

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
SENATE COMMITTEE SUBSTITUTE FOR  
**SENATE BILL NO. 1172**  
**94TH GENERAL ASSEMBLY**

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Reported from the Special Committee on General Laws May 6, 2008 with recommendation that House Committee Substitute for Senate Committee Substitute for Senate Bill No. 1172 Do Pass. Referred to the Committee on Rules pursuant to Rule 25(21)(f).

D. ADAM CRUMBLISS, Chief Clerk

5212L.04C

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**AN ACT**

To repeal sections 537.294, 571.010, 571.020, and 571.101, RSMo, and to enact in lieu thereof eight new sections relating to weapons, with penalty provisions.

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

Section A. Sections 537.294, 571.010, 571.020, and 571.101, RSMo, are repealed and  
2 eight new sections enacted in lieu thereof, to be known as sections 537.294, 537.355, 571.010,  
3 571.014, 571.020, 571.072, 571.093, and 571.101, to read as follows:

537.294. 1. As used in this section, the [term] **following terms shall mean:**

2 (1) "Firearm range" [means] , any rifle, pistol, silhouette, skeet, trap, blackpowder or  
3 other similar range in this state used for discharging firearms in a sporting event or for practice  
4 or instruction in the use of a firearm, or for the testing of a firearm;

5 (2) "**Hunting preserve**", **any hunting preserve or licensed shooting area operating**  
6 **under a permit granted by the Missouri department of conservation.**

7 2. All owners **and authorized users** of firearm ranges [in existence on August 13,  
8 1988,] shall be immune from any criminal **and civil** liability arising out of or as a consequence  
9 of noise or sound emission resulting from the [normal] use of any such firearm range. Owners  
10 **and users** of such firearm ranges shall not be subject to any **civil action in tort or subject to any**  
11 **action** for public or private nuisance or trespass and no court in this state shall enjoin the use or  
12 operation of such firearm ranges on the basis of noise or sound emission resulting from the

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.

13 [normal] use of any such firearm range. [The term "normal use" of a firearm range, as used in  
14 this subsection, means the average level of use of the firearm range during the twelve months  
15 preceding August 13, 1988] **Any actions by a court in this state to enjoin the use or operation  
16 of such firearm ranges and any damages awarded or imposed by a court, or assessed by  
17 a jury, in this state against any owner or user of such firearm ranges for nuisance or  
18 trespass are null and void.**

19 3. [All owners of firearms ranges placed in operation after August 13, 1988, shall be  
20 immune from any criminal liability and shall not be subject to any action for public or private  
21 nuisance or trespass arising out of or as a consequence of noise or sound emission resulting from  
22 the normal use of any such firearm range, if such firearm range conforms to any one of the  
23 following requirements:

24 (1) Any area from which any firearm may be properly discharged is at least one thousand  
25 yards from any occupied permanent dwelling on adjacent property;

26 (2) Any area from which any rifle or pistol may be properly discharged is enclosed by  
27 a permanent building or structure that absorbs or contains the sound energy escaping from the  
28 muzzle of firearms in use; or

29 (3) If the firearm range is situated on land otherwise subject to land use zoning, the  
30 firearm range is in compliance with the requirements of the zoning authority regarding the sound  
31 deflection or absorbent baffles, barriers, or other sound emission control requirements] **All  
32 owners and authorized users of existing hunting preserves or areas that are designated as  
33 hunting preserves after the effective date of this section shall be immune from any criminal  
34 and civil liability arising out of or as a consequence of noise or sound emission resulting  
35 from the normal use of any such hunting preserve. Owners or authorized users of such  
36 hunting preserves shall not be subject to any action for public or private nuisance or  
37 trespass, and no court in this state shall enjoin the use or operation of such hunting  
38 preserves on the basis of noise or sound emission resulting from normal use of any such  
39 hunting preserve.**

40 4. **Notwithstanding any other provision of law to the contrary, nothing in this  
41 section shall be construed to limit civil liability for compensatory damage arising from  
42 physical injury to another human, physical injury to tangible personal property, or  
43 physical injury to fixtures or structures placed on real property.**

