

FIRST REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NOS. 349, 120,  
136 & 328**  
**92ND GENERAL ASSEMBLY**

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Reported from the Committee on Crime Prevention and Public Safety February 27, 2003, with recommendation that the House Committee Substitute for House Bill Nos. 349, 120, 136 & 328 Do Pass.

STEPHEN S. DAVIS, Chief Clerk

1360L.04C

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**AN ACT**

To repeal section 571.030, RSMo, and to enact in lieu thereof three new sections relating to concealable weapons, with penalty provisions.

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

Section A. Section 571.030, RSMo, is repealed and three new sections enacted in lieu thereof, to be known as sections 50.535, 571.030 and 571.094, to read as follows:

**50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745 the fee collected pursuant to subsection 7 of section 571.090, RSMo, or subsection 13, 14, 20, 21, or 22 of section 571.094, RSMo, 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 enforcement agencies for the purchase of equipment and to provide training. If the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance shall remain in said fund and the balance shall be kept in said fund to accumulate from year to year. This fund may be**

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

14 **audited by the state auditor's office or the appropriate auditing agency.**

15 **3. If pursuant to subsection 12 of section 571.094, RSMo, the sheriff of a county of**  
16 **the first classification designates one or more chiefs of police of any town, city, or**  
17 **municipality within such county to accept and process applications for certificates of**  
18 **qualification to obtain a conceal carry endorsement then that sheriff shall reimburse such**  
19 **chiefs of police, out of the moneys deposited into this fund, for any reasonable expenses**  
20 **related to accepting and processing such applications.**

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

3 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or  
4 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, boat, aircraft,  
7 or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the  
8 assembling of people; or

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

11 (5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

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

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

16 (8) Carries a firearm or any other weapon readily capable of lethal use into any church  
17 or place where people have assembled for worship, or into any election precinct on any election  
18 day, or into any building owned or occupied by any agency of the federal government, state  
19 government, or political subdivision thereof[, or into any public assemblage of persons met for  
20 any lawful purpose]; or

21 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section  
22 301.010, RSMo, [while within any city, town, or village, and] discharges or shoots a firearm at  
23 any person, or at any other motor vehicle, or at any building or habitable structure, unless the  
24 person was lawfully acting in self-defense; or

25 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable  
26 of lethal use into any school, onto any school bus, or onto the premises of any function or activity  
27 sponsored or sanctioned by school officials or the district school board.

28 2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall  
29 not apply to or affect any of the following:

30 (1) All state, county and municipal [law enforcement] **peace** officers possessing the duty  
31 and power of arrest for violation of the general criminal laws of the state or for violation of  
32 ordinances of counties or municipalities of the state, **whether such officers are within or**  
33 **outside their jurisdictions or on or off duty**, or any person summoned by such officers to assist  
34 in making arrests or preserving the peace while actually engaged in assisting such officer;

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

37 (3) Members of the armed forces or national guard while performing their official duty;

38 (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the  
39 judicial power of the state and those persons vested by article III of the Constitution of the United  
40 States with the judicial power of the United States, the members of the federal judiciary;

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

42 (6) Any federal probation officer;

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

45 (8) Any corporate security advisor meeting the definition and fulfilling the requirements  
46 of the regulations established by the board of police commissioners under section 84.340, RSMo.

47 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when  
48 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when  
49 ammunition is not readily accessible or when such weapons are not readily accessible.  
50 Subdivision (1) of subsection 1 of this section does not apply **to any person twenty-one years**  
51 **of age or older transporting a concealable firearm in the passenger compartment of a**  
52 **motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor**  
53 when the actor is also in possession of an exposed firearm or projectile weapon for the lawful  
54 pursuit of game, or is in his **or her** dwelling unit or upon [business] premises over which the  
55 actor has possession, authority or control, or is traveling in a continuous journey peaceably  
56 through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm  
57 is otherwise lawfully possessed by a person while traversing school premises for the purposes  
58 of transporting a student to or from school, or possessed by an adult for the purposes of  
59 facilitation of a school-sanctioned firearm-related event.

60 4. **Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any**  
61 **person who has a valid concealed carry endorsement issued pursuant to section 571.094 or**  
62 **a valid permit or endorsement to carry concealed firearms issued by another state or**  
63 **political subdivision of another state.**

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

66 **563.031, RSMo.**

67 **6.** Nothing in this section shall make it unlawful for a student to actually participate in  
68 school-sanctioned gun safety courses, student military or ROTC courses, or other  
69 school-sponsored firearm-related events, provided the student does not carry a firearm or other  
70 weapon readily capable of lethal use into any school, onto any school bus, or onto the premises  
71 of any **other** function or activity sponsored or sanctioned by school officials or the district school  
72 board.

73 [5.] **7.** Unlawful use of weapons is a class D felony unless committed pursuant to  
74 subdivision [(5),] (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B  
75 misdemeanor, or subdivision **(5) or** (10) of subsection 1 of this section, in which case it is a class  
76 A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or  
77 subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that  
78 if the violation of subdivision (9) of subsection 1 of this section results in injury or death to  
79 another person, it is a class A felony.

80 [6.] **8.** Violations of subdivision (9) of subsection 1 of this section shall be punished as  
81 follows:

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

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

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

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

92 [7.] **9.** Any person knowingly aiding or abetting any other person in the violation of  
93 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that  
94 prescribed by this section for violations by other persons.

