond to the simulated  
22 emergency in whatever way they have been trained or informed; and

23 (2) Allowing school personnel to attempt and implement new  
24 methods of responding to the simulated emergency based upon  
25 previously used unsuccessful methods of response.

26 4. All instructors for the program shall be certified by the  
27 department of public safety's peace officers standards training  
28 commission.

29 5. School districts and charter schools may consult and  
30 collaborate with law enforcement authorities, emergency response  
31 agencies, and other organizations and entities trained to deal with

32 active shooters or potentially dangerous or armed intruders.

33 6. Public schools shall foster an environment in which students  
34 feel comfortable sharing information they have regarding a potentially  
35 threatening or dangerous situation with a responsible adult.

171.410. 1. Each school district and charter school may annually  
2 teach the Eddie Eagle Gunsafe Program to first grade students. School  
3 districts and charter schools may also teach any substantially similar  
4 program of the same qualifications or any successor program in lieu of  
5 the Eddie Eagle Gunsafe Program.

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

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

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

17 5. School districts and charter schools may seek grant funding  
18 for the program from public, private, and non-profit entities.

221.070. 1. Every person who shall be committed to the common jail  
2 within any county in this state, by lawful authority, for any offense or  
3 misdemeanor, upon a plea of guilty or a finding of guilt for such offense, shall  
4 bear the expense of carrying him or her to said jail, and also his or her support  
5 while in jail, before he or she shall be discharged; and the property of such person  
6 shall be subjected to the payment of such expenses, and shall be bound therefor,  
7 from the time of his commitment, and may be levied on and sold, from time to  
8 time, under the order of the court having criminal jurisdiction in the county, to  
9 satisfy such expenses.

10 2. If a person has not paid all money owed to the county jail  
11 upon release from custody and has failed to enter into or honor an  
12 agreement with the sheriff to make payments toward such debt  
13 according to a repayment plan, the sheriff may certify the amount of  
14 the outstanding to the clerk of the court in which the case was

15 **determined. The circuit clerk shall report to the office of state courts**  
16 **administrator the debtor's full name, date of birth, and address and the**  
17 **amount the debtor owes to the county jail. If the person subsequently**  
18 **satisfies the debt to the county jail or begins making regular payments**  
19 **in accordance with an agreement entered into with the sheriff, the**  
20 **sheriff shall notify the circuit clerk who then shall notify the state**  
21 **courts administrator that the person shall no longer be considered**  
22 **delinquent.**

**221.102. 1. The sheriff of any county may establish and operate**  
2 **a canteen or commissary in the county jail for the use and benefit of**  
3 **the inmates, prisoners, and detainees.**

4 **2. Each county jail shall keep revenues received from its canteen**  
5 **or commissary in a separate account. The acquisition cost of goods sold**  
6 **and other expenses shall be paid from this account. A minimum**  
7 **amount of money necessary to meet cash flow needs and current**  
8 **operating expenses may be kept in this account. The remaining funds**  
9 **from sales of each canteen or commissary shall be deposited into the**  
10 **“Inmate Prisoner Detainee Security Fund” and shall be expended for**  
11 **the purposes provided in subsection 3 of section 488.5026. The**  
12 **provisions of section 33.080 to the contrary notwithstanding, the money**  
13 **in the inmate prisoner detainee security fund shall be retained for the**  
14 **purposes specified in section 488.5026 and shall not revert or be**  
15 **transferred to general revenue.**

302.181. 1. The license issued pursuant to the provisions of sections  
2 302.010 to 302.340 shall be in such form as the director shall prescribe, but the  
3 license shall be a card made of plastic or other comparable material. All licenses  
4 shall be manufactured of materials and processes that will prohibit, as nearly as  
5 possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any license  
6 without ready detection. All licenses shall bear the licensee's Social Security  
7 number, if the licensee has one, and if not, a notarized affidavit must be signed  
8 by the licensee stating that the licensee does not possess a Social Security  
9 number, or, if applicable, a certified statement must be submitted as provided in  
10 subsection 4 of this section. The license shall also bear the expiration date of the  
11 license, the classification of the license, the name, date of birth, residence address  
12 including the county of residence or a code number corresponding to such county  
13 established by the department, and brief description and colored photograph or

14 digitized image of the licensee, and a facsimile of the signature of the  
15 licensee. The director shall provide by administrative rule the procedure and  
16 format for a licensee to indicate on the back of the license together with the  
17 designation for an anatomical gift as provided in section 194.240 the name and  
18 address of the person designated pursuant to sections 404.800 to 404.865 as the  
19 licensee's attorney in fact for the purposes of a durable power of attorney for  
20 health care decisions. No license shall be valid until it has been so signed by the  
21 licensee. If any portion of the license is prepared by a private firm, any contract  
22 with such firm shall be made in accordance with the competitive purchasing  
23 procedures as established by the state director of the division of purchasing. For  
24 all licenses issued or renewed after March 1, 1992, the applicant's Social Security  
25 number shall serve as the applicant's license number. Where the licensee has no  
26 Social Security number, or where the licensee is issued a license without a Social  
27 Security number in accordance with subsection 4 of this section, the director shall  
28 issue a license number for the licensee and such number shall also include an  
29 indicator showing that the number is not a Social Security number.

30       2. All film involved in the production of photographs for licenses shall  
31 become the property of the department of revenue.

32       3. The license issued shall be carried at all times by the holder thereof  
33 while driving a motor vehicle, and shall be displayed upon demand of any officer  
34 of the highway patrol, or any police officer or peace officer, or any other duly  
35 authorized person, for inspection when demand is made therefor.  
36 Failure of any operator of a motor vehicle to exhibit his or her license to any duly  
37 authorized officer shall be presumptive evidence that such person is not a duly  
38 licensed operator.

39       4. The director of revenue shall issue a commercial or noncommercial  
40 driver's license without a Social Security number to an applicant therefor, who  
41 is otherwise qualified to be licensed, upon presentation to the director of a  
42 certified statement that the applicant objects to the display of the Social Security  
43 number on the license. The director shall assign an identification number, that  
44 is not based on a Social Security number, to the applicant which shall be  
45 displayed on the license in lieu of the Social Security number.

46       5. The director of revenue shall not issue a license without a facial  
47 photograph or digital image of the license applicant, except as provided pursuant  
48 to subsection 8 of this section. A photograph or digital image of the applicant's  
49 full facial features shall be taken in a manner prescribed by the director. No

50 photograph or digital image will be taken wearing anything which cloaks the  
51 facial features of the individual.

52           6. The department of revenue may issue a temporary license or a full  
53 license without the photograph or with the last photograph or digital image in the  
54 department's records to members of the Armed Forces, except that where such  
55 temporary license is issued it shall be valid only until the applicant shall have  
56 had time to appear and have his or her picture taken and a license with his or  
57 her photograph issued.

58           7. The department of revenue shall issue upon request a nondriver's  
59 license card containing essentially the same information and photograph or  
60 digital image, except as provided pursuant to subsection 8 of this section, as the  
61 driver's license upon payment of six dollars. All nondriver's licenses shall expire  
62 on the applicant's birthday in the sixth year after issuance. A person who has  
63 passed his or her seventieth birthday shall upon application be issued a  
64 nonexpiring nondriver's license card. Notwithstanding any other provision of this  
65 chapter, a nondriver's license containing a concealed carry endorsement shall  
66 expire three years from the date the certificate of qualification was issued  
67 pursuant to section 571.101, **as section 571.101 existed prior to August 28,**  
68 **2013.** The fee for nondriver's licenses issued for a period exceeding three years  
69 is six dollars or three dollars for nondriver's licenses issued for a period of three  
70 years or less. The nondriver's license card shall be used for identification  
71 purposes only and shall not be valid as a license.

72           8. If otherwise eligible, an applicant may receive a driver's license or  
73 nondriver's license without a photograph or digital image of the applicant's full  
74 facial features except that such applicant's photograph or digital image shall be  
75 taken and maintained by the director and not printed on such license.  
76 In order to qualify for a license without a photograph or digital image pursuant  
77 to this section the applicant must:

78           (1) Present a form provided by the department of revenue requesting the  
79 applicant's photograph be omitted from the license or nondriver's license due to  
80 religious affiliations. The form shall be signed by the applicant and another  
81 member of the religious tenant verifying the photograph or digital image  
82 exemption on the license or nondriver's license is required as part of their  
83 religious affiliation. The required signatures on the prescribed form shall be  
84 properly notarized;

85           (2) Provide satisfactory proof to the director that the applicant has been

86 a [U.S.] **United States** citizen for at least five years and a resident of this state  
87 for at least one year, except that an applicant moving to this state possessing a  
88 valid driver's license from another state without a photograph shall be exempt  
89 from the one-year state residency requirement. The director may establish rules  
90 necessary to determine satisfactory proof of citizenship and residency pursuant  
91 to this section;

92 (3) Applications for a driver's license or nondriver's license without a  
93 photograph or digital image must be made in person at a license office  
94 determined by the director. The director is authorized to limit the number of  
95 offices that may issue a driver's or nondriver's license without a photograph or  
96 digital image pursuant to this section.

97 9. The department of revenue shall make available, at one or more  
98 locations within the state, an opportunity for individuals to have their full facial  
99 photograph taken by an employee of the department of revenue, or their designee,  
100 who is of the same sex as the individual being photographed, in a segregated  
101 location.

102 10. Beginning July 1, 2005, the director shall not issue a driver's license  
103 or a nondriver's license for a period that exceeds an applicant's lawful presence  
104 in the United States. The director may, by rule or regulation, establish  
105 procedures to verify the lawful presence of the applicant and establish the  
106 duration of any driver's license or nondriver's license issued under this section.

107 11. No rule or portion of a rule promulgated pursuant to the authority of  
108 this chapter shall become effective unless it is promulgated pursuant to the  
109 provisions of chapter 536.