**537.355. An owner of land who either directly or indirectly invites or permits  
2 without charge any person to use such property for hunting or fishing purposes or other  
3 recreational purpose, including but not limited to, any aircraft or ultralight vehicle activity,  
4 does not thereby:**

5           **(1) Confer upon such person the legal status of an invitee or licensee and owes to**  
6 **such person only the duty of care as is owed to a trespasser under the law;**

7           **(2) Without the failure to exercise just ordinary care, assume responsibility for or**  
8 **incur liability for any injury to persons or property caused by an act or omission of such**  
9 **persons while hunting or fishing or engaging in other recreational activities, such as**  
10 **operating aircraft or ultralight vehicles;**

11           **(3) Without the failure to exercise just ordinary care, assume responsibility for or**  
12 **incur liability for any injury to persons or property, wherever such persons or property**  
13 **are located, caused while hunting or fishing or engaging in other recreational activities,**  
14 **such as operating aircraft or ultralight vehicles.**

571.010. As used in this chapter, **the following terms shall mean:**

2           **(1) "Antique, curio or relic firearm" [means] , any firearm so defined by the National**  
3 **Gun Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of**  
4 **Alcohol Tobacco and Firearms, 27 CFR Section 178.11:**

5           **(a) Antique firearm is any firearm not designed or redesigned for using rim fire or**  
6 **conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said**  
7 **ammunition not being manufactured any longer; this includes any matchlock, wheel lock,**  
8 **flintlock, percussion cap or similar type ignition system, or replica thereof;**

9           **(b) Curio or relic firearm is any firearm deriving value as a collectible weapon due to its**  
10 **unique design, ignition system, operation or at least fifty years old, associated with a historical**  
11 **event, renown personage or major war;**

12           **(2) "Blackjack" [means] , any instrument that is designed or adapted for the purpose of**  
13 **stunning or inflicting physical injury by striking a person, and which is readily capable of lethal**  
14 **use;**

15           **(3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that**  
16 **is intended for blasting, but not otherwise defined as an explosive under this section,**  
17 **provided that the finished product, as mixed for use of shipment, cannot be detonated by**  
18 **means of a numbered 8 test blasting cap when unconfined;**

19           **(4) "Concealable firearm" [means] , any firearm with a barrel less than sixteen inches**  
20 **in length, measured from the face of the bolt or standing breech;**

21           **[(4)] (5) "Deface" [means] , to alter or destroy the manufacturer's or importer's serial**  
22 **number or any other distinguishing number or identification mark;**

23           **(6) "Detonator", any device containing a detonating charge that is used for**  
24 **initiating detonation in an explosive, including but not limited to, electric blasting caps of**  
25 **instantaneous and delay types, non-electric blasting caps for use with safety fuse or shock**  
26 **tube and detonating-cord delay connectors;**

27           [(5)] (7) "Explosive weapon" [means] , any explosive, incendiary, or poison gas bomb  
28 or similar device designed or adapted for the purpose of inflicting death, serious physical injury,  
29 or substantial property damage; or any device designed or adapted for delivering or shooting such  
30 a weapon. **For the purposes of this subdivision, the term "explosive" shall mean any**  
31 **chemical compound mixture or device, the primary or common purpose of which is to**  
32 **function by explosion, including but not limited to, dynamite and other high explosives,**  
33 **pellet powder, initiating explosives, detonators, safety fuses, squibs, detonating cords,**  
34 **igniter cords, and igniters or blasting agents;**

35           [(6)] (8) "Firearm" [means] , any weapon that is designed or adapted to expel a projectile  
36 by the action of an explosive;

37           [(7)] (9) "Firearm silencer" [means] , any instrument, attachment, or appliance that is  
38 designed or adapted to muffle the noise made by the firing of any firearm;