**571.094. 1. All applicants for concealed carry endorsements issued pursuant to  
2 subsection 7 of this section must satisfy the requirements of this section. If the said  
3 applicant can show qualification as provided by this section, the county or city sheriff shall  
4 issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such  
5 certificate, the certificate holder must apply for a driver license or nondriver license with  
6 the director of revenue in order to obtain a concealed carry endorsement. Any person who  
7 has been issued a concealed carry endorsement on a driver license or nondriver license and**

8 such endorsement or license has not been suspended, revoked, canceled, or denied may  
9 carry concealed firearms on or about his or her person or within a vehicle. A certificate  
10 of qualification shall be valid for a period of three years from the date of issuance or  
11 renewal. The concealed carry endorsement is valid throughout this state.

12 2. A certificate of qualification for a concealed carry endorsement issued pursuant  
13 to subsection 7 of this section shall be issued by the sheriff or his or her designee of the  
14 county or city in which the applicant resides, if the applicant:

15 (1) Is at least twenty-one years of age, is a citizen of the United States and either:

16 (a) Has resided in this state for at least six months; or

17 (b) Is a member of the armed forces stationed in Missouri, or the spouse of such  
18 member of the military;

19 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of  
20 a crime punishable by imprisonment for a term exceeding one year under the laws of any  
21 state or of the United States other than a crime classified as a misdemeanor under the laws  
22 of any state and punishable by a term of imprisonment of one year or less that does not  
23 involve an explosive weapon, firearm, firearm silencer or gas gun;

24 (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere  
25 to one or more misdemeanor offenses involving crimes of violence within a five-year period  
26 immediately preceding application for a certificate of qualification for a concealed carry  
27 endorsement or if the applicant has not been convicted of two or more misdemeanor  
28 offenses involving driving while under the influence of intoxicating liquor or drugs or the  
29 possession or abuse of a controlled substance within a five-year period immediately  
30 preceding application for a certificate of qualification for a concealed carry endorsement;

31 (4) Is not a fugitive from justice or currently charged in an information or  
32 indictment with the commission of a crime punishable by imprisonment for a term  
33 exceeding one year under the laws of any state of the United States other than a crime  
34 classified as a misdemeanor under the laws of any state and punishable by a term of  
35 imprisonment of two years or less that does not involve an explosive weapon, firearm,  
36 firearm silencer, or gas gun;

37 (5) Has not been discharged under dishonorable conditions from the United States  
38 armed forces;

39 (6) Has not engaged in a pattern of behavior, documented in public records, that  
40 causes the sheriff to have a reasonable belief that the applicant presents a danger to himself  
41 or others;

42 (7) Is not adjudged mentally incompetent at the time of application or for five years  
43 prior to application, or has not been committed to a mental health facility, as defined in

44 section 632.005, RSMo, or a similar institution located in another state following a hearing  
45 at which the defendant was represented by counsel or a representative;

46 (8) Submits a completed application for a certificate of qualification as defined in  
47 subsection 3 of this section;

48 (9) Submits an affidavit attesting that the applicant complies with the concealed  
49 carry safety training requirement pursuant to subsection 21 of this section;

50 (10) Is not the respondent of a valid full order of protection which is still in effect.

51 3. The application for a certificate of qualification for a concealed carry  
52 endorsement issued by the sheriff of the county of the applicant's residence shall contain  
53 only the following information:

54 (1) The applicant's name, address, telephone number, gender, and date and place  
55 of birth;

56 (2) An affirmation that the applicant is a resident of the state of Missouri and has  
57 been a resident thereof for the last six months and is a citizen of the United States;

58 (3) An affirmation that the applicant is at least twenty-one years of age;

59 (4) An affirmation that the applicant has not pled guilty to or been convicted of a  
60 crime punishable by imprisonment for a term exceeding one year under the laws of any  
61 state or of the United States other than a crime classified as a misdemeanor under the laws  
62 of any state and punishable by a term of imprisonment of one year or less that does not  
63 involve an explosive weapon, firearm, firearm silencer, or gas gun;

64 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or  
65 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes  
66 of violence within a five-year period immediately preceding application for a certificate of  
67 qualification to obtain a conceal carry endorsement or if the applicant has not been  
68 convicted of two or more misdemeanor offenses involving driving while under the influence  
69 of intoxicating liquor or drugs or the possession or abuse of a controlled substance within  
70 a five-year period immediately preceding application for a certificate of qualification to  
71 obtain a conceal carry endorsement;

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

78 (7) An affirmation that the applicant has not been discharged under dishonorable  
79 conditions from the United States armed forces;

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

86           **(9) An affirmation that the applicant has received firearms safety training that**  
87 **meets the standards of applicant firearms safety training defined in subsection 22 of this**  
88 **section;**

89           **(10) An affirmation that the applicant, to the applicant's best knowledge and belief,**  
90 **is not the respondent of a valid full order of protection which is still in effect; and**

91           **(11) A conspicuous warning that false statements made by the applicant will result**  
92 **in prosecution for perjury pursuant to the laws of the state of Missouri.**

93           **4. An application for a certificate of qualification for a concealed carry**  
94 **endorsement shall be made to the sheriff of the county or any city not within a county in**  
95 **which the applicant resides. An application shall be filed in writing, signed under oath and**  
96 **under the penalties of perjury, and shall state whether the applicant complies with each**  
97 **of the requirements specified in subsection 2 of this section. In addition to the completed**  
98 **application, the applicant for a certificate of qualification for a concealed carry**  
99 **endorsement must also submit the following:**

100           **(1) A photocopy of a firearms safety training certificate of completion or other**  
101 **evidence of completion of a firearms safety training course that meets the standards**  
102 **established in subsection 22 of this section; and**