**571.011. 1. Any records of ownership of a firearm or applications  
2 for ownership, licensing, certification, permitting, or an endorsement  
3 that allows a person to own, acquire, possess, or carry a firearm shall  
4 not be open records under chapter 610 and shall not be open for  
5 inspection or their contents disclosed except by order of the court to  
6 persons having a legitimate interest therein.**

**7 2. Any person or entity who violates the provisions of this  
8 section is guilty of a class A misdemeanor.**

571.030. 1. A person commits the crime of unlawful use of weapons if he  
2 or she knowingly:

3 (1) Carries concealed upon or about his or her person a knife, a firearm,  
4 a blackjack or any other weapon readily capable of lethal use; or

- 5           (2) Sets a spring gun; or
- 6           (3) Discharges or shoots a firearm into a dwelling house, a railroad train,  
7 boat, aircraft, or motor vehicle as defined in section 302.010, or any building or  
8 structure used for the assembling of people; or
- 9           (4) Exhibits, in the presence of one or more persons, any weapon readily  
10 capable of lethal use in an angry or threatening manner; or
- 11           (5) Has a firearm or projectile weapon readily capable of lethal use on his  
12 or her person, while he or she is intoxicated, and handles or otherwise uses such  
13 firearm or projectile weapon in either a negligent or unlawful manner or  
14 discharges such firearm or projectile weapon unless acting in self-defense; **or**
- 15           (6) Discharges a firearm within one hundred yards of any occupied  
16 schoolhouse, courthouse, or church building; or
- 17           (7) Discharges or shoots a firearm at a mark, at any object, or at random,  
18 on, along or across a public highway or discharges or shoots a firearm into any  
19 outbuilding; or
- 20           (8) Carries a firearm or any other weapon readily capable of lethal use  
21 into any church or place where people have assembled for worship, or into any  
22 election precinct on any election day, or into any building owned or occupied by  
23 any agency of the federal government, state government, or political subdivision  
24 thereof; or
- 25           (9) Discharges or shoots a firearm at or from a motor vehicle, as defined  
26 in section 301.010, discharges or shoots a firearm at any person, or at any other  
27 motor vehicle, or at any building or habitable structure, unless the person was  
28 lawfully acting in self-defense; or
- 29           (10) Carries a firearm, whether loaded or unloaded, or any other weapon  
30 readily capable of lethal use into any school, onto any school bus, or onto the  
31 premises of any function or activity sponsored or sanctioned by school officials or  
32 the district school board.

33           2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not  
34 apply to the persons described in this subsection, regardless of whether such uses  
35 are reasonably associated with or are necessary to the fulfillment of such person's  
36 official duties except as otherwise provided in this subsection. Subdivisions (3),  
37 (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any  
38 of the following persons, when such uses are reasonably associated with or are  
39 necessary to the fulfillment of such person's official duties, except as otherwise  
40 provided in this subsection:

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

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

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

56 (4) Those persons vested by article V, section 1 of the Constitution of  
57 Missouri with the judicial power of the state and those persons vested by Article  
58 III of the Constitution of the United States with the judicial power of the United  
59 States, the members of the federal judiciary;

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

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

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

68 (8) Any corporate security advisor meeting the definition and fulfilling the  
69 requirements of the regulations established by the board of police commissioners  
70 under section 84.340;

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

73 (10) Any prosecuting attorney or assistant prosecuting attorney or any  
74 circuit attorney or assistant circuit attorney who has completed the firearms  
75 safety training course required under subsection 2 of section 571.111; and

76 (11) Any member of a fire department or fire protection district who is

77 employed on a full-time basis as a fire investigator and who has a valid concealed  
78 carry endorsement **issued prior to August 28, 2013, or a valid concealed**  
79 **carry permit** under section 571.111 when such uses are reasonably associated  
80 with or are necessary to the fulfillment of such person's official duties.

81           3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not  
82 apply when the actor is transporting such weapons in a nonfunctioning state or  
83 in an unloaded state when ammunition is not readily accessible or when such  
84 weapons are not readily accessible. Subdivision (1) of subsection 1 of this section  
85 does not apply to any person twenty-one years of age or older or eighteen years  
86 of age or older and a member of the United States Armed Forces, or honorably  
87 discharged from the United States Armed Forces, transporting a concealable  
88 firearm in the passenger compartment of a motor vehicle, so long as such  
89 concealable firearm is otherwise lawfully possessed, nor when the actor is also in  
90 possession of an exposed firearm or projectile weapon for the lawful pursuit of  
91 game, or is in his or her dwelling unit or upon premises over which the actor has  
92 possession, authority or control, or is traveling in a continuous journey peaceably  
93 through this state. Subdivision (10) of subsection 1 of this section does not apply  
94 if the firearm is otherwise lawfully possessed by a person while traversing school  
95 premises for the purposes of transporting a student to or from school, or  
96 possessed by an adult for the purposes of facilitation of a school-sanctioned  
97 firearm-related event or club event.

98           4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not  
99 apply to any person who has a valid concealed carry [endorsement] **permit**  
100 issued pursuant to sections 571.101 to 571.121, **a valid concealed carry**  
101 **endorsement issued before August 28, 2013**, or a valid permit or  
102 endorsement to carry concealed firearms issued by another state or political  
103 subdivision of another state.

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

107           6. Nothing in this section shall make it unlawful for a student to actually  
108 participate in school-sanctioned gun safety courses, student military or ROTC  
109 courses, or other school-sponsored or club-sponsored firearm-related events,  
110 provided the student does not carry a firearm or other weapon readily capable of  
111 lethal use into any school, onto any school bus, or onto the premises of any other  
112 function or activity sponsored or sanctioned by school officials or the district

113 school board.

114           7. Unlawful use of weapons is a class D felony unless committed pursuant  
115 to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a  
116 class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in  
117 which case it is a class A misdemeanor if the firearm is unloaded and a class D  
118 felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section,  
119 in which case it is a class B felony, except that if the violation of subdivision (9)  
120 of subsection 1 of this section results in injury or death to another person, it is  
121 a class A felony.

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

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

126           (2) For any violation by a prior offender as defined in section 558.016, a  
127 person shall be sentenced to the maximum authorized term of imprisonment for  
128 a class B felony without the possibility of parole, probation or conditional release  
129 for a term of ten years;

130           (3) For any violation by a persistent offender as defined in section  
131 558.016, a person shall be sentenced to the maximum authorized term of  
132 imprisonment for a class B felony without the possibility of parole, probation, or  
133 conditional release;

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

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

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

144           11. As used in this section "qualified retired peace officer" means an  
145 individual who:

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

148           (2) Before such retirement, was authorized by law to engage in or

149 supervise the prevention, detection, investigation, or prosecution of, or the  
150 incarceration of any person for, any violation of law, and had statutory powers of  
151 arrest;

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

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

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

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

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

164 12. The identification required by subdivision (1) of subsection 2 of this  
165 section is:

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

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

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

571.037. Any person who has a valid concealed carry endorsement **issued**  
2 **prior to August 28, 2013, or a valid concealed carry permit**, and who is  
3 lawfully carrying a firearm in a concealed manner, may briefly and openly display  
4 the firearm to the ordinary sight of another person, unless the firearm is  
5 intentionally displayed in an angry or threatening manner, not in necessary self

6 defense.

571.101. 1. All applicants for concealed carry [endorsements] **permits**  
2 issued pursuant to subsection 7 of this section must satisfy the requirements of  
3 sections 571.101 to 571.121. If the said applicant can show qualification as  
4 provided by sections 571.101 to 571.121, the county or city sheriff shall issue a  
5 [certificate of qualification for a concealed carry endorsement. Upon receipt of  
6 such certificate, the certificate holder shall apply for a driver's license or  
7 nondriver's license with the director of revenue in order to obtain a concealed  
8 carry endorsement. Any person who has been issued a concealed carry  
9 endorsement on a driver's license or nondriver's license and such endorsement or  
10 license has not been suspended, revoked, cancelled, or denied may carry concealed  
11 firearms on or about his or her person or within a vehicle] **concealed carry**  
12 **permit authorizing the carrying of a concealed firearm on or about the**  
13 **applicant's person or within a vehicle.** A concealed carry [endorsement]  
14 **permit** shall be valid for a period of [three] **five** years from the date of issuance  
15 or renewal. The concealed carry [endorsement] **permit** is valid throughout this  
16 state. **A concealed carry endorsement issued prior to August 28, 2013,**  
17 **shall continue for a period of three years from the date of issuance or**  
18 **renewal to authorize the carrying of a concealed firearm on or about**  
19 **the applicant's person or within a vehicle in the same manner as a**  
20 **concealed carry permit issued under subsection 7 of this section on or**  
21 **after August 28, 2013.**

22 2. A [certificate of qualification for a concealed carry endorsement]  
23 **concealed carry permit** issued pursuant to subsection 7 of this section shall  
24 be issued by the sheriff or his or her designee of the county or city in which the  
25 applicant resides, if the applicant:

26 (1) Is at least twenty-one years of age, is a citizen **or permanent**  
27 **resident** of the United States and either:

28 (a) Has assumed residency in this state; or

29 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse  
30 of such member of the military;

31 (2) Is at least twenty-one years of age, or is at least eighteen years of age  
32 and a member of the United States Armed Forces or honorably discharged from  
33 the United States Armed Forces, and is a citizen of the United States and either:

34 (a) Has assumed residency in this state;

35 (b) Is a member of the Armed Forces stationed in Missouri; or

36 (c) The spouse of such member of the military stationed in Missouri and  
37 twenty-one years of age;

38 (3) Has not pled guilty to or entered a plea of nolo contendere or been  
39 convicted of a crime punishable by imprisonment for a term exceeding one year  
40 under the laws of any state or of the United States other than a crime classified  
41 as a misdemeanor under the laws of any state and punishable by a term of  
42 imprisonment of [one year] **two years** or less that does not involve an explosive  
43 weapon, firearm, firearm silencer or gas gun;

44 (4) Has not been convicted of, pled guilty to or entered a plea of nolo  
45 contendere to one or more misdemeanor offenses involving crimes of violence  
46 within a five-year period immediately preceding application for a [certificate of  
47 qualification for a concealed carry endorsement] **concealed carry permit** or if  
48 the applicant has not been convicted of two or more misdemeanor offenses  
49 involving driving while under the influence of intoxicating liquor or drugs or the  
50 possession or abuse of a controlled substance within a five-year period  
51 immediately preceding application for a [certificate of qualification for a concealed  
52 carry endorsement] **concealed carry permit**;

53 (5) Is not a fugitive from justice or currently charged in an information  
54 or indictment with the commission of a crime punishable by imprisonment for a  
55 term exceeding one year under the laws of any state of the United States other  
56 than a crime classified as a misdemeanor under the laws of any state and  
57 punishable by a term of imprisonment of two years or less that does not involve  
58 an explosive weapon, firearm, firearm silencer, or gas gun;

