

HB 120 -- Concealable Weapons

Co-Sponsors: Barnitz, Ransdall, Hampton, Kuessner, Townley, Ward, Sager

This bill allows county sheriffs to issue certificates of qualification for a concealed carry endorsement to allow individuals to carry concealed firearms on their person or in vehicles. A certificate of qualification will allow the applicant to obtain a driver's or nondriver's license with a concealed carry endorsement on the license. A concealed carry endorsement is valid throughout the state for three years.

QUALIFICATIONS FOR OBTAINING A CONCEALED CARRY ENDORSEMENT

To qualify for a concealed carry endorsement, individuals must be at least 21 years of age, not have pled to or been found guilty of a crime that is punishable by a prison sentence of more than one year, not be a fugitive, not have been adjudged mentally incompetent at the time of application or for five years prior to application, not have been released or discharged from a mental health facility less than five years prior to application, and comply with training requirements. The application must include affirmations of the requirements for obtaining a certificate of qualification for a concealed carry endorsement, a warning that individuals who make false statements will be prosecuted for perjury, and a statement of compliance with training requirements.

LIMITATIONS ON WHERE CONCEALED FIREARMS MAY BE CARRIED

The bill allows governmental units, businesses, and other organizations to limit the ability to carry concealed firearms into areas of public buildings that they lease, own, or control, including courthouses; meeting places of governing bodies or the General Assembly; within 25 feet of polling places on election day; adult or juvenile detention facilities and other correctional institutions; airports; bars; schools; hospitals; stadiums; amusement parks; gambling facilities; and churches. Judges or officers of the court who have endorsements may carry concealed firearms into courthouses, and members of governing bodies who have endorsements may carry concealed firearms into meetings of the governing body. Violating prohibitions on carrying concealed firearms in certain locations is grounds for being denied access to or being removed from the premises. Frequent violators are subject to monetary penalties and endorsement suspensions.

TRAINING REQUIREMENTS

Applicants for a concealed carry endorsement must complete a firearms safety course provided by law enforcement agencies, qualified firearms safety instructors, or the military. The bill specifies the required curriculum which includes classroom work and live firing exercises. Certification and training required for qualified firearms safety instructors are also specified. Instructors must keep their course records available for at least four years. Instructors who provide false information about the performance of an applicant in the training program are guilty of a class C misdemeanor.

ADMINISTRATIVE PROVISIONS

The bill requires sheriffs to fingerprint applicants and forward the fingerprints to the FBI for a national criminal history record check if no disqualifying record is found at the state level. The sheriff must also request a criminal background check on the applicant within three days of receipt of the completed application. The bill requires sheriffs to approve or deny an application within three days of receipt of the completed background check. If the criminal background check has not been received within 45 days, the sheriff may provisionally approve the application. The provisional approval must be withdrawn upon the receipt of a background check that results in a disqualifying record.

Sheriffs are required to keep records of applications and report all certificates of qualification issued to the Missouri Uniform Law Enforcement System. Application fees may not exceed \$100; renewal fees may not exceed \$50. Fees are deposited in the county sheriff's revolving fund. If moneys collected and deposited into the fund are not totally expended annually, the balance will be used to produce and distribute public service announcements promoting the safe storage of firearms in the presence of children.

Concealed carry endorsements of persons who have had orders of protection issued against them will be suspended or revoked. Endorsement holders are required to notify the sheriff within specified time limits of changes in permanent residence or if a driver's license or nondriver's license with a concealed carry endorsement is lost or destroyed. The bill contains an appeals process for aggrieved applicants and allows persons to file for revocation against endorsement holders if they have knowledge that the endorsement holder is ineligible.

The bill also removes several provisions from the unlawful use of a weapon statute.