103           **(2) A nonrefundable certificate of qualification fee as provided by subsections 9 and**  
104 **10 of this section.**

105           **5. Before an application for a certificate of qualification for a concealed carry**  
106 **endorsement is approved, the sheriff shall make only such inquiries as he or she deems**  
107 **necessary into the accuracy of the statements made in the application. In order to**  
108 **determine the applicant's suitability for a certificate of qualification for a concealed carry**  
109 **endorsement, the applicant shall be fingerprinted. If no disqualifying record is identified**  
110 **by the fingerprint check at the state level, the fingerprints shall be forwarded to the**  
111 **Federal Bureau of Investigation for a national criminal history record check. The sheriff**  
112 **may require that the applicant display a Missouri driver's license or nondriver's license**  
113 **or military identification and orders showing the person being stationed in Missouri. The**  
114 **sheriff shall request a criminal background check through the appropriate law**  
115 **enforcement agency within three working days after submission of the properly completed**

116 application for a certificate of qualification for a concealed carry endorsement and issue  
117 a certificate of qualification for a concealed carry endorsement in a period not to exceed  
118 three working days after receipt of the completed background check. The sheriff shall  
119 issue the certificate of qualification for a concealed carry endorsement within a period not  
120 to exceed forty-five calendar days after submission of the properly completed application  
121 unless there is just cause not to, such as the federal criminal background check having not  
122 been received by the sheriff. In the event that the federal criminal background check has  
123 not been received within forty-five calendar days, the sheriff may issue the certificate  
124 provided that the sheriff shall revoke any such certificate within twenty-four hours of  
125 receipt of any federal background check that results in a disqualifying record.

126       6. The sheriff may refuse to approve an application for a certificate of qualification  
127 for a concealed carry endorsement if he or she determines that any of the requirements  
128 specified in subsection 2 of this section have not been met, or if he or she has a substantial  
129 and demonstrable reason to believe that the applicant has rendered a false statement  
130 regarding any of the provisions of this section. If the applicant is found to be ineligible, the  
131 sheriff is required to deny the application, and notify the applicant in writing, stating the  
132 grounds for denial and informing the applicant of the right to submit, within thirty days,  
133 any additional documentation relating to the grounds of the denial. Upon receiving any  
134 additional documentation, the sheriff shall reconsider his or her decision and inform the  
135 applicant within thirty days of the result of the reconsideration. The applicant shall  
136 further be informed in writing of the right to appeal the denial pursuant to subsections 28,  
137 29, 30, and 31 of this section. After two additional reviews and denials by the sheriff, the  
138 person submitting the application shall appeal the denial pursuant to subsections 28, 29,  
139 30, and 31 of this section.

140       7. If the application is approved, the sheriff shall issue a certificate of qualification  
141 for a concealed carry endorsement to the applicant within a period not to exceed three  
142 working days after his or her approval of the application. The applicant shall sign the  
143 certificate of qualification in the presence of the sheriff and shall within seven days of  
144 receipt of the certificate of qualification take the certificate of qualification to the  
145 department of revenue. Upon receipt of the certificate of qualification and completion of  
146 a driver license or nondriver license application pursuant to chapter 302, RSMo, the  
147 director of revenue shall issue a new driver license or nondriver license with an  
148 endorsement which identifies that the applicant has received a certificate of qualification  
149 to carry concealed weapons issued pursuant to this section if the applicant is otherwise  
150 qualified to receive such driver license or nondriver license. The requirements for the  
151 director of revenue to issue a concealed carry endorsement pursuant to this subsection



152 shall not be effective until July 1, 2004, and the certificate of qualification issued by a  
153 county sheriff pursuant to subsection 1 of this section shall allow the person issued such  
154 certificate to carry a concealed weapon pursuant to the requirements of subsection 19 of  
155 this section in lieu of the concealed carry endorsement issued by the director of revenue  
156 from the effective date of this section until the concealed carry endorsement is issued or  
157 denied by the director or revenue on or after July 1, 2004, unless such certificate of  
158 qualification has been suspended or revoked for cause.

159 8. The sheriff shall keep a record of all applications for a certificate of qualification  
160 for a concealed carry endorsement and his or her action thereon. The sheriff shall report  
161 the issuance of a certification of qualification to the Missouri uniform law enforcement  
162 system. All information on any such certificate that is protected information on any  
163 drivers or nondriver's license shall have the same personal protection for purposes of this  
164 section. An applicant's status as a holder of a certificate of qualification or a conceal carry  
165 endorsement shall not be public information and shall be considered personal protected  
166 information. Any person who violates the provisions of this subdivision by disclosing  
167 protected information shall be guilty of a class A misdemeanor.

168 9. Information regarding any holder of a certificate of qualification or a conceal  
169 carry endorsement is a closed record.

170 10. For processing an application for a certificate of qualification for a concealed  
171 carry endorsement pursuant to this section, the sheriff in each county shall charge a  
172 nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury  
173 of the county to the credit of the sheriff's revolving fund.

174 11. For processing a renewal for a certificate of qualification for a concealed carry  
175 endorsement pursuant to this section, the sheriff in each county shall charge a  
176 nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the  
177 county to the credit of the sheriff's revolving fund.

178 12. For the purposes of this section, the term sheriff shall include the sheriff of any  
179 county or city not within a county or his or her designee and in counties of the first  
180 classification the sheriff may designate the chief of police of any city, town, or municipality  
181 within such county.