59 (6) Has not been discharged under dishonorable conditions from the  
60 United States Armed Forces;

61 (7) Has not engaged in a pattern of behavior, documented in public **or**  
62 **closed** records, that causes the sheriff to have a reasonable belief that the  
63 applicant presents a danger to himself or others;

64 (8) Is not adjudged mentally incompetent at the time of application or for  
65 five years prior to application, or has not been committed to a mental health  
66 facility, as defined in section 632.005, or a similar institution located in another  
67 state following a hearing at which the defendant was represented by counsel or  
68 a representative;

69 (9) Submits a completed application for a [certificate of qualification]  
70 **permit** as described in subsection 3 of this section;

71 (10) Submits an affidavit attesting that the applicant complies with the

72 concealed carry safety training requirement pursuant to subsections 1 and 2 of  
73 section 571.111;

74 (11) Is not the respondent of a valid full order of protection which is still  
75 in effect;

76 **(12) Is not otherwise prohibited from possessing a firearm under**  
77 **section 571.070 or 18 U.S.C. 922(g).**

78 3. The application for a [certificate of qualification for a concealed carry  
79 endorsement] **concealed carry permit** issued by the sheriff of the county of the  
80 applicant's residence shall contain only the following information:

81 (1) The applicant's name, address, telephone number, gender, [and] date  
82 and place of birth, **and, if the applicant is not a United States citizen, the**  
83 **applicant's country of citizenship and any alien or admission number**  
84 **issued by the Federal Bureau of Customs and Immigration Enforcement**  
85 **or any successor agency;**

86 (2) An affirmation that the applicant has assumed residency in Missouri  
87 or is a member of the Armed Forces stationed in Missouri or the spouse of such  
88 a member of the Armed Forces and is a citizen **or permanent resident** of the  
89 United States;

90 (3) An affirmation that the applicant is at least twenty-one years of age  
91 or is eighteen years of age or older and a member of the United States Armed  
92 Forces or honorably discharged from the United States Armed Forces;

93 (4) An affirmation that the applicant has not pled guilty to or been  
94 convicted of a crime punishable by imprisonment for a term exceeding one year  
95 under the laws of any state or of the United States other than a crime classified  
96 as a misdemeanor under the laws of any state and punishable by a term of  
97 imprisonment of [one year] **two years** or less that does not involve an explosive  
98 weapon, firearm, firearm silencer, or gas gun;

99 (5) An affirmation that the applicant has not been convicted of, pled guilty  
100 to, or entered a plea of nolo contendere to one or more misdemeanor offenses  
101 involving crimes of violence within a five-year period immediately preceding  
102 application for a [certificate of qualification to obtain a concealed carry  
103 endorsement] **permit** or if the applicant has not been convicted of two or more  
104 misdemeanor offenses involving driving while under the influence of intoxicating  
105 liquor or drugs or the possession or abuse of a controlled substance within a  
106 five-year period immediately preceding application for a [certificate of  
107 qualification to obtain a concealed carry endorsement] **permit;**

108 (6) An affirmation that the applicant is not a fugitive from justice or  
109 currently charged in an information or indictment with the commission of a crime  
110 punishable by imprisonment for a term exceeding one year under the laws of any  
111 state or of the United States other than a crime classified as a misdemeanor  
112 under the laws of any state and punishable by a term of imprisonment of two  
113 years or less that does not involve an explosive weapon, firearm, firearm silencer  
114 or gas gun;

115 (7) An affirmation that the applicant has not been discharged under  
116 dishonorable conditions from the United States Armed Forces;

117 (8) An affirmation that the applicant is not adjudged mentally  
118 incompetent at the time of application or for five years prior to application, or has  
119 not been committed to a mental health facility, as defined in section 632.005, or  
120 a similar institution located in another state, except that a person whose release  
121 or discharge from a facility in this state pursuant to chapter 632, or a similar  
122 discharge from a facility in another state, occurred more than five years ago  
123 without subsequent recommitment may apply;

124 (9) An affirmation that the applicant has received firearms safety training  
125 that meets the standards of applicant firearms safety training defined in  
126 subsection 1 or 2 of section 571.111;

127 (10) An affirmation that the applicant, to the applicant's best knowledge  
128 and belief, is not the respondent of a valid full order of protection which is still  
129 in effect; [and]

130 (11) A conspicuous warning that false statements made by the applicant  
131 will result in prosecution for perjury pursuant to the laws of the state of  
132 Missouri; **and**

133 **(12) A government-issued photo identification. This photograph**  
134 **shall not be included on the permit and shall only be used to verify the**  
135 **person's identity for permit renewal, or for the issuance of a new**  
136 **permit due to change of address, or for a lost or destroyed permit.**

137 4. An application for a [certificate of qualification for a concealed carry  
138 endorsement] **concealed carry permit** shall be made to the sheriff of the  
139 county or any city not within a county in which the applicant resides. An  
140 application shall be filed in writing, signed under oath and under the penalties  
141 of perjury, and shall state whether the applicant complies with each of the  
142 requirements specified in subsection 2 of this section. In addition to the  
143 completed application, the applicant for a [certificate of qualification for a

144 concealed carry endorsement] **concealed carry permit** must also submit the  
145 following:

146 (1) A photocopy of a firearms safety training certificate of completion or  
147 other evidence of completion of a firearms safety training course that meets the  
148 standards established in subsection 1 or 2 of section 571.111; and

149 (2) A nonrefundable [certificate of qualification] **permit** fee as provided  
150 by subsection [10] **11** or [11] **12** of this section.

151 5. **(1)** Before an application for a [certificate of qualification for a  
152 concealed carry endorsement] **concealed carry permit** is approved, the sheriff  
153 shall make only such inquiries as he or she deems necessary into the accuracy of  
154 the statements made in the application. The sheriff may require that the  
155 applicant display a Missouri driver's license or nondriver's license or military  
156 identification and orders showing the person being stationed in Missouri. In  
157 order to determine the applicant's suitability for a [certificate of qualification for  
158 a concealed carry endorsement] **concealed carry permit**, the applicant shall  
159 be fingerprinted. **No other biometric data shall be collected from the**  
160 **applicant.** The sheriff shall request a criminal background check, **including**  
161 **an inquiry of the National Instant Criminal Background Check System,**  
162 through the appropriate law enforcement agency within three working days after  
163 submission of the properly completed application for a [certificate of qualification  
164 for a concealed carry endorsement] **concealed carry permit**. If no  
165 disqualifying record is identified by [the fingerprint check] **these checks** at the  
166 state level, the fingerprints shall be forwarded to the Federal Bureau of  
167 Investigation for a national criminal history record check. Upon receipt of the  
168 completed background [check] **checks**, the sheriff shall **examine the results**  
169 **and, if no disqualifying information is identified, shall** issue a [certificate  
170 of qualification for a concealed carry endorsement] **concealed carry permit**  
171 within three working days. [The sheriff shall issue the certificate within  
172 forty-five calendar days if the criminal background check has not been received,  
173 provided that the sheriff shall revoke any such certificate and endorsement  
174 within twenty-four hours of receipt of any background check that results in a  
175 disqualifying record, and shall notify the department of revenue.]

176 **(2) In the event the background checks prescribed by subdivision**  
177 **(1) of this section are not completed within forty-five calendar days and**  
178 **no disqualifying information concerning the applicant has otherwise**  
179 **come to the sheriff's attention, the sheriff shall issue a provisional**

180 permit, clearly designated on the certificate as such, which the  
181 applicant shall sign in the presence of the sheriff or the sheriff's  
182 designee. This permit, when carried with a valid Missouri driver's or  
183 nondriver's license or a valid military identification, shall permit the  
184 applicant to exercise the same rights in accordance with the same  
185 conditions as pertain to a concealed carry permit issued under this  
186 section, provided that it shall not serve as an alternative to an National  
187 Instant Criminal background check required by 18 U.S.C. 922(t). The  
188 provisional permit shall remain valid until such time as the sheriff  
189 either issues or denies the certificate of qualification under subsection  
190 6 or 7. The sheriff shall revoke a provisional permit issued under this  
191 subsection within twenty-four hours of receipt of any background  
192 check that identifies a disqualifying record, and shall notify the  
193 Missouri uniform law enforcement system. The revocation of a  
194 provisional permit issued under this section shall be proscribed in a  
195 manner consistent to the denial and review of an application under  
196 subsection 6 of this section.

197         6. The sheriff may refuse to approve an application for a [certificate of  
198 qualification for a concealed carry endorsement] **concealed carry permit** if he  
199 or she determines that any of the requirements specified in subsection 2 of this  
200 section have not been met, or if he or she has a substantial and demonstrable  
201 reason to believe that the applicant has rendered a false statement regarding any  
202 of the provisions of sections 571.101 to 571.121. If the applicant is found to be  
203 ineligible, the sheriff is required to deny the application, and notify the applicant  
204 in writing, stating the grounds for denial and informing the applicant of the right  
205 to submit, within thirty days, any additional documentation relating to the  
206 grounds of the denial. Upon receiving any additional documentation, the sheriff  
207 shall reconsider his or her decision and inform the applicant within thirty days  
208 of the result of the reconsideration. The applicant shall further be informed in  
209 writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of  
210 section 571.114. After two additional reviews and denials by the sheriff, the  
211 person submitting the application shall appeal the denial pursuant to subsections  
212 2, 3, 4, and 5 of section 571.114.

213         7. If the application is approved, the sheriff shall issue a [certificate of  
214 qualification for a concealed carry endorsement] **concealed carry permit** to the  
215 applicant within a period not to exceed three working days after his or her

216 approval of the application. The applicant shall sign the [certificate of  
217 qualification] **concealed carry permit** in the presence of the sheriff or his or  
218 her designee and shall within seven days of receipt of the certificate of  
219 qualification take the certificate of qualification to the department of  
220 revenue. Upon verification of the certificate of qualification and completion of a  
221 driver's license or nondriver's license application pursuant to chapter 302, the  
222 director of revenue shall issue a new driver's license or nondriver's license with  
223 an endorsement which identifies that the applicant has received a certificate of  
224 qualification to carry concealed weapons issued pursuant to sections 571.101 to  
225 571.121 if the applicant is otherwise qualified to receive such driver's license or  
226 nondriver's license. Notwithstanding any other provision of chapter 302, a  
227 nondriver's license with a concealed carry endorsement shall expire three years  
228 from the date the certificate of qualification was issued pursuant to this section.  
229 [The requirements for the director of revenue to issue a concealed carry  
230 endorsement pursuant to this subsection shall not be effective until July 1, 2004,  
231 and the certificate of qualification issued by a county sheriff pursuant to  
232 subsection 1 of this section shall allow the person issued such certificate to carry  
233 a concealed weapon pursuant to the requirements of subsection 1 of section  
234 571.107 in lieu of the concealed carry endorsement issued by the director of  
235 revenue from October 11, 2003, until the concealed carry endorsement is issued  
236 by the director of revenue on or after July 1, 2004, unless such certificate of  
237 qualification has been suspended or revoked for cause.]