39           [(8)] (10) "Gas gun" [means] , any gas ejection device, weapon, cartridge, container or  
40 contrivance other than a gas bomb, that is designed or adapted for the purpose of ejecting any  
41 poison gas that will cause death or serious physical injury, but not any device that ejects a  
42 repellant or temporary incapacitating substance;

43           [(9)] (11) "Intoxicated" [means] , substantially impaired mental or physical capacity  
44 resulting from introduction of any substance into the body;

45           [(10)] (12) "Knife" [means] , any dagger, dirk, stiletto, or bladed hand instrument that  
46 is readily capable of inflicting serious physical injury or death by cutting or stabbing a person.  
47 For purposes of this chapter, "knife" does not include any ordinary pocketknife with no blade  
48 more than four inches in length;

49           [(11)] (13) "Knuckles" [means] , any instrument that consists of finger rings or guards  
50 made of a hard substance that is designed or adapted for the purpose of inflicting serious physical  
51 injury or death by striking a person with a fist enclosed in the knuckles;

52           [(12)] (14) "Machine gun" [means] , any firearm that is capable of firing more than one  
53 shot automatically, without manual reloading, by a single function of the trigger;

54           [(13)] (15) "Projectile weapon" [means] , any bow, crossbow, pellet gun, slingshot or  
55 other weapon that is not a firearm, which is capable of expelling a projectile that could inflict  
56 serious physical injury or death by striking or piercing a person;

57           [(14)] (16) "Rifle" [means] , any firearm designed or adapted to be fired from the  
58 shoulder and to use the energy of the explosive in a fixed metallic cartridge to fire a projectile  
59 through a rifled bore by a single function of the trigger;

60           [(15)] (17) "Short barrel" [means] , a barrel length of less than sixteen inches for a rifle  
61 and eighteen inches for a shotgun, both measured from the face of the bolt or standing breech,  
62 or an overall rifle or shotgun length of less than twenty-six inches;

63 [(16)] (18) "Shotgun" [means] , any firearm designed or adapted to be fired from the  
64 shoulder and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot  
65 or a single projectile through a smooth bore barrel by a single function of the trigger;

66 [(17)] (19) "Spring gun" [means] , any fused, timed or nonmanually controlled trap or  
67 device designed or adapted to set off an explosion for the purpose of inflicting serious physical  
68 injury or death;

69 [(18)] (20) "Switchblade knife" [means] , any knife which has a blade that folds or  
70 closes into the handle or sheath, and:

71 (a) That opens automatically by pressure applied to a button or other device located on  
72 the handle; or

73 (b) That opens or releases from the handle or sheath by the force of gravity or by the  
74 application of centrifugal force.

**571.014. 1. A person commits the crime of unlawful refusal to transfer by denying  
2 sale of a firearm to a non-licensee, who is otherwise not prohibited from possessing a  
3 firearm under state or federal law, solely on the basis that the non-licensee purchased a  
4 firearm that was later the subject of a trace request by law enforcement.**

**5 2. Violation of subsection 1 of this section shall be a class A misdemeanor.**

**6 3. Notwithstanding any other provision of law to the contrary, no federal firearms  
7 dealer licensed under 18 U.S.C. Section 923 who engages in the sale of firearms within this  
8 state shall fail or refuse to complete the sale of a firearm to a customer in every case in  
9 which the sale is authorized by federal law.**

**10 4. The provisions of this section shall not apply to any individual federal firearms  
11 license holder, his agents, or employees to the extent they chose in their individual  
12 judgment to not complete the sale or transfer of a firearm for articulable reasons specific  
13 to that transaction, so long as those reasons are not based on the race, gender, religion,  
14 creed of the buyer.**

571.020. 1. A person commits a crime if such person knowingly possesses,  
2 manufactures, transports, repairs, or sells:

3 (1) An explosive weapon;

4 (2) An explosive, incendiary or poison substance or material with the purpose to possess,  
5 manufacture or sell an explosive weapon;

6 (3) A machine gun;

7 (4) A gas gun;

8 (5) A short barreled rifle or shotgun;

9 (6) A firearm silencer;

10 (7) A switchblade knife;

11 (8) A bullet or projectile which explodes or detonates upon impact because of an  
12 independent explosive charge after having been shot from a firearm; or

13 (9) Knuckles.