182 13. A certificate of qualification for a concealed carry endorsement issued pursuant  
183 to this section shall be suspended or revoked if the certificate holder becomes ineligible for  
184 such certificate under the criteria established in subdivisions (2), (3), (4), (5), and (7) of  
185 subsection 2 of this section or upon the issuance of an order of protection. When a valid  
186 full order of protection, or any arrest warrant, discharge, or commitment for the reasons  
187 listed in subdivision (2), (3), (4), (5), (7), or (10) of subsection 2 of this section, is issued

188 **against a person holding a certificate of qualification for a concealed carry endorsement**  
189 **issued pursuant to this section upon notification of said order, the holder of the certificate**  
190 **shall surrender the certificate of qualification and the driver license or nondriver license**  
191 **containing the concealed carry endorsement to the court, to the officer, or other official**  
192 **-serving the order, warrant, discharge, or commitment. The official to whom the certificate**  
193 **of qualification is surrendered shall forthwith transmit the permit to the circuit court of**  
194 **the county issuing the order, warrant, discharge, or commitment. The driver license or**  
195 **nondriver license containing the concealed carry endorsement shall be forwarded to the**  
196 **department of revenue and the sheriff shall inform the director of revenue of the**  
197 **suspension of the certificate of qualification and the concealed carry endorsement. The**  
198 **certificate and endorsement issued pursuant to this section shall be suspended until the**  
199 **order is terminated or until the arrest results in a dismissal of all charges. Any conviction,**  
200 **discharge, or commitment specified in subsection 2 of this section shall result in a**  
201 **revocation. Any sheriff suspending or revoking any certificate of qualification or any**  
202 **concealed carry endorsement shall report the change in status of the certificate or**  
203 **endorsement to the Missouri uniform law enforcement system and the department of**  
204 **revenue. The director of revenue shall immediately remove the endorsement issued**  
205 **pursuant to this section from the individual's driving record upon receipt of the notice of**  
206 **suspension from the sheriff and within three days of receipt of such notice of suspension**  
207 **from the sheriff, the director of revenue shall notify the licensee that he or she must apply**  
208 **for a new license pursuant to chapter 302, RSMo, which does not contain such**  
209 **endorsement. This requirement does not affect the driving privileges of the licensee. The**  
210 **notice issued by the department of revenue shall be mailed to the last known address**  
211 **shown on the individual's driving record. The notice is deemed received three days after**  
212 **mailing.**

213 **14. A certificate of qualification for a concealed carry endorsement shall be**  
214 **renewed for a qualified applicant upon receipt of the properly completed renewal**  
215 **application and the required renewal fee by the sheriff of the county of the applicant's**  
216 **residence. The renewal application shall contain the same required information as set**  
217 **forth in subsection 3 of this section, except that in lieu of the firearms safety training, the**  
218 **applicant need only display his or her current driver license or nondriver license**  
219 **containing a concealed carry endorsement. Upon successful completion of all renewal**  
220 **requirements, the sheriff shall issue a certificate of qualification which contains the date**  
221 **such certificate was renewed.**

222 **15. A person who has been issued a certificate of qualification for a concealed carry**  
223 **endorsement who fails to file a renewal application on or before its expiration date must**

224 pay an additional late fee of ten dollars per month for each month it is expired for up to  
225 six months. After six months, the sheriff who issued the expired certificate shall notify the  
226 director of revenue that such certificate is expired. The director of revenue shall  
227 immediately cancel the conceal carry endorsement and remove such endorsement from the  
228 individual's driving record and notify the individual of such cancellation. The notice of  
229 cancellation of the endorsement shall be conducted in the same manner as described in  
230 subsection 13 of this section. Any person who has been issued a certificate of qualification  
231 for a concealed carry endorsement pursuant to this section who fails to renew his or her  
232 application within the six-month period must reapply for a new certificate of qualification  
233 for a concealed carry endorsement and pay the fee for a new application. The director of  
234 revenue shall not renew a driver license or nondriver license with a concealed carry  
235 endorsement issued pursuant to this section unless the applicant for such license provides  
236 evidence that he or she has renewed the certification of qualification for a concealed carry  
237 endorsement in the manner provided for such renewal pursuant to this section. If an  
238 applicant for renewal of a driver license or nondriver license containing a conceal carry  
239 endorsement does not want to maintain the conceal carry endorsement, the applicant shall  
240 inform the director at the time of license renewal of his or her desire to remove the  
241 endorsement. When a driver or nondriver license applicant informs the director of his or  
242 her desire to remove the conceal carry endorsement, the director shall renew the driver  
243 license or nondriver license without the endorsement appearing on the license if the  
244 applicant is otherwise qualified for such renewal.

245       16. Any person issued a concealed carry endorsement pursuant to this section shall  
246 notify the department of revenue and the sheriffs of both the old and new jurisdictions of  
247 the endorsement holder's change of residence within thirty days after the changing of a  
248 permanent residence. The endorsement holder shall furnish proof to the department of  
249 revenue and the sheriff in the new jurisdiction that the endorsement holder has changed  
250 his or her residence. The change of residence shall be made by the department of revenue  
251 onto the individual's driving record and the new address shall be accessible by the  
252 Missouri uniform law enforcement system within three days of receipt of the information.