238 **8. The concealed carry permit shall specify only the following**  
239 **information:**

240 **(1) Name, address, date of birth, gender, height, weight, color of**  
241 **hair, color of eyes, and signature of the permit holder;**

242 **(2) The signature of the sheriff issuing the permit;**

243 **(3) The date of issuance; and**

244 **(4) The expiration date.**

245 **The permit shall be no larger than two inches wide by three and one-**  
246 **fourth inches long and shall be of a uniform style prescribed by the**  
247 **department of public safety. The permit shall also be assigned a**  
248 **Missouri uniform law enforcement system county code and shall be**  
249 **stored in sequential number.**

250 **9. (1) The sheriff shall keep a record of all applications for a [certificate**  
251 **of qualification for a concealed carry endorsement] concealed carry permit or**

252 a **provisional permit** and his or her action thereon. **Any record of an**  
253 **application that is incomplete or denied for any reason shall be kept**  
254 **for a period not to exceed one year. Any record of an application that**  
255 **was approved shall be kept for a period of one year after the expiration**  
256 **and non-renewal of the permit. Beginning August 28, 2013, the**  
257 **department of revenue shall not keep any record of an application for**  
258 **a concealed carry permit. Any information collected by the department**  
259 **of revenue related to an application for a concealed carry endorsement**  
260 **prior to August 28, 2013, shall be given to the members of MoSMART,**  
261 **created under section 650.350, for the dissemination of the information**  
262 **to the sheriff of any county or city not within a county in which the**  
263 **applicant resides to keep in accordance with the provisions of this**  
264 **subsection.**

265 (2) The sheriff shall report the issuance of a [certificate of qualification]  
266 **concealed carry permit or provisional permit** to the Missouri uniform law  
267 enforcement system. All information on any such [certificate] **permit** that is  
268 protected information on any driver's or nondriver's license shall have the same  
269 personal protection for purposes of sections 571.101 to 571.121. An applicant's  
270 status as a holder of a [certificate of qualification] **concealed carry permit,**  
271 **provisional permit,** or a concealed carry endorsement **issued prior to August**  
272 **28, 2013,** shall not be public information and shall be considered personal  
273 protected information. **Information retained under this subsection shall**  
274 **not be batch processed for query and shall only be made available for**  
275 **a single entry query of an individual in the event the individual is a**  
276 **subject of interest in an active criminal investigation or is arrested for**  
277 **a crime.**

278 Any person who violates the provisions of this subsection by disclosing protected  
279 information shall be guilty of a class A misdemeanor.

280 [9.] 10. Information regarding any holder of a [certificate of qualification]  
281 **concealed carry permit,** or a concealed carry endorsement **issued prior to**  
282 **August 28, 2013,** is a closed record. **No bulk download or batch data shall**  
283 **be preformed or distributed to any federal, state, or private entity,**  
284 **except to MoSMART as provided under subsection 9 of this**  
285 **section. Any state agency that has retained any documents or records,**  
286 **including fingerprint records provided by an applicant for a concealed**  
287 **carry endorsement prior to August 28, 2013, shall destroy such**

288 **documents or records, upon successful issuance of a permit.**

289 [10.] **11.** For processing an application for a [certificate of qualification  
290 for a concealed carry endorsement] **concealed carry permit** pursuant to  
291 sections 571.101 to 571.121, the sheriff in each county shall charge a  
292 nonrefundable fee not to exceed one hundred dollars which shall be paid to the  
293 treasury of the county to the credit of the sheriff's revolving fund.

294 [11.] **12.** For processing a renewal for a [certificate of qualification for a  
295 concealed carry endorsement] **concealed carry permit** pursuant to sections  
296 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee  
297 not to exceed fifty dollars which shall be paid to the treasury of the county to the  
298 credit of the sheriff's revolving fund.

299 [12.] **13.** For the purposes of sections 571.101 to 571.121, the term  
300 "sheriff" shall include the sheriff of any county or city not within a county or his  
301 or her designee and in counties of the first classification the sheriff may designate  
302 the chief of police of any city, town, or municipality within such county.

303 **14. For the purposes of this chapter, "concealed carry permit"**  
304 **shall include any concealed carry endorsement issued by the**  
305 **department of revenue before January 1, 2014 and any concealed carry**  
306 **document issued by any sheriff or under the authority of any sheriff**  
307 **after December 31, 2013.**

571.104. 1. (1) A concealed carry [endorsement] **permit** issued pursuant  
2 to sections 571.101 to 571.121, **and, if applicable, a concealed carry**  
3 **endorsement issued prior to August 28, 2013**, shall be suspended or revoked  
4 if the concealed carry **permit or** endorsement holder becomes ineligible for such  
5 [concealed carry] **permit or** endorsement under the criteria established in  
6 subdivisions (2), (3), (4), (5), [and] (7), **and (11)** of subsection 2 of section 571.101  
7 or upon the issuance of a valid full order of protection.

8 (2) When a valid full order of protection, or any arrest warrant, discharge,  
9 or commitment for the reasons listed in subdivision (2), (3), (4), (5), [or] (7), **or**  
10 **(11)** of subsection 2 of section 571.101, is issued against a person holding a  
11 concealed carry [endorsement] **permit** issued pursuant to sections 571.101 to  
12 571.121, **or a concealed carry endorsement issued prior to August 28,**  
13 **2013**, upon notification of said order, warrant, discharge or commitment or upon  
14 an order of a court of competent jurisdiction in a criminal proceeding, a  
15 commitment proceeding or a full order of protection proceeding ruling that a  
16 person holding a concealed carry **permit or** endorsement presents a risk of harm

17 to themselves or others, then upon notification of such order, the holder of the  
18 concealed carry **permit or** endorsement shall surrender the **permit, and, if**  
19 **applicable, the** driver's license or nondriver's license containing the concealed  
20 carry endorsement to the court, [to the] officer, or other official serving the order,  
21 warrant, discharge, or commitment.

22 (3) **In cases involving a concealed carry endorsement issued prior**  
23 **to August 28, 2013,** the official to whom the driver's license or nondriver's  
24 license containing the concealed carry endorsement is surrendered shall issue a  
25 receipt to the licensee for the license upon a form, approved by the director of  
26 revenue, that serves as a driver's license or a nondriver's license and clearly  
27 states the concealed carry endorsement has been suspended. The official shall  
28 then transmit the driver's license or a nondriver's license containing the  
29 concealed carry endorsement to the circuit court of the county issuing the order,  
30 warrant, discharge, or commitment. The concealed carry [endorsement] **permit**  
31 issued pursuant to sections 571.101 to 571.121, **and, if applicable, the**  
32 **concealed carry endorsement issued prior to August 28, 2013,** shall be  
33 suspended until the order is terminated or until the arrest results in a dismissal  
34 of all charges. Upon dismissal, the court holding the **permit and, if**  
35 **applicable, the** driver's license or nondriver's license containing the concealed  
36 carry endorsement shall return [it] **such permit or license** to the individual.

37 (4) Any conviction, discharge, or commitment specified in sections 571.101  
38 to 571.121 shall result in a revocation. Upon conviction, the court shall forward  
39 a notice of conviction or action and the **permit to the issuing county sheriff.**  
40 **If a concealed carry endorsement issued prior to August 28, 2013, is**  
41 **revoked, the court shall forward the notice and the** driver's license or  
42 nondriver's license with the concealed carry endorsement to the department of  
43 revenue. The department of revenue shall notify the sheriff of the county which  
44 issued the certificate of qualification for a concealed carry endorsement  
45 [and]. **The sheriff who issued the concealed carry permit, or the**  
46 **certificate of qualification prior to August 28, 2013,** shall report the change  
47 in status of the concealed carry **permit or** endorsement to the Missouri uniform  
48 law enforcement system. The director of revenue shall immediately remove the  
49 endorsement issued [pursuant to sections 571.101 to 571.121] **prior to August**  
50 **28, 2013,** from the individual's driving record within three days of the receipt of  
51 the notice from the court. The director of revenue shall notify the licensee that  
52 he or she must apply for a new license pursuant to chapter 302 which does not

53 contain such endorsement. This requirement does not affect the driving  
54 privileges of the licensee. The notice issued by the department of revenue shall  
55 be mailed to the last known address shown on the individual's driving  
56 record. The notice is deemed received three days after mailing.

