

HB 1274 -- Domestic Violence

Sponsor: Parker

Current law allows a child who is the victim of abuse or stalking to obtain a child order of protection and an adult who is the victim of abuse or stalking to obtain an adult order of protection. This bill requires adult orders of protection to apply to any children who are in the custody of the adult seeking the order, as well as the adult victim.

The bill also specifies a process by which a law enforcement officer can remove a firearm when responding to the scene of an alleged act of domestic violence. If a firearm is removed from the scene, the owner must be provided with information about the process for retaking possession of the firearm; and the law enforcement officer must safely store the firearm while any court proceeding relating to the alleged act of domestic violence is pending. The owner of the firearm may retake possession of the firearm at the conclusion of the proceeding.

The bill requires sheriffs to deny applications and to revoke permits or registration for concealed weapons pursuant to Section 571.090, RSMo, if the applicant or permit holder is subject to an existing order of protection, has been convicted of or plead guilty to domestic assault, or has been convicted of or plead guilty to a violation of an order of protection in which a firearm was used or possessed. The bill also prohibits the shipment of firearms to or from an individual who is subject to a restraining order or an order of protection that includes a finding that the individual represents a credible threat to the physical safety of an intimate partner or child or prohibits the use of physical force against an intimate partner or child. The shipment of firearms to or from an individual who has been convicted by a court of a misdemeanor crime of domestic violence is also prohibited.