253       17. Any person issued a driver's license or nondriver's license with a concealed  
254 carry endorsement pursuant to this section shall notify the sheriff or his or her designee  
255 of the endorsement holder's county or city of residence within seven days after actual  
256 knowledge of the loss or destruction of his or her certificate of qualification or driver  
257 license or nondriver license containing a concealed carry endorsement. The endorsement  
258 holder shall furnish a statement to the sheriff that the certificate of qualification or license  
259 containing the concealed carry endorsement has been lost or destroyed. After notification

260 of the loss or destruction of a certificate of qualification or driver license or nondriver  
261 license containing a concealed carry endorsement, the sheriff shall reissue a new certificate  
262 of qualification within three working days of being notified by the certificate of  
263 endorsement holder of its loss or destruction. The reissued certificate of qualification shall  
264 contain the same personal information, including expiration date, as the lost or destroyed  
265 certificate of qualification. The applicant shall then take the certificate to the department  
266 of revenue, and the department of revenue shall proceed on the certificate in the same  
267 manner as provided in subsection 7 of this section. Upon application for a license pursuant  
268 to chapter 302, RSMo, the director of revenue shall issue a driver license or nondriver  
269 license containing a concealed carry endorsement if the applicant is otherwise eligible to  
270 receive such license.

271       **18.** If a person issued a concealed carry endorsement changes his or her name, the  
272 person to whom the endorsement was issued shall obtain a corrected certificate of  
273 qualification for a concealed carry endorsement with a change of name from the sheriff  
274 who issued such certificate upon the sheriff's verification of the name change. The  
275 endorsement holder shall furnish proof of the name change to the department of revenue  
276 and the sheriff within thirty days of changing his or her name and display his or her  
277 current driver license or nondriver license containing a concealed carry endorsement. The  
278 endorsement holder shall apply for a new driver license or nondriver license containing his  
279 or her new name. Such application for a driver license or nondriver license shall be made  
280 pursuant to chapter 302, RSMo. The director of revenue shall issue a new driver's license  
281 or nondriver's license with concealed carry endorsement with the endorsement holder's  
282 new name if the applicant is otherwise eligible for such license. The director of revenue  
283 shall take custody of the old driver license or nondriver license. The name change shall be  
284 made by the department of revenue onto the individual's driving record and the new name  
285 shall be accessible by the Missouri uniform law enforcement system within three days of  
286 receipt of the information.

287       **19.** A concealed carry endorsement issued pursuant to this section or a concealed  
288 carry endorsement or permit issued by another state or political subdivision of another  
289 state shall authorize the person in whose name the permit or endorsement is issued to carry  
290 concealed firearms on or about his or her person or vehicle throughout the state. No driver  
291 license or nondriver license containing a concealed carry endorsement issued pursuant to  
292 this section or a concealed carry endorsement or permit issued by another state or political  
293 subdivision of another state shall authorize any person to carry concealed firearms into:

294       **(1)** Any police, sheriff, or highway patrol office or station without the consent of  
295 the chief law enforcement officer in charge of that office or station. Possession of a firearm

296 in a vehicle on the premises of the office or station shall not be a criminal offense so long  
297 as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
298 premises;

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

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

307 (4) Any courthouse, solely occupied by the circuit, appellate, or supreme court or  
308 a courtroom of any of those courts, or court proceeding, except that nothing in this  
309 subdivision shall preclude a judge or other officer of the court, holding a valid concealed  
310 carry endorsement, from carrying a concealed firearm within a courthouse. Possession of  
311 a firearm in a vehicle on the premises of the courthouse shall not be a criminal offense so  
312 long as the firearm is not removed from the vehicle or brandished while the vehicle is on  
313 the premises;

314 (5) Any meeting of the governing body of a unit of local government; or any  
315 meeting of the general assembly or a committee of the general assembly, except that  
316 nothing in this subdivision shall preclude a member of the body, holding a valid concealed  
317 carry endorsement from carrying a concealed firearm at a meeting of the body which he  
318 or she is a member. Possession of a firearm in a vehicle on the premises shall not be a  
319 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
320 the vehicle is on the premises.

321 (6) The general assembly, county, or municipality may by statute, administrative  
322 regulation, or ordinance, prohibit or limit the carrying of concealed firearms by  
323 endorsement holders in that portion of a building owned, leased or controlled by that unit  
324 of government. Any portion of a building in which the carrying of concealed firearms is  
325 prohibited or limited shall be clearly identified by signs posted at the entrance to the  
326 restricted area. The statute or ordinance shall exempt any building used for public  
327 housing by private persons, highways or rest areas, firing ranges, and private dwellings  
328 owned, leased, or controlled by that unit of government from any restriction on the  
329 carrying or possession of a firearm. The statute or ordinance shall not specify any criminal  
330 penalty for its violation but may specify that persons violating the statute or ordinance may  
331 be denied entrance to the building, ordered to leave the building and if employees of the

332 **unit of government, be subjected to disciplinary measures for violation of the provisions**  
333 **of the statute or ordinance. The provisions of this subdivision shall not apply to any other**  
334 **unit of government;**

335 **(7) Any portion of an establishment licensed to dispense beer or alcoholic beverages**  
336 **for consumption on the premises, which portion of the establishment is primarily devoted**  
337 **to that purpose without the consent of the owner or manager. This subdivision of the**  
338 **subsection does not apply to any bona fide restaurant open to the general public having**  
339 **dining facilities for not less than fifty persons and that receives at least fifty-one percent**  
340 **of its gross annual income from the dining facilities by the sale of food. This subdivision**  
341 **does not prohibit the possession of a firearm in a vehicle on the premises of the**  
342 **establishment and shall not be a criminal offense so long as the firearm is not removed**  
343 **from the vehicle or brandished while the vehicle is on the premises. Nothing in this**  
344 **subdivision authorizes any individual who has been issued a concealed carry endorsement**  
345 **to possess any firearm while intoxicated;**

