

FIRST REGULAR SESSION

HOUSE BILL NO. 180

94TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES DAY (Sponsor), SATER, MUNZLINGER, MEADOWS,
McGHEE, SCHOELLER, SMITH (150), COOPER (120), SCHAD,
WILSON (119) AND MOORE (Co-sponsors).

Pre-filed December 20, 2006 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

0452L.01I

AN ACT

To repeal section 571.095, RSMo, and to enact in lieu thereof one new section relating to the sale or trade of confiscated firearms.

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

Section A. Section 571.095, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.095, to read as follows:

571.095. Upon conviction for or attempting to commit a felony in violation of any law perpetrated in whole or in part by the use of a firearm, the court may, in addition to the penalty provided by law for such offense, order the confiscation and disposal **or sale or trade to a licensed firearms dealer** of firearms and ammunition used in the commission of the crime or found in the possession or under the immediate control of the defendant at the time of his **or her** arrest. **The proceeds of any sale or gains from trade shall be the property of the police department or sheriff's department responsible for the defendant's arrest or the confiscation of the firearms and ammunition.** If such firearms or ammunition are not the property of the convicted felon, they shall be returned to their rightful owner if he **or she** is known and was not a participant in the crime.

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