

HOUSE _____ **AMENDMENT NO.** _____

Offered By

AMEND House Committee Substitute No. 2 for House Bill Nos. 1692, 1209, 1405, 1499, 1535,
and 1811, Page 57, Section 542.286, Line 11 by inserting after all of said line the following:

“563.011. As used in this chapter the following terms shall mean:

(1) "Deadly force", physical force which the actor uses with the purpose of causing or
which he or she knows to create a substantial risk of causing death or serious physical injury;

(2) "Dwelling", any building, inhabitable structure, or conveyance of any kind, whether
the building, inhabitable structure, or conveyance is temporary or permanent, mobile or immobile,
which has a roof over it, including a tent, and is designed to be occupied by people lodging therein
at night;

(3) "Forcible felony", any felony involving the use or threat of physical force or violence
against any individual, including but not limited to murder, robbery, burglary, arson, kidnapping,
assault, and any forcible sexual offense;

(4) "Premises", includes any building, inhabitable structure and any real property;

(5) "Private person", any person other than a law enforcement officer;

(6) "Private property", any real property in this state that is privately owned or leased;

(7) "Remain after unlawfully entering", to remain in or upon premises after unlawfully
entering as defined in this section;

~~[(7)]~~ (8) "Residence", a dwelling in which a person resides either temporarily or
permanently or is visiting as an invited guest;

~~[(8)]~~ (9) "Unlawfully enter", a person unlawfully enters in or upon premises or private

1 property when he or she enters such premises or private property and is not licensed or privileged
2 to do so. A person who, regardless of his or her purpose, enters in or upon private property or
3 premises that are at the time open to the public does so with license unless he or she defies a
4 lawful order not to enter, personally communicated to him or her by the owner of such premises or
5 by another authorized person. A license to enter in a building that is only partly open to the public
6 is not a license to enter in that part of the building that is not open to the public.

7 563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use
8 physical force upon another person when and to the extent he or she reasonably believes such
9 force to be necessary to defend himself or herself or a third person from what he or she reasonably
10 believes to be the use or imminent use of unlawful force by such other person, unless:

11 (1) The actor was the initial aggressor; except that in such case his or her use of force is
12 nevertheless justifiable provided:

13 (a) He or she has withdrawn from the encounter and effectively communicated such
14 withdrawal to such other person but the latter persists in continuing the incident by the use or
15 threatened use of unlawful force; or

16 (b) He or she is a law enforcement officer and as such is an aggressor pursuant to section
17 563.046; or

18 (c) The aggressor is justified under some other provision of this chapter or other provision
19 of law;

20 (2) Under the circumstances as the actor reasonably believes them to be, the person whom
21 he or she seeks to protect would not be justified in using such protective force;

22 (3) The actor was attempting to commit, committing, or escaping after the commission of
23 a forcible felony.

24 2. A person may not use deadly force upon another person under the circumstances
25 specified in subsection 1 of this section unless:

26 (1) He or she reasonably believes that such deadly force is necessary to protect himself or

1 herself or another against death, serious physical injury, or any forcible felony; [or]

2 (2) Such force is used against a person who unlawfully enters, remains after unlawfully
3 entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by
4 such person; or

5 (3) Such force is used against a person who unlawfully enters, remains after unlawfully
6 entering, or attempts to unlawfully enter private property that is owned or leased by an individual
7 claiming a justification of using protective force under this section.

8 3. A person does not have a duty to retreat from a dwelling, residence, or vehicle where
9 the person is not unlawfully entering or unlawfully remaining. A person does not have a duty to
10 retreat from private property that is owned or leased by such individual.

11 4. The justification afforded by this section extends to the use of physical restraint as
12 protective force provided that the actor takes all reasonable measures to terminate the restraint as
13 soon as it is reasonable to do so.

14 5. The defendant shall have the burden of injecting the issue of justification under this
15 section.”; and

16
17 Further amend said bill, Section 571.030, Page 60, Line 132, by inserting after all of said line the
18 following:

19
20 “571.070. 1. A person commits the crime of unlawful possession of a firearm if such
21 person knowingly has any firearm in his or her possession and:

22 (1) Such person has been convicted of a felony under the laws of this state, or of a crime
23 under the laws of any state or of the United States which, if committed within this state, would be
24 a felony; or

25 (2) Such person is a fugitive from justice, is habitually in an intoxicated or drugged
26 condition, or is currently adjudged mentally incompetent.

1 2. Unlawful possession of a firearm is a class C felony.

2 3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to the
3 possession of an antique firearm.