14 2. A person does not commit a crime pursuant to this section if his conduct:

15 (1) Was incident to the performance of official duty by the armed forces, national guard,  
16 a governmental law enforcement agency, or a penal institution; or

17 (2) Was incident to engaging in a lawful commercial or business transaction with an  
18 organization enumerated in subdivision (1) of this section; or

19 (3) Was incident to using an explosive weapon in a manner reasonably related to a lawful  
20 industrial or commercial enterprise; or

21 (4) Was incident to displaying the weapon in a public museum or exhibition; or

22 (5) Was incident to dealing with the weapon solely as a curio, ornament, or keepsake,  
23 or to using it in a manner reasonably related to a lawful dramatic performance; but if the weapon  
24 is a type described in subdivision (1)[,] **or** (4) [or (6)] of subsection 1 of this section it must be  
25 in such a nonfunctioning condition that it cannot readily be made operable. No short barreled  
26 rifle, short barreled shotgun, [or] machine gun, **or firearm silencer** may be possessed,  
27 manufactured, transported, repaired or sold as a curio, ornament, or keepsake, unless such person  
28 is an importer, manufacturer, dealer, or collector licensed by the Secretary of the Treasury  
29 pursuant to the Gun Control Act of 1968, U.S.C., Title 18, or unless such firearm is an "antique  
30 firearm" as defined in subsection 3 of section 571.080, or unless such firearm has been  
31 designated a "collectors item" by the Secretary of the Treasury pursuant to the U.S.C., Title 26,  
32 Section 5845(a).

33 3. A crime pursuant to subdivision (1), (2), (3), (4), (5) or (6) of subsection 1 of this  
34 section is a class C felony; a crime pursuant to subdivision (7), (8) or (9) of subsection 1 of this  
35 section is a class A misdemeanor.

**571.072. 1. A person commits the crime of unlawful possession of an explosive  
2 weapon if he or she has any explosive weapon in his or her possession and:**

3 **(1) He or she has pled guilty to or has been convicted of a dangerous felony, as**  
4 **defined in section 556.061, RSMo, or of an attempt to commit a dangerous felony, or of a**  
5 **crime under the laws of any state or of the United States which, if committed within this**  
6 **state, would be a dangerous felony, or confined therefor in this state or elsewhere during**  
7 **the five-year period immediately preceding the date of such possession; or**

8 **(2) He or she is a fugitive from justice, is habitually in an intoxicated or drugged**  
9 **condition, or is currently adjudged mentally incompetent.**

10           **2. This section shall not apply to any individual who handles or possesses an**  
11 **explosive weapon in the course of his or her employment for a legally licensed handler of**  
12 **explosives.**

13           **3. Unlawful possession of an explosive weapon is a class C felony.**

**571.093. If any sheriff retains records of permits to obtain concealable firearms**  
2 **issued under former section 571.090, as repealed by senate bills nos. 62 and 41 of the**  
3 **ninety-fourth general assembly, then such records shall be closed to the public. No such**  
4 **record shall be made available for any purpose whatsoever unless its disclosure is**  
5 **mandated by a valid court order relating to a criminal investigation.**

          571.101. 1. All applicants for concealed carry endorsements issued pursuant to  
2 subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the  
3 said applicant can show qualification as provided by sections 571.101 to 571.121, the county or  
4 city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon  
5 receipt of such certificate, the certificate holder shall apply for a driver's license or nondriver's  
6 license with the director of revenue in order to obtain a concealed carry endorsement. Any  
7 person who has been issued a concealed carry endorsement on a driver's license or nondriver's  
8 license and such endorsement or license has not been suspended, revoked, canceled, or denied  
9 may carry concealed firearms on or about his or her person or within a vehicle. A concealed  
10 carry endorsement shall be valid for a period of three years from the date of issuance or renewal.  
11 The concealed carry endorsement is valid throughout this state.