57         2. A concealed carry [endorsement] **permit** shall be renewed for a  
58 qualified applicant upon receipt of the properly completed renewal application  
59 and the required renewal fee by the sheriff of the county of the applicant's  
60 residence. The renewal application shall contain the same required information  
61 as set forth in subsection 3 of section 571.101, except that in lieu of the  
62 fingerprint requirement of subsection 5 of section 571.101 and the firearms safety  
63 training, the applicant need only display his or her current [driver's license or  
64 nondriver's license containing a] concealed carry [endorsement] **permit**. [Upon  
65 successful completion of] **A name-based background check, including an**  
66 **inquiry of the National Instant Criminal Background Check System,**  
67 **shall be completed for each renewal application. The sheriff shall**  
68 **review the results of the background check, and when the sheriff has**  
69 **determined the applicant has successfully completed** all renewal  
70 requirements **and is not disqualified under any provision of section**  
71 **571.101,** the sheriff shall issue a [certificate of qualification] **new concealed**  
72 **carry permit** which contains the date such [certificate] **permit** was  
73 renewed. **The process for renewing a concealed carry endorsement**  
74 **issued prior to August 28, 2013, shall be the same as the process for**  
75 **renewing a permit, except that in lieu of the fingerprint requirement**  
76 **of subsection 5 of section 571.101 and the firearms safety training, the**  
77 **applicant need only display his or her current driver's license or**  
78 **nondriver's license containing an endorsement. Upon successful**  
79 **completion of all renewal requirements, the sheriff shall issue a new**  
80 **concealed carry permit as provided under this subsection.**

81         3. A person who has been issued a [certificate] **concealed carry permit,**  
82 **or a certificate** of qualification for a concealed carry endorsement **prior to**  
83 **August 28, 2013,** who fails to file a renewal application **for a concealed carry**  
84 **permit** on or before its expiration date must pay an additional late fee of ten  
85 dollars per month for each month it is expired for up to six months. After six  
86 months, the sheriff who issued the expired **concealed carry permit or**  
87 **certificate of qualification** shall notify the **Missouri uniform law**  
88 **enforcement system and the individual that such permit is expired and**

89 **cancelled. If the person has a concealed carry endorsement issued**  
90 **prior to August 28, 2013, the sheriff who issued the certificate of**  
91 **qualification for the endorsement shall notify the** director of revenue that  
92 such certificate is expired **regardless of whether the endorsement holder**  
93 **has applied for a concealed carry permit under subsection 2 of this**  
94 **section.** The director of revenue shall immediately [cancel the concealed carry  
95 endorsement and] remove such endorsement from the individual's driving record  
96 and notify the individual [of such cancellation] **that his or her driver's license**  
97 **or nondriver's license has expired.** The notice [of cancellation of the  
98 endorsement] shall be conducted in the same manner as described in subsection  
99 1 of this section. Any person who has been issued a [certificate of qualification  
100 for a concealed carry endorsement] **concealed carry permit** pursuant to  
101 sections 571.101 to 571.121, **or a concealed carry endorsement issued prior**  
102 **to August 28, 2013,** who fails to renew his or her application within the  
103 six-month period must reapply for a new [certificate of qualification for a  
104 concealed carry endorsement] **concealed carry permit** and pay the fee for a  
105 new application. [The director of revenue shall not issue an endorsement on a  
106 renewed driver's license or renewed nondriver's license unless the applicant for  
107 such license provides evidence that he or she has renewed the certification of  
108 qualification for a concealed carry endorsement in the manner provided for such  
109 renewal pursuant to sections 571.101 to 571.121. If an applicant for renewal of  
110 a driver's license or nondriver's license containing a concealed carry endorsement  
111 does not want to maintain the concealed carry endorsement, the applicant shall  
112 inform the director at the time of license renewal of his or her desire to remove  
113 the endorsement. When a driver's or nondriver's license applicant informs the  
114 director of his or her desire to remove the concealed carry endorsement, the  
115 director shall renew the driver's license or nondriver's license without the  
116 endorsement appearing on the license if the applicant is otherwise qualified for  
117 such renewal.]

118 4. Any person issued a concealed carry [endorsement] **permit** pursuant  
119 to sections 571.101 to 571.121, **or a concealed carry endorsement issued**  
120 **prior to August 28, 2013,** shall notify [the department of revenue and] the  
121 sheriffs of both the old and new jurisdictions of the **permit or** endorsement  
122 holder's change of residence within thirty days after the changing of a permanent  
123 residence. The **permit or** endorsement holder shall furnish proof to [the  
124 department of revenue and] the sheriff in the new jurisdiction that the **permit**

125 or endorsement holder has changed his or her residence. The sheriff of the new  
126 jurisdiction may charge a processing fee of not more than ten dollars for any costs  
127 associated with notification of a change in residence. **If the person has a**  
128 **concealed carry endorsement issued prior to August 28, 2013, the**  
129 **endorsement holder shall also furnish proof to the department of**  
130 **revenue of his or her residence change. In such cases,** the change of  
131 residence shall be made by the department of revenue onto the individual's  
132 driving record [and]. **The sheriff shall report the residence change to the**  
133 **Missouri uniform law enforcement system, and** the new address shall be  
134 accessible by the Missouri uniform law enforcement system within three days of  
135 receipt of the information.

136 5. Any person issued a [driver's license or nondriver's license containing  
137 a] concealed carry [endorsement] **permit** pursuant to sections 571.101 to  
138 571.121, **or a concealed carry endorsement issued prior to August 28,**  
139 **2013,** shall notify the sheriff or his or her designee of the **permit or** endorsement  
140 holder's county or city of residence within seven days after actual knowledge of  
141 the loss or destruction of his or her **permit or** driver's license or nondriver's  
142 license containing a concealed carry endorsement. The **permit or** endorsement  
143 holder shall furnish a statement to the sheriff that the **permit or** driver's license  
144 or nondriver's license containing the concealed carry endorsement has been lost  
145 or destroyed. After notification of the loss or destruction of a **permit or** driver's  
146 license or nondriver's license containing a concealed carry endorsement, the  
147 sheriff **may charge a processing fee of ten dollars for costs associated**  
148 **with placing a lost or destroyed permit or driver's license or**  
149 **nondriver's license containing a concealed carry endorsement and** shall  
150 reissue a new [certificate of qualification] **concealed carry permit** within three  
151 working days of being notified by the concealed carry **permit or** endorsement  
152 holder of its loss or destruction. The [reissued certificate of qualification] **new**  
153 **concealed carry permit** shall contain the same personal information, including  
154 expiration date, as the original [certificate of qualification. The applicant shall  
155 then take the certificate to the department of revenue, and the department of  
156 revenue shall proceed on the certificate in the same manner as provided in  
157 subsection 7 section 571.101. Upon application for a license pursuant to chapter  
158 302, the director of revenue shall issue a driver's license or nondriver's license  
159 containing a concealed carry endorsement if the applicant is otherwise eligible to  
160 receive such license] **concealed carry permit.**

161           6. If a person issued a concealed carry **permit, or** endorsement issued  
162 **prior to August 28, 2013**, changes his or her name, the person to whom the  
163 **permit or** endorsement was issued shall obtain a corrected [certificate of  
164 qualification for a concealed carry endorsement] **or new concealed carry**  
165 **permit** with a change of name from the sheriff who issued [such certificate] **the**  
166 **original concealed carry permit or the original certificate of**  
167 **qualification for an endorsement** upon the sheriff's verification of the name  
168 change. The sheriff may charge a processing fee of not more than ten dollars for  
169 any costs associated with obtaining a corrected [certificate of qualification] **or**  
170 **new concealed carry permit**. The **permit or** endorsement holder shall  
171 furnish proof of the name change to the [department of revenue and the] sheriff  
172 within thirty days of changing his or her name and display his or her **concealed**  
173 **carry permit or** current driver's license or nondriver's license containing a  
174 concealed carry endorsement. [The endorsement holder shall apply for a new  
175 driver's license or nondriver's license containing his or her new name. Such  
176 application for a driver's license or nondriver's license shall be made pursuant to  
177 chapter 302. The director of revenue shall issue a driver's license or nondriver's  
178 license with concealed carry endorsement with the endorsement holder's new  
179 name if the applicant is otherwise eligible for such license. The director of  
180 revenue shall take custody of the old driver's license or nondriver's license. The  
181 name change shall be made by the department of revenue onto the individual's  
182 driving record] **The sheriff shall report the name change to the Missouri**  
183 **uniform law enforcement system**, and the new name shall be accessible by  
184 the Missouri uniform law enforcement system within three days of receipt of the  
185 information.

186           7. A concealed carry **permit and, if applicable**, endorsement shall be  
187 automatically invalid after thirty days if the **permit or** endorsement holder has  
188 changed his or her name or changed his or her residence and not notified the  
189 [department of revenue and] sheriff [of a change of name or residence] as  
190 required in subsections 4 and 6 of this section.

571.107. 1. A concealed carry [endorsement] **permit** issued pursuant to  
2 sections 571.101 to 571.121, **a valid concealed carry endorsement issued**  
3 **prior to August 28, 2013**, or a concealed carry endorsement or permit issued  
4 by another state or political subdivision of another state shall authorize the  
5 person in whose name the permit or endorsement is issued to carry concealed  
6 firearms on or about his or her person or vehicle throughout the state. No

7 [driver's license or nondriver's license containing a] concealed carry  
8 [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **valid**  
9 **concealed carry endorsement issued prior to August 28, 2013**, or a  
10 concealed carry endorsement or permit issued by another state or political  
11 subdivision of another state shall authorize any person to carry concealed  
12 firearms into:

13 (1) Any police, sheriff, or highway patrol office or station without the  
14 consent of the chief law enforcement officer in charge of that office or  
15 station. Possession of a firearm in a vehicle on the premises of the office or  
16 station shall not be a criminal offense so long as the firearm is not removed from  
17 the vehicle or brandished while the vehicle is on the premises;

18 (2) Within twenty-five feet of any polling place on any election  
19 day. Possession of a firearm in a vehicle on the premises of the polling place  
20 shall not be a criminal offense so long as the firearm is not removed from the  
21 vehicle or brandished while the vehicle is on the premises;

22 (3) The facility of any adult or juvenile detention or correctional  
23 institution, prison or jail. Possession of a firearm in a vehicle on the premises of  
24 any adult, juvenile detention, or correctional institution, prison or jail shall not  
25 be a criminal offense so long as the firearm is not removed from the vehicle or  
26 brandished while the vehicle is on the premises;

27 (4) Any courthouse solely occupied by the circuit, appellate or supreme  
28 court, or any courtrooms, administrative offices, libraries or other rooms of any  
29 such court whether or not such court solely occupies the building in  
30 question. This subdivision shall also include, but not be limited to, any juvenile,  
31 family, drug, or other court offices, any room or office wherein any of the courts  
32 or offices listed in this subdivision are temporarily conducting any business  
33 within the jurisdiction of such courts or offices, and such other locations in such  
34 manner as may be specified by supreme court rule pursuant to subdivision (6) of  
35 this subsection. Nothing in this subdivision shall preclude those persons listed  
36 in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction  
37 and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection  
38 2 of section 571.030, or such other persons who serve in a law enforcement  
39 capacity for a court as may be specified by supreme court rule pursuant to  
40 subdivision (6) of this subsection from carrying a concealed firearm within any  
41 of the areas described in this subdivision. Possession of a firearm in a vehicle on  
42 the premises of any of the areas listed in this subdivision shall not be a criminal

43 offense so long as the firearm is not removed from the vehicle or brandished while  
44 the vehicle is on the premises;