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

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

351 **(10) Any higher education institution or elementary or secondary school facility**  
352 **without the consent of the governing body of the higher education institution or a school**  
353 **official or the district school board. Possession of a firearm in a vehicle on the premises of**  
354 **any higher education institution or elementary or secondary school facility shall not be a**  
355 **criminal offense so long as the firearm is not removed from the vehicle or brandished while**  
356 **the vehicle is on the premises;**

357 **(11) Any portion of a building used as a child care facility without the consent of**  
358 **the manager. Nothing in this subdivision shall prevent the operator of a child care facility**  
359 **in a family home from owning or possessing a firearm or a driver license or nondriver**  
360 **license containing a concealed carry endorsement;**

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

366 **(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on**  
367 **the premises of the amusement park shall not be a criminal offense so long as the firearm**

368 is not removed from the vehicle or brandished while the vehicle is on the premises;

369 (14) Any church or other place of religious worship without the consent of the  
370 minister or person or persons representing the religious organization that exercises control  
371 over the place of religious worship. Possession of a firearm in a vehicle on the premises  
372 shall not be a criminal offense so long as the firearm is not removed from the vehicle or  
373 brandished while the vehicle is on the premises;

374 (15) Any private property whose owner has posted the premises as being off-limits  
375 to concealed firearms by means of one or more signs displayed in a conspicuous place of  
376 a minimum size of eleven inches by fourteen inches with the writing thereon in letters of  
377 not less than one inch. The owner, business or commercial lessee, manager of a private  
378 business enterprise, or any other organization, entity, or person may prohibit persons  
379 holding a concealed carry endorsement from carrying concealed firearms on the premises  
380 and may prohibit employees, not authorized by the employer, holding a concealed carry  
381 endorsement from carrying concealed firearms on the property of the employer. If the  
382 building or the premises are open to the public, the employer of the business enterprise  
383 shall post signs on or about the premises if carrying a concealed firearm is prohibited.  
384 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long  
385 as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
386 premises. An employer may prohibit employees or other persons holding a concealed carry  
387 endorsement from carrying a concealed firearm in vehicles owned by the employer;

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

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

395 20. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17)  
396 of subsection 19 of this section by any individual who holds concealed carry endorsement  
397 issued pursuant to this section shall not be a criminal act but may subject the person to  
398 denial to the premises or removal from the premises. If such person refuses to leave the  
399 premises and a peace officer is summoned, such person may be issued a citation for an  
400 amount not to exceed one hundred dollars for the first offense. If a second citation for a  
401 similar violation occurs within a six-month period, such person shall be fined an amount  
402 not to exceed two hundred dollars and his or her endorsement to carry concealed firearms  
403 shall be suspended for a period of one year. If a third citation for a similar violation is

404 issued within one year of the first citation such person shall be fined an amount not to  
405 exceed five hundred dollars and shall have his or her certificate of qualification for a  
406 concealed carry endorsement and concealed carry endorsement revoked for a period of  
407 three years. Upon conviction of charges arising from a citation issued pursuant to this  
408 subsection, the court shall notify the sheriff of the county which issued the certificate of  
409 qualification for a concealed carry endorsement and the department of revenue. The  
410 sheriff shall suspend or revoke the certificate of qualification for a concealed carry  
411 endorsement and the department of revenue shall issue a notice of such suspension or  
412 revocation of the concealed carry endorsement and take action to remove the concealed  
413 carry endorsement in the same manner as provided in subsection 12 of this section.

414 **21. An applicant for a concealed carry endorsement shall demonstrate knowledge**  
415 **of firearms safety training. This requirement shall be fully satisfied if the applicant for a**  
416 **concealed carry endorsement:**

417 **(1) Submits a photocopy of a certificate of firearms safety training course**  
418 **completion, as defined in subsection 24 of this section, signed by a qualified firearms safety**  
419 **instructor as defined in subsection 25 of this section; or**

420 **(2) Submits a photocopy of a certificate that shows the applicant completed a**  
421 **firearms safety course given by or under the supervision of any state, county, municipal,**  
422 **or federal law enforcement agency; or**

423 **(3) Is a qualified firearms safety instructor as defined in subsection 25 of this**  
424 **section.**

425 **22. A certificate of firearms safety training course completion may be issued to any**  
426 **applicant by any qualified firearms safety instructor. On the certificate of course**  
427 **completion the qualified firearms safety instructor shall affirm that the individual**  
428 **receiving instruction has taken and passed an eight-hour firearms safety course taught by**  
429 **the instructor that included:**

430 **(1) Handgun safety in the classroom, at home, on the firing range and while**  
431 **carrying the firearm;**

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

435 **(3) The basic principles of marksmanship;**

436 **(4) Care and cleaning of concealable firearms;**

437 **(5) Safe storage of firearms at home;**

438 **(6) The requirements of this state for obtaining a certificate of qualification for a**  
439 **concealed carry endorsement from the sheriff of the individual's county of residence and**



440 a concealed carry endorsement issued by the department of revenue;

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

442 (8) The laws relating to the justifiable use of force as prescribed in chapter 563,  
443 RSMo;

444 (9) A live firing exercise of sufficient duration for each applicant to fire a handgun,  
445 from a standing position or its equivalent, a minimum of fifty rounds at a distance of seven  
446 yards from a B-27 silhouette target or an equivalent target;

447 (10) A live fire test administered to the applicant while the instructor was present  
448 of twenty rounds from a standing position or its equivalent at a distance from a B-27  
449 silhouette target, or an equivalent target, of seven yards;

450 (11) A written test administered to the applicant while the instructor was present  
451 of no less than fifty questions covering the subjects listed in subdivisions (1) to (6) of this  
452 subsection and twenty-five questions covering the subjects listed in subdivisions (7) and (8)  
453 of this subsection. The instructor shall review any questions answered incorrectly by the  
454 applicant on the test.