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

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

16           (a) Has [resided] **assumed residency** 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 member  
18 of the military;

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

24           (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one  
25 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 offenses

28 involving driving while under the influence of intoxicating liquor or drugs or the possession or  
29 abuse of a controlled substance within a five-year period immediately preceding application for  
30 a certificate of qualification for a concealed carry endorsement;

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

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

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

40 (7) Is not adjudged mentally incompetent at the time of application or for five years prior  
41 to application, or has not been committed to a mental health facility, as defined in section  
42 632.005, RSMo, or a similar institution located in another state following a hearing at which the  
43 defendant was represented by counsel or a representative;

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

46 (9) Submits an affidavit attesting that the applicant complies with the concealed carry  
47 safety training requirement pursuant to subsections 1 and 2 of section 571.111;

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

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

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

53 (2) An affirmation that the applicant [is a resident of the state of Missouri and has been  
54 a resident thereof for the last six months] **has assumed residency in Missouri** or is a member  
55 of the armed forces stationed in Missouri or the spouse of such a member of the armed forces  
56 and is a citizen of the United States;

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

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



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

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

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

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

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

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

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

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

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

99           (2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11  
100 of this section.

101           5. Before an application for a certificate of qualification for a concealed carry  
102 endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary  
103 into the accuracy of the statements made in the application. The sheriff may require that the  
104 applicant display a Missouri driver's license or nondriver's license or military identification and  
105 orders showing the person being stationed in Missouri. In order to determine the applicant's  
106 suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall  
107 be fingerprinted. The sheriff shall request a criminal background check through the appropriate  
108 law enforcement agency within three working days after submission of the properly completed  
109 application for a certificate of qualification for a concealed carry endorsement. If no  
110 disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall  
111 be forwarded to the Federal Bureau of Investigation for a national criminal history record check.  
112 Upon receipt of the completed background check, the sheriff shall issue a certificate of  
113 qualification for a concealed carry endorsement within three working days. The sheriff shall  
114 issue the certificate within forty-five calendar days if the criminal background check has not been  
115 received, provided that the sheriff shall revoke any such certificate and endorsement within  
116 twenty-four hours of receipt of any background check that results in a disqualifying record, and  
117 shall notify the department of revenue.

118           6. The sheriff may refuse to approve an application for a certificate of qualification for  
119 a concealed carry endorsement if he or she determines that any of the requirements specified in  
120 subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable  
121 reason to believe that the applicant has rendered a false statement regarding any of the provisions  
122 of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required  
123 to deny the application, and notify the applicant in writing, stating the grounds for denial and  
124 informing the applicant of the right to submit, within thirty days, any additional documentation  
125 relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff  
126 shall reconsider his or her decision and inform the applicant within thirty days of the result of  
127 the reconsideration. The applicant shall further be informed in writing of the right to appeal the  
128 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews  
129 and denials by the sheriff, the person submitting the application shall appeal the denial pursuant  
130 to subsections 2, 3, 4, and 5 of section 571.114.

131           7. If the application is approved, the sheriff shall issue a certificate of qualification for  
132 a concealed carry endorsement to the applicant within a period not to exceed three working days  
133 after his or her approval of the application. The applicant shall sign the certificate of  
134 qualification in the presence of the sheriff or his or her designee and shall within seven days of

receipt of the certificate of qualification take the certificate of qualification to the department of revenue. Upon verification of the certificate of qualification and completion of a driver's license or nondriver's license application pursuant to chapter 302, RSMo, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or nondriver's license. The requirements for the director of revenue to issue a concealed carry endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

8. The sheriff shall keep a record of all applications for a certificate of qualification for a concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a certificate of qualification to the Missouri uniform law enforcement system. All information on any such certificate that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

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

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

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

12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the sheriff of any county or city not within a county or his or her designee and in counties of the first

170 classification the sheriff may designate the chief of police of any city, town, or municipality  
171 within such county.

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