45 (5) Any meeting of the governing body of a unit of local government; or  
46 any meeting of the general assembly or a committee of the general assembly,  
47 except that nothing in this subdivision shall preclude a member of the body  
48 holding a valid concealed carry **permit or** endorsement from carrying a concealed  
49 firearm at a meeting of the body which he or she is a member. Possession of a  
50 firearm in a vehicle on the premises shall not be a criminal offense so long as the  
51 firearm is not removed from the vehicle or brandished while the vehicle is on the  
52 premises. Nothing in this subdivision shall preclude a member of the general  
53 assembly, a full-time employee of the general assembly employed under section  
54 17, article III, Constitution of Missouri, legislative employees of the general  
55 assembly as determined under section 21.155, or statewide elected officials and  
56 their employees, holding a valid concealed carry **permit or** endorsement, from  
57 carrying a concealed firearm in the state capitol building or at a meeting whether  
58 of the full body of a house of the general assembly or a committee thereof, that  
59 is held in the state capitol building;

60 (6) The general assembly, supreme court, county or municipality may by  
61 rule, administrative regulation, or ordinance prohibit or limit the carrying of  
62 concealed firearms by **permit or** endorsement holders in that portion of a  
63 building owned, leased or controlled by that unit of government. Any portion of  
64 a building in which the carrying of concealed firearms is prohibited or limited  
65 shall be clearly identified by signs posted at the entrance to the restricted  
66 area. The statute, rule or ordinance shall exempt any building used for public  
67 housing by private persons, highways or rest areas, firing ranges, and private  
68 dwellings owned, leased, or controlled by that unit of government from any  
69 restriction on the carrying or possession of a firearm. The statute, rule or  
70 ordinance shall not specify any criminal penalty for its violation but may specify  
71 that persons violating the statute, rule or ordinance may be denied entrance to  
72 the building, ordered to leave the building and if employees of the unit of  
73 government, be subjected to disciplinary measures for violation of the provisions  
74 of the statute, rule or ordinance. The provisions of this subdivision shall not  
75 apply to any other unit of government;

76 (7) Any establishment licensed to dispense intoxicating liquor for  
77 consumption on the premises, which portion is primarily devoted to that purpose,  
78 without the consent of the owner or manager. The provisions of this subdivision

79 shall not apply to the licensee of said establishment. The provisions of this  
80 subdivision shall not apply to any bona fide restaurant open to the general public  
81 having dining facilities for not less than fifty persons and that receives at least  
82 fifty-one percent of its gross annual income from the dining facilities by the sale  
83 of food. This subdivision does not prohibit the possession of a firearm in a vehicle  
84 on the premises of the establishment and shall not be a criminal offense so long  
85 as the firearm is not removed from the vehicle or brandished while the vehicle is  
86 on the premises. Nothing in this subdivision authorizes any individual who has  
87 been issued a concealed carry **permit or** endorsement to possess any firearm  
88 while intoxicated;

89 (8) Any area of an airport to which access is controlled by the inspection  
90 of persons and property. Possession of a firearm in a vehicle on the premises of  
91 the airport shall not be a criminal offense so long as the firearm is not removed  
92 from the vehicle or brandished while the vehicle is on the premises;

93 (9) Any place where the carrying of a firearm is prohibited by federal law;

94 (10) Any higher education institution or elementary or secondary school  
95 facility without the consent of the governing body of the higher education  
96 institution or a school official or the district school board. Possession of a firearm  
97 in a vehicle on the premises of any higher education institution or elementary or  
98 secondary school facility shall not be a criminal offense so long as the firearm is  
99 not removed from the vehicle or brandished while the vehicle is on the premises;

100 (11) Any portion of a building used as a child care facility without the  
101 consent of the manager. Nothing in this subdivision shall prevent the operator  
102 of a child care facility in a family home from owning or possessing a firearm or  
103 a [driver's license or nondriver's license containing a] concealed carry **permit or**  
104 endorsement;

105 (12) Any riverboat gambling operation accessible by the public without the  
106 consent of the owner or manager pursuant to rules promulgated by the gaming  
107 commission. Possession of a firearm in a vehicle on the premises of a riverboat  
108 gambling operation shall not be a criminal offense so long as the firearm is not  
109 removed from the vehicle or brandished while the vehicle is on the premises;

110 (13) Any gated area of an amusement park. Possession of a firearm in a  
111 vehicle on the premises of the amusement park shall not be a criminal offense so  
112 long as the firearm is not removed from the vehicle or brandished while the  
113 vehicle is on the premises;

114 (14) Any church or other place of religious worship without the consent

115 of the minister or person or persons representing the religious organization that  
116 exercises control over the place of religious worship. Possession of a firearm in  
117 a vehicle on the premises shall not be a criminal offense so long as the firearm  
118 is not removed from the vehicle or brandished while the vehicle is on the  
119 premises;

120 (15) Any private property whose owner has posted the premises as being  
121 off-limits to concealed firearms by means of one or more signs displayed in a  
122 conspicuous place of a minimum size of eleven inches by fourteen inches with the  
123 writing thereon in letters of not less than one inch. The owner, business or  
124 commercial lessee, manager of a private business enterprise, or any other  
125 organization, entity, or person may prohibit persons holding a concealed carry  
126 **permit or** endorsement from carrying concealed firearms on the premises and  
127 may prohibit employees, not authorized by the employer, holding a concealed  
128 carry **permit or** endorsement from carrying concealed firearms on the property  
129 of the employer. If the building or the premises are open to the public, the  
130 employer of the business enterprise shall post signs on or about the premises if  
131 carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle  
132 on the premises shall not be a criminal offense so long as the firearm is not  
133 removed from the vehicle or brandished while the vehicle is on the premises. An  
134 employer may prohibit employees or other persons holding a concealed carry  
135 **permit or** endorsement from carrying a concealed firearm in vehicles owned by  
136 the employer;

137 (16) Any sports arena or stadium with a seating capacity of five thousand  
138 or more. Possession of a firearm in a vehicle on the premises shall not be a  
139 criminal offense so long as the firearm is not removed from the vehicle or  
140 brandished while the vehicle is on the premises;

141 (17) Any hospital accessible by the public. Possession of a firearm in a  
142 vehicle on the premises of a hospital shall not be a criminal offense so long as the  
143 firearm is not removed from the vehicle or brandished while the vehicle is on the  
144 premises.

145 2. Carrying of a concealed firearm in a location specified in subdivisions  
146 (1) to (17) of subsection 1 of this section by any individual who holds a concealed  
147 carry [endorsement] **permit** issued pursuant to sections 571.101 to 571.121, **or**  
148 **a concealed carry endorsement issued prior to August 28, 2013**, shall not  
149 be a criminal act but may subject the person to denial to the premises or removal  
150 from the premises. If such person refuses to leave the premises and a peace

151 officer is summoned, such person may be issued a citation for an amount not to  
152 exceed one hundred dollars for the first offense. If a second citation for a similar  
153 violation occurs within a six-month period, such person shall be fined an amount  
154 not to exceed two hundred dollars and his or her **permit, and, if applicable,**  
155 endorsement to carry concealed firearms shall be suspended for a period of one  
156 year. If a third citation for a similar violation is issued within one year of the  
157 first citation, such person shall be fined an amount not to exceed five hundred  
158 dollars and shall have his or her concealed carry **permit, and, if applicable,**  
159 endorsement revoked and such person shall not be eligible for a concealed carry  
160 [endorsement] **permit** for a period of three years. Upon conviction of charges  
161 arising from a citation issued pursuant to this subsection, the court shall notify  
162 the sheriff of the county which issued the **concealed carry permit, or, if the**  
163 **person is a holder of a concealed carry endorsement issued prior to**  
164 **August 28, 2013, the court shall notify the sheriff of the county which**  
165 **issued the** certificate of qualification for a concealed carry endorsement and the  
166 department of revenue. The sheriff shall suspend or revoke the **concealed**  
167 **carry permit or, if applicable, the** certificate of qualification for a concealed  
168 carry endorsement [and]. **If the person holds an endorsement,** the  
169 department of revenue shall issue a notice of such suspension or revocation of the  
170 concealed carry endorsement and take action to remove the concealed carry  
171 endorsement from the individual's driving record. The director of revenue shall  
172 notify the licensee that he or she must apply for a new license pursuant to  
173 chapter 302 which does not contain such endorsement. [A concealed carry  
174 endorsement suspension pursuant to sections 571.101 to 571.121 shall be  
175 reinstated at the time of the renewal of his or her driver's license.] The notice  
176 issued by the department of revenue shall be mailed to the last known address  
177 shown on the individual's driving record. The notice is deemed received three  
178 days after mailing.

571.111. 1. An applicant for a concealed carry [endorsement] **permit**  
2 shall demonstrate knowledge of firearms safety training. This requirement shall  
3 be fully satisfied if the applicant for a concealed carry [endorsement] **permit**:

4 (1) Submits a photocopy of a certificate of firearms safety training course  
5 completion, as defined in subsection 2 of this section, signed by a qualified  
6 firearms safety instructor as defined in subsection 5 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant  
8 completed a firearms safety course given by or under the supervision of any state,

9 county, municipal, or federal law enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of  
11 this section; or

12 (4) Submits proof that the applicant currently holds any type of valid  
13 peace officer license issued under the requirements of chapter 590; or

14 (5) Submits proof that the applicant is currently allowed to carry firearms  
15 in accordance with the certification requirements of section 217.710; or

16 (6) Submits proof that the applicant is currently certified as any class of  
17 corrections officer by the Missouri department of corrections and has passed at  
18 least one eight-hour firearms training course, approved by the director of the  
19 Missouri department of corrections under the authority granted to him or her [by  
20 section 217.105], that includes instruction on the justifiable use of force as  
21 prescribed in chapter 563; or

22 (7) Submits a photocopy of a certificate of firearms safety training course  
23 completion that was issued on August 27, 2011, or earlier so long as the  
24 certificate met the requirements of subsection 2 of this section that were in effect  
25 on the date it was issued.