455 23. A qualified firearms safety instructor shall not give a grade of "passing" to an  
456 applicant for a concealed carry endorsement who:

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

459 (2) Handles a firearm in a manner that, in the judgement of the qualified firearm  
460 safety instructor, poses a danger to the applicant or to others; or

461 (3) During the live fire testing portion of the course fails to hit the silhouette portion  
462 of the targets with at least fifteen rounds; or

463 (4) Answers less than seventy percent of the written examination questions  
464 correctly; or

465 (5) Answers less than twenty questions of the written examination relating to topics  
466 listed in subdivisions (7) and (8) of subsection 22 of this section correctly.

467 24. Qualified firearms safety instructors who provide firearms safety instruction  
468 to any person who applies for a concealed carry endorsement shall:

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

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

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

475 25. A firearms safety instructor shall be considered to be a qualified firearms safety

476 instructor by any sheriff issuing a certificate of qualification for a concealed carry  
477 endorsement pursuant to this section if the instructor:

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

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

482 (3) Submits a photocopy of a certificate from a firearms safety instructor course  
483 approved by the department of public safety; or

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

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

488 26. Any firearms safety instructor who knowingly provides any sheriff with false  
489 information concerning an applicant's performance on either the written test or the live  
490 fire exercise or test administered to the applicant by the instructor pursuant to subdivision  
491 (9) or (10) of subsection 22 of this section shall be guilty of a class C misdemeanor.

492 27. In any case when the sheriff refuses to issue a certificate of qualification or to  
493 act on an application for such certificate, the denied applicant shall have the right to  
494 appeal the denial within thirty days of receiving written notice of the denial. Such appeals  
495 shall be heard in small claims court as defined in section 482.300, RSMo, and the  
496 provisions of sections 482.300, 482.310 and 482.335, RSMo, shall apply to such appeals.

497 28. A denial of or refusal to act on an application for a certificate of qualification  
498 may be appealed by filing with the clerk of the small claims court a copy of the sheriff's  
499 written refusal and a form substantially similar to the appeal form provided in this section.  
500 Appeal forms shall be provided by the clerk of the small claims court free of charge to any  
501 person:

502 **SMALL CLAIMS COURT**

503

504 **In the Circuit Court of..... Missouri**

505

506 **....., Denied Applicant**

507 )

508 )

509 **vs.** ) **Case Number.....**

510

511 )

512 )  
513 ..... , Sheriff  
514  
515 **Return Date** .....

516  
517 **DENIAL OF CERTIFICATE OF QUALIFICATION**  
518 **FOR A CONCEALED CARRY ENDORSEMENT APPEAL**  
519

520 **The denied applicant states that his or her properly completed application for a certificate**  
521 **of qualification for a concealed carry endorsement was denied by the sheriff of .....**  
522 **County, Missouri, without just cause. The denied applicant affirms that all of the**  
523 **statements in the application are true.**

524 ..... , Denied Applicant

525 **29. The notice of appeal in a denial of a certificate of qualification for a concealed**  
526 **carry endorsement appeal shall be made to the sheriff in a manner and form determined**  
527 **by the small claims court judge.**

528 **30. If at the hearing the person shows he or she is entitled to the requested**  
529 **certificate of qualification for a concealed carry endorsement, the court shall issue an**  
530 **appropriate order to cause the issuance of the certificate of qualification for a concealed**  
531 **carry endorsement. Costs shall not be assessed against the sheriff unless the action of the**  
532 **sheriff is determined by the judge to be arbitrary and capricious.**

533 **31. Any person aggrieved by any final judgment rendered by a small claims court**  
534 **in a denial of a certificate of qualification for a concealed carry endorsement appeal may**  
535 **have a right to trial de novo as provided in sections 512.180 to 512.320, RSMo.**

536 **32. Any person who has knowledge that another person, who was issued a**  
537 **certificate of qualification for a concealed carry endorsement pursuant to this section,**  
538 **never was or no longer is eligible for such endorsement under the criteria established in**  
539 **this section, may file a petition with the clerk of the small claims court to revoke that**  
540 **person's certificate of qualification for a concealed carry endorsement and such person's**  
541 **concealed carry endorsement. The petition shall be in a form substantially similar to the**  
542 **petition for revocation of concealed carry endorsement provided in this section. Appeal**  
543 **forms shall be provided by the clerk of the small claims court free of charge to any person:**  
544

545

**SMALL CLAIMS COURT**

546

547 **In the Circuit Court of ..... Missouri**

548

549 ....., **PLAINTIFF**

550

)

551

)

552

**vs.**

)

**Case Number .....**

553

554

)

555

)