26 2. A certificate of firearms safety training course completion may be  
27 issued to any applicant by any qualified firearms safety instructor. On the  
28 certificate of course completion the qualified firearms safety instructor shall  
29 affirm that the individual receiving instruction has taken and passed a firearms  
30 safety course of at least eight hours in length taught by the instructor that  
31 included:

32 (1) Handgun safety in the classroom, at home, on the firing range and  
33 while carrying the firearm;

34 (2) A physical demonstration performed by the applicant that  
35 demonstrated his or her ability to safely load and unload a revolver and a  
36 semiautomatic pistol and demonstrated his or her marksmanship with both;

37 (3) The basic principles of marksmanship;

38 (4) Care and cleaning of concealable firearms;

39 (5) Safe storage of firearms at home;

40 (6) The requirements of this state for obtaining a [certificate of  
41 qualification for a concealed carry endorsement] **concealed carry permit** from  
42 the sheriff of the individual's county of residence [and a concealed carry  
43 endorsement issued by the department of revenue];

44 (7) The laws relating to firearms as prescribed in this chapter;

45 (8) The laws relating to the justifiable use of force as prescribed in  
46 chapter 563;

47 (9) A live firing exercise of sufficient duration for each applicant to fire  
48 both a revolver and a semiautomatic pistol, from a standing position or its  
49 equivalent, a minimum of [fifty] **twenty** rounds from each handgun at a distance  
50 of seven yards from a B-27 silhouette target or an equivalent target;

51 (10) A live fire test administered to the applicant while the instructor was  
52 present of twenty rounds from each handgun from a standing position or its  
53 equivalent at a distance from a B-27 silhouette target, or an equivalent target,  
54 of seven yards.

55 3. A qualified firearms safety instructor shall not give a grade of passing  
56 to an applicant for a concealed carry [endorsement] **permit** who:

57 (1) Does not follow the orders of the qualified firearms instructor or  
58 cognizant range officer; or

59 (2) Handles a firearm in a manner that, in the judgment of the qualified  
60 firearm safety instructor, poses a danger to the applicant or to others; or

61 (3) During the live fire testing portion of the course fails to hit the  
62 silhouette portion of the targets with at least fifteen rounds, with both handguns.

63 4. Qualified firearms safety instructors who provide firearms safety  
64 instruction to any person who applies for a concealed carry [endorsement]  
65 **permit** shall:

66 (1) Make the applicant's course records available upon request to the  
67 sheriff of the county in which the applicant resides;

68 (2) Maintain all course records on students for a period of no less than  
69 four years from course completion date; and

70 (3) Not have more than forty students in the classroom portion of the  
71 course or more than five students per range officer engaged in range firing.

72 5. A firearms safety instructor shall be considered to be a qualified  
73 firearms safety instructor by any sheriff issuing a [certificate of qualification for  
74 a concealed carry endorsement] **concealed carry permit** pursuant to sections  
75 571.101 to 571.121 if the instructor:

76 (1) Is a valid firearms safety instructor certified by the National Rifle  
77 Association holding a rating as a personal protection instructor or pistol  
78 marksmanship instructor; or

79 (2) Submits a photocopy of a **notarized** certificate from a firearms safety  
80 instructor's course offered by a local, state, or federal governmental agency; or

81 (3) Submits a photocopy of a **notarized** certificate from a firearms safety  
82 instructor course approved by the department of public safety; or

83 (4) Has successfully completed a firearms safety instructor course given  
84 by or under the supervision of any state, county, municipal, or federal law  
85 enforcement agency; or

86 (5) Is a certified police officer firearms safety instructor.

87 6. Any firearms safety instructor **qualified under subsection 5 of this**  
88 **section may submit a copy of a training instructor certificate, course**  
89 **outline bearing notarized signature of instructor, and recent**  
90 **photograph of his or herself to the sheriff of the county in which he or**  
91 **she resides. Each sheriff shall collect an annual registration fee of ten**  
92 **dollars from each qualified instructor who chooses to submit such**  
93 **information and shall retain a database of qualified instructors. This**  
94 **information shall be a closed record except for access by any sheriff.**

95 7. Any firearms safety instructor who knowingly provides any sheriff  
96 with any false information concerning an applicant's performance on any portion  
97 of the required training and qualification shall be guilty of a class C  
98 misdemeanor. **A violation of the provisions of this section shall result in**  
99 **the person being prohibited from instructing concealed carry permit**  
100 **classes and issuing certificates.**

571.114. 1. In any case when the sheriff refuses to issue a [certificate of  
2 qualification] **concealed carry permit** or to act on an application for such  
3 [certificate] **permit**, the denied applicant shall have the right to appeal the  
4 denial within thirty days of receiving written notice of the denial. Such appeals  
5 shall be heard in small claims court as defined in section 482.300, and the  
6 provisions of sections 482.300, 482.310 and 482.335 shall apply to such appeals.

7 2. A denial of or refusal to act on an application for a [certificate of  
8 qualification] **concealed carry permit** may be appealed by filing with the clerk  
9 of the small claims court a copy of the sheriff's written refusal and a form  
10 substantially similar to the appeal form provided in this section. Appeal forms  
11 shall be provided by the clerk of the small claims court free of charge to any  
12 person:

13 SMALL CLAIMS COURT

14 In the Circuit Court of ....., Missouri  
15 ....., Denied Applicant

16 )



8 concealed carry **permit or** endorsement. The petition shall be in a form  
9 substantially similar to the petition for revocation of concealed carry **permit or**  
10 endorsement provided in this section. Appeal forms shall be provided by the clerk  
11 of the small claims court free of charge to any person:

12 SMALL CLAIMS COURT

13 In the Circuit Court of ....., Missouri

14 ....., PLAINTIFF

15 )

16 )

17 vs. ) Case Number .....

18 )

19 ....., DEFENDANT,

20 Carry **Permit or** Endorsement Holder

21 ....., DEFENDANT,

22 Sheriff of Issuance

23 PETITION FOR REVOCATION

24 OF [CERTIFICATE OF QUALIFICATION] A **CONCEALED CARRY PERMIT**

25 OR **CONCEALED CARRY ENDORSEMENT**

26 Plaintiff states to the court that the defendant, ....., has a [certificate  
27 of qualification or a] concealed carry [endorsement] **permit** issued pursuant to  
28 sections 571.101 to 571.121, RSMo, **or a concealed carry endorsement**  
29 **issued prior to August 28, 2013**, and that the defendant's [certificate of  
30 qualification] **concealed carry permit** or concealed carry endorsement should  
31 now be revoked because the defendant either never was or no longer is eligible  
32 for such a [certificate] **permit** or endorsement pursuant to the provisions of  
33 sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant,  
34 ....., never was or no longer is eligible for such [certificate] **permit** or  
35 endorsement for one or more of the following reasons:

36 (CHECK BELOW EACH REASON

37 THAT APPLIES TO THIS DEFENDANT)

38  Defendant is not at least twenty-one years of age or at least eighteen years  
39 of age and a member of the United States Armed Forces or honorably  
40 discharged from the United States Armed Forces.

41  Defendant is not a citizen **or permanent resident** of the United States.

42  Defendant had not resided in this state prior to issuance of the permit and

43 does not qualify as a military member or spouse of a military member  
44 stationed in Missouri.

45  Defendant has pled guilty to or been convicted of a crime punishable by  
46 imprisonment for a term exceeding [one year] **two years** under the laws  
47 of any state or of the United States other than a crime classified as a  
48 misdemeanor under the laws of any state and punishable by a term of  
49 imprisonment of one year or less that does not involve an explosive  
50 weapon, firearm, firearm silencer, or gas gun.

51  Defendant has been convicted of, pled guilty to or entered a plea of nolo  
52 contendere to one or more misdemeanor offenses involving crimes of  
53 violence within a five-year period immediately preceding application for  
54 a [certificate of qualification or] concealed carry [endorsement] **permit**  
55 issued pursuant to sections 571.101 to 571.121, RSMo, **or a concealed**  
56 **carry endorsement issued prior to August 28, 2013**, or if the  
57 applicant has been convicted of two or more misdemeanor offenses  
58 involving driving while under the influence of intoxicating liquor or drugs  
59 or the possession or abuse of a controlled substance within a five-year  
60 period immediately preceding application for a [certificate of qualification  
61 or a] concealed carry [endorsement] **permit** issued pursuant to sections  
62 571.101 to 571.121, RSMo, **or a concealed carry endorsement issued**  
63 **prior to August 28, 2013**.

64  Defendant is a fugitive from justice or currently charged in an information  
65 or indictment with the commission of a crime punishable by imprisonment  
66 for a term exceeding one year under the laws of any state of the United  
67 States other than a crime classified as a misdemeanor under the laws of  
68 any state and punishable by a term of imprisonment of [one year] **two**  
69 **years** or less that does not involve an explosive weapon, firearm, firearm  
70 silencer, or gas gun.

71  Defendant has been discharged under dishonorable conditions from the  
72 United States Armed Forces.

73  Defendant is reasonably believed by the sheriff to be a danger to self or  
74 others based on previous, documented pattern.

75  Defendant is adjudged mentally incompetent at the time of application or  
76 for five years prior to application, or has been committed to a mental

77 health facility, as defined in section 632.005, RSMo, or a similar  
78 institution located in another state, except that a person whose release or  
79 discharge from a facility in this state pursuant to chapter 632, RSMo, or  
80 a similar discharge from a facility in another state, occurred more than  
81 five years ago without subsequent recommitment may apply.

82  Defendant failed to submit a completed application for a [certificate of  
83 qualification or] concealed carry [endorsement] **permit** issued pursuant  
84 to sections 571.101 to 571.121, RSMo, **or a concealed carry**  
85 **endorsement issued prior to August 28, 2013.**

86  Defendant failed to submit to or failed to clear the required background  
87 check. **(Note: This does not apply if the defendant has submitted**  
88 **to a background check and been issued a provisional permit**  
89 **pursuant to subdivision (2) of subsection 5 of section 571.101, and**  
90 **the results of the background check are still pending.)**

91  Defendant failed to submit an affidavit attesting that the applicant  
92 complies with the concealed carry safety training requirement pursuant  
93 to subsection 1 of section 571.111, RSMo.

94  **Defendant is otherwise disqualified from possessing a firearm**  
95 **pursuant to 18 U.S.C. 922(g) because {specify reason}:**

96 The plaintiff subject to penalty for perjury states that the information contained  
97 in this petition is true and correct to the best of the plaintiff's knowledge, is  
98 reasonably based upon the petitioner's personal knowledge and is not primarily  
99 intended to harass the defendant/respondent named herein.

100 ....., PLAINTIFF

101 2. If at the hearing the plaintiff shows that the defendant was not eligible  
102 for the [certificate of qualification or the] concealed carry [endorsement] **permit**  
103 issued pursuant to sections 571.101 to 571.121, **or a concealed carry**  
104 **endorsement issued prior to August 28, 2013**, at the time of issuance or  
105 renewal or is no longer eligible for a [certificate of qualification] **concealed**  
106 **carry permit** or the concealed carry endorsement [issued pursuant to the  
107 provisions of sections 571.101 to 571.121], the court shall issue an appropriate  
108 order to cause the revocation of the [certificate of qualification or] **concealed**  
109 **carry permit and, if applicable, the** concealed carry endorsement. Costs  
110 shall not be assessed against the sheriff.

111 3. The finder of fact, in any action brought against [an] **a permit or**

112 endorsement holder pursuant to subsection 1 of this section, shall make findings  
113 of fact and the court shall make conclusions of law addressing the issues at  
114 dispute. If it is determined that the plaintiff in such an action acted without  
115 justification or with malice or primarily with an intent to harass the **permit or**  
116 endorsement holder or that there was no reasonable basis to bring the action, the  
117 court shall order the plaintiff to pay the defendant/respondent all reasonable  
118 costs incurred in defending the action including, but not limited to, attorney's  
119 fees, deposition costs, and lost wages. Once the court determines that the  
120 plaintiff is liable to the defendant/respondent for costs and fees, the extent and  
121 type of fees and costs to be awarded should be liberally calculated in  
122 defendant/respondent's favor. Notwithstanding any other provision of law,  
123 reasonable attorney's fees shall be presumed to be at least one hundred fifty  
124 dollars per hour.

125 4. Any person aggrieved by any final judgment rendered by a small claims  
126 court in a petition for revocation of a [certificate of qualification] **concealed**  
127 **carry permit** or concealed carry endorsement may have a right to trial de novo  
128 as provided in sections 512.180 to 512.320.

129 5. The office of the county sheriff or any employee or agent of the county  
130 sheriff shall not be liable for damages in any civil action arising from alleged  
131 wrongful or improper granting, renewing, or failure to revoke a [certificate of  
132 qualification or a] concealed carry [endorsement] **permit** issued pursuant to  
133 sections 571.101 to 571.121, **or a certificate of qualification for a concealed**  
134 **carry endorsement issued prior to August 28, 2013**, so long as the sheriff  
135 acted in good faith.

571.121. 1. Any person issued a concealed carry [endorsement] **permit**  
2 pursuant to sections 571.101 to 571.121, **or a concealed carry endorsement**  
3 **issued prior to August 28, 2013**, shall carry the concealed carry **permit or**  
4 endorsement at all times the person is carrying a concealed firearm and shall  
5 display the concealed carry **permit and a state or federal government-**  
6 **issued photo identification or the endorsement or permit** upon the request  
7 of any peace officer. Failure to comply with this subsection shall not be a  
8 criminal offense but the concealed carry **permit or** endorsement holder may be  
9 issued a citation for an amount not to exceed thirty-five dollars.

10 2. Notwithstanding any other provisions of law, the director of revenue,  
11 by carrying out his or her requirement to issue a driver's or nondriver's license  
12 reflecting that a concealed carry permit has been granted **under the law as it**

13 **existed prior to August 28, 2013**, shall bear no liability and shall be immune  
14 from any claims for damages resulting from any determination made regarding  
15 the qualification of any person for such permit or for any actions stemming from  
16 the conduct of any person issued such a permit. By issuing the permit on the  
17 driver's or nondriver's license, the director of revenue [is] **was** merely acting as  
18 a scrivener for any determination made by the sheriff that the person [is] **was**  
19 qualified for the permit.

**571.500. No state agency or department, or contractor or agent  
2 working for the state, shall construct, enable by providing or sharing  
3 records to, maintain, participate in, develop, or cooperate with or  
4 enable the state or federal government in developing a database or  
5 record of the number or type of firearms, ammunition, or firearms  
6 accessories that an individual possesses.**

650.350. 1. There is hereby created within the department of public  
2 safety the "Missouri Sheriff Methamphetamine Relief Taskforce"  
3 (MoSMART). MoSMART shall be composed of five sitting sheriffs. Every two  
4 years, the Missouri Sheriffs' Association board of directors will submit twenty  
5 names of sitting sheriffs to the governor. The governor shall appoint five  
6 members from the list of twenty names, having no more than three from any one  
7 political party, to serve a term of two years on MoSMART. The members shall  
8 elect a chair from among their membership. Members shall receive no  
9 compensation for the performance of their duties pursuant to this section, but  
10 each member shall be reimbursed from the MoSMART fund for actual and  
11 necessary expenses incurred in carrying out duties pursuant to this section.

12 2. MoSMART shall meet no less than twice each calendar year with  
13 additional meetings called by the chair upon the request of at least two members.  
14 A majority of the appointed members shall constitute a quorum.

15 3. A special fund is hereby created in the state treasury to be known as  
16 the "MoSMART Fund". The state treasurer shall invest the moneys in such fund  
17 in the manner authorized by law. All moneys received for MoSMART from  
18 interest, state, and federal moneys shall be deposited to the credit of the  
19 fund. The director of the department of public safety shall distribute at least fifty  
20 percent but not more than one hundred percent of the fund annually in the form  
21 of grants approved by MoSMART.

22 4. Except for money deposited into the deputy sheriff salary  
23 supplementation fund created under section 57.278 **or money deposited into**

24 **the concealed carry permit fund created under subsection 5 of this**  
25 **section**, all moneys appropriate to or received by MoSMART shall be deposited  
26 and credited to the MoSMART fund. The department of public safety shall only  
27 be reimbursed for actual and necessary expenses for the administration of  
28 MoSMART, which shall be no less than one percent and which shall not exceed  
29 two percent of all moneys appropriated to the fund, except that the department  
30 shall not receive any amount of the money deposited into the deputy sheriff  
31 salary supplementation fund for administrative purposes. The provisions of  
32 section 33.080 to the contrary notwithstanding, moneys in the MoSMART fund  
33 shall not lapse to general revenue at the end of the biennium.

34 **5. A special fund is hereby created in the state treasury to be**  
35 **known as the “Concealed Carry Permit Fund”. The state treasurer shall**  
36 **invest the moneys in such fund in the manner authorized by law. All**  
37 **moneys shall be deposited to the credit of the fund. The director of the**  
38 **department of public safety shall annually distribute all monies in the**  
39 **fund in the form of grants approved by MoSMART. The department of**  
40 **public safety shall administer all MoSMART grant deposits under this**  
41 **section. Grant funds deposited into the fund created under this section**  
42 **shall be spent first to ensure county law enforcement agencies’ ability**  
43 **to comply with the issuance of concealed carry permits including, but**  
44 **not limited to, equipment, records management hardware and software,**  
45 **personnel, supplies, and other services. Notwithstanding the provisions**  
46 **of section 33.080 to the contrary, any moneys remaining in the fund at**  
47 **the end of the biennium shall not revert to the credit of the general**  
48 **revenue fund. The state treasurer shall invest moneys in the fund in**  
49 **the same manner as other funds are invested. Any interest and moneys**  
50 **earned on such investments shall be credited to the fund.**

51 **6.** Any rule or portion of a rule, as that term is defined in section 536.010,  
52 that is created under the authority delegated in this section shall become effective  
53 only if it complies with and is subject to all of the provisions of chapter 536 and,  
54 if applicable, section 536.028. This section and chapter 536 are nonseverable and  
55 if any of the powers vested with the general assembly pursuant to chapter 536 to  
56 review, to delay the effective date or to disapprove and annul a rule are  
57 subsequently held unconstitutional, then the grant of rulemaking authority and  
58 any rule proposed or adopted after August 28, 2003, shall be invalid and void.

59 **[6.] 7.** Any county law enforcement entity or established task force with

60 a memorandum of understanding and protocol may apply for grants from the  
61 MoSMART fund on an application to be developed by the department of public  
62 safety with the approval of MoSMART. All applications shall be evaluated by  
63 MoSMART and approved or denied based upon the level of funding designated for  
64 methamphetamine enforcement before 1997 and upon current need and  
65 circumstances. No applicant shall receive a MoSMART grant in excess of one  
66 hundred thousand dollars per year. The department of public safety shall  
67 monitor all MoSMART grants.

68 [7.] 8. MoSMART's anti-methamphetamine funding priorities are as  
69 follows:

70 (1) Sheriffs who are participating in coordinated multijurisdictional task  
71 forces and have their task forces apply for funding;

72 (2) Sheriffs whose county has been designated HIDTA counties, yet have  
73 received no HIDTA or narcotics assistance program funding; and

74 (3) Sheriffs without HIDTA designations or task forces, whose application  
75 justifies the need for MoSMART funds to eliminate methamphetamine labs.

76 [8.] 9. MoSMART shall administer the deputy sheriff salary  
77 supplementation fund as provided under section 57.278.

78 **10. Beginning August 28, 2013, the department of revenue shall**  
79 **begin transferring any records related to the issuance of a concealed**  
80 **carry permit to MoSMART for dissemination to the sheriff of the county**  
81 **or city not within a county in which the applicant or permit holder**  
82 **resides.**

[571.102. The repeal and reenactment of sections 302.181  
2 and 571.101 shall become effective on the date the director of the  
3 department of revenue begins to issue nondriver licenses with  
4 conceal carry endorsements that expire three years from the dates  
5 the certificates of qualification were issued, or on January 1, 2013,  
6 whichever occurs first. If the director of revenue begins issuing  
7 nondriver licenses with conceal carry endorsements that expire  
8 three years from the dates the certificates of qualification were  
9 issued under the authority granted under sections 302.181 and  
10 571.101 prior to January 1, 2013, the director of the department of  
11 revenue shall notify the revisor of statutes of such fact.]

Section B. Because immediate action is necessary to permit the  
2 MoSMART board to have proper funding necessary to implement the provisions

3 of this act, the repeal and reenactment of section 650.350 of section A of this act  
4 is deemed necessary for the immediate preservation of the public health, welfare,  
5 peace, and safety, and is hereby declared to be an emergency act within the  
6 meaning of the constitution, and the repeal and reenactment of section 650.350  
7 of section A of this act shall be in full force and effect upon its passage and  
8 approval.

✓

Unofficial

Bill

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