556 ....., **DEFENDANT,**

557 **Carry Endorsement Holder**

558

559 ....., **DEFENDANT,**

560 **Sheriff of Issuance**

561

562

**PETITION FOR REVOCATION**

563

**OF CERTIFICATE OF QUALIFICATION**

564

**AND CONCEALED CARRY ENDORSEMENT**

565

566 **Plaintiff states to the court that the defendant, ....., has a certificate**  
567 **of qualification and a concealed carry endorsement issued pursuant to section 571.094,**  
568 **RSMo, and that the defendant's certificate of qualification and concealed carry**  
569 **endorsement should now be revoked because the defendant either never was or no longer**  
570 **is eligible for such a certificate and endorsement pursuant to the provisions of section**  
571 **571.094, RSMo, specifically plaintiff states that defendant, ....., never was or no longer**  
572 **is eligible for such certificate or endorsement for one or more of the following reasons:**

573

574 **(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)**

575

576  **Defendant is not at least twenty-one years of age.**

577

578  **Defendant is not a citizen of the United States.**

579

580  **Defendant had not resided in this state for at least six months prior to issuance of the**

581 **permit and does not qualify as a military member or spouse of a military member stationed**  
582 **in Missouri.**

583

584  **Defendant has pled guilty to or been convicted of a crime punishable by imprisonment**  
585 **for a term exceeding one year under the laws of any state or of the United States other than**  
586 **a crime classified as a misdemeanor under the laws of any state and punishable by a term**  
587 **of imprisonment of one year or less that does not involve an explosive weapon, firearm,**  
588 **firearm silencer, or gas gun.**

589

590  **Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to**  
591 **one or more misdemeanor offenses involving crimes of violence within a five-year period**  
592 **immediately preceding application for a certificate of qualification or concealed carry**  
593 **endorsement issued pursuant to section 511.094, RSMo, or if the applicant has been**  
594 **convicted of two or more misdemeanor offenses involving driving while under the influence**  
595 **of intoxicating liquor or drugs or the possession or abuse of a controlled substance within**  
596 **a five-year period immediately preceding application for a certificate of qualification or**  
597 **a concealed carry endorsement issued pursuant to section 571.094, RSMo.**

598

599  **Defendant is a fugitive from justice or currently charged in an information or indictment**  
600 **with the commission of a crime punishable by imprisonment for a term exceeding one year**  
601 **under the laws of any state of the United States other than a crime classified as a**  
602 **misdemeanor under the laws of any state and punishable by a term of imprisonment of one**  
603 **year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas**  
604 **gun.**

605

606  **Defendant has been discharged under dishonorable conditions from the United States**  
607 **armed forces.**

608

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

611

612  **Defendant is adjudged mentally incompetent at the time of application or for five years**  
613 **prior to application, or has been committed to a mental health facility, as defined in section**  
614 **632.005, RSMo, or a similar institution located in another state, except that a person whose**  
615 **release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a**  
616 **similar discharge from a facility in another state, occurred more than five years ago**

617 **without subsequent recommitment may apply.**

618

619  **Defendant failed to submit a completed application for a certificate of qualification or**  
620 **concealed carry endorsement issued pursuant to section 571.094, RSMo.**

621

622  **Defendant failed to submit to or failed to clear the required background check.**

623

624  **Defendant failed to submit an affidavit attesting that the applicant complies with the**  
625 **concealed carry safety training requirement pursuant to subsection 26 of section 571.094,**  
626 **RSMo.**

627

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

632

633 ..... **PLAINTIFF**

634 **33. If at the hearing the plaintiff shows that the defendant was not eligible for the**  
635 **certificate of qualification or the concealed carry endorsement issued pursuant to this**  
636 **section, at the time of issuance or renewal or is no longer eligible for a certificate of**  
637 **qualification or the concealed carry endorsement issued pursuant to the provisions of this**  
638 **section, the court shall issue an appropriate order to cause the revocation of the certificate**  
639 **of qualification and the concealed carry endorsement. Costs shall not be assessed against**  
640 **the sheriff.**

641 **34. The finder of fact, in any action brought against an endorsement holder**  
642 **pursuant to subsection 32 of this section, shall make findings of fact and the court shall**  
643 **make conclusions of law addressing the issues at dispute. If it is determined that the**  
644 **plaintiff in such an action acted without justification or with malice or primarily with an**  
645 **intent to harass the endorsement holder or that there was no reasonable basis to bring the**  
646 **action, the court shall order the plaintiff to pay the defendant/respondent all reasonable**  
647 **costs incurred in defending the action including, but not limited to, attorney's fees,**  
648 **deposition costs, and lost wages. Once the court determines that the plaintiff is liable to**  
649 **the defendant/respondent for costs and fees, the extent and type of fees and costs to be**  
650 **awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding**  
651 **any other provision of law, reasonable attorney's fees shall be presumed to be at least one**  
652 **hundred fifty dollars per hour.**

653           **35. Any person aggrieved by any final judgment rendered by a small claims court**  
654 **in a petition for revocation of a certificate of qualification and concealed carry**  
655 **endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320,**  
656 **RSMo.**

657           **36. The office of the county sheriff or any employee or agent of the county sheriff**  
658 **shall not be liable for damages in any civil action arising from alleged wrongful or**  
659 **improper granting, renewing, or failure to revoke a certificate of qualification or a**  
660 **concealed carry endorsement issued pursuant to this section, so long as the sheriff acted**  
661 **in good faith.**

662           **37. Any person issued a concealed carry endorsement pursuant to this section shall**  
663 **carry the concealed carry endorsement at all times the person is carrying a concealed**  
664 **firearm and shall display the concealed carry endorsement upon the request of any peace**  
665 **officer. Failure to comply with this subsection shall not be a criminal offense but the**  
666 **concealed carry endorsement holder may be issued a citation for an amount not to exceed**  
667 **thirty-five dollars.**