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

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

18 (1) Is at least [twenty-three] twenty-one years of age, is a citizen of the United States and
19 either:

20 (a) Has assumed residency in this state; or

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

23 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
24 crime punishable by imprisonment for a term exceeding one year under the laws of any state or of
25 the United States other than a crime classified as a misdemeanor under the laws of any state and
26 punishable by a term of imprisonment of one year or less that does not involve an explosive

1 weapon, firearm, firearm silencer or gas gun;

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

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

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

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

18 (7) Is not adjudged mentally incompetent at the time of application or for five years prior
19 to application, or has not been committed to a mental health facility, as defined in section
20 632.005, RSMo, or a similar institution located in another state following a hearing at which the
21 defendant was represented by counsel or a representative;

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

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

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

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

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

5 (2) An affirmation that the applicant has assumed residency in Missouri or is a member of
6 the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is
7 a citizen of the United States;

8 (3) An affirmation that the applicant is at least [twenty-three] twenty-one years of age;

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

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

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

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

3 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of
4 application or for five years prior to application, or has not been committed to a mental health
5 facility, as defined in section 632.005, RSMo, or a similar institution located in another state,
6 except that a person whose release or discharge from a facility in this state pursuant to chapter
7 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years
8 ago without subsequent recommitment may apply;

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

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

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

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

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

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

26 5. Before an application for a certificate of qualification for a concealed carry

1 endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary
2 into the accuracy of the statements made in the application. The sheriff may require that the
3 applicant display a Missouri driver's license or nondriver's license or military identification and
4 orders showing the person being stationed in Missouri. In order to determine the applicant's
5 suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall
6 be fingerprinted. The sheriff shall request a criminal background check through the appropriate
7 law enforcement agency within three working days after submission of the properly completed
8 application for a certificate of qualification for a concealed carry endorsement. If no disqualifying
9 record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to
10 the Federal Bureau of Investigation for a national criminal history record check. Upon receipt of
11 the completed background check, the sheriff shall issue a certificate of qualification for a
12 concealed carry endorsement within three working days. The sheriff shall issue the certificate
13 within forty-five calendar days if the criminal background check has not been received, provided
14 that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of
15 receipt of any background check that results in a disqualifying record, and shall notify the
16 department of revenue.

17 6. The sheriff may refuse to approve an application for a certificate of qualification for a
18 concealed carry endorsement if he or she determines that any of the requirements specified in
19 subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable
20 reason to believe that the applicant has rendered a false statement regarding any of the provisions
21 of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to
22 deny the application, and notify the applicant in writing, stating the grounds for denial and
23 informing the applicant of the right to submit, within thirty days, any additional documentation
24 relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff
25 shall reconsider his or her decision and inform the applicant within thirty days of the result of the
26 reconsideration. The applicant shall further be informed in writing of the right to appeal the

1 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and
2 denials by the sheriff, the person submitting the application shall appeal the denial pursuant to
3 subsections 2, 3, 4, and 5 of section 571.114.

4 7. If the application is approved, the sheriff shall issue a certificate of qualification for a
5 concealed carry endorsement to the applicant within a period not to exceed three working days
6 after his or her approval of the application. The applicant shall sign the certificate of qualification
7 in the presence of the sheriff or his or her designee and shall within seven days of receipt of the
8 certificate of qualification take the certificate of qualification to the department of revenue. Upon
9 verification of the certificate of qualification and completion of a driver's license or nondriver's
10 license application pursuant to chapter 302, RSMo, the director of revenue shall issue a new
11 driver's license or nondriver's license with an endorsement which identifies that the applicant has
12 received a certificate of qualification to carry concealed weapons issued pursuant to sections
13 571.101 to 571.121 if the applicant is otherwise qualified to receive such driver's license or
14 nondriver's license. The requirements for the director of revenue to issue a concealed carry
15 endorsement pursuant to this subsection shall not be effective until July 1, 2004, and the
16 certificate of qualification issued by a county sheriff pursuant to subsection 1 of this section shall
17 allow the person issued such certificate to carry a concealed weapon pursuant to the requirements
18 of subsection 1 of section 571.107 in lieu of the concealed carry endorsement issued by the
19 director of revenue from October 11, 2003, until the concealed carry endorsement is issued by the
20 director of revenue on or after July 1, 2004, unless such certificate of qualification has been
21 suspended or revoked for cause.

22 8. The sheriff shall keep a record of all applications for a certificate of qualification for a
23 concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of
24 a certificate of qualification to the Missouri uniform law enforcement system. All information on
25 any such certificate that is protected information on any driver's or nondriver's license shall have
26 the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as

1 a holder of a certificate of qualification or a concealed carry endorsement shall not be public
2 information and shall be considered personal protected information. Any person who violates the
3 provisions of this subsection by disclosing protected information shall be guilty of a class A
4 misdemeanor.

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

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

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

15 12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the
16 sheriff of any county or city not within a county or his or her designee and in counties of the first
17 classification the sheriff may designate the chief of police of any city, town, or municipality
18 within such county.

19 571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to
20 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes
21 ineligible for such concealed carry endorsement under the criteria established in subdivisions (2),
22 (3), (4), (5), and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of
23 protection.

24 (2) When a valid full order of protection, or any arrest warrant, discharge, or commitment
25 for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is
26 issued against a person holding a concealed carry endorsement issued pursuant to sections

1 571.101 to 571.121 upon notification of said order, warrant, discharge or commitment or upon an
2 order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a
3 full order of protection proceeding ruling that a person holding a concealed carry endorsement
4 presents a risk of harm to themselves or others, then upon notification of such order, the holder of
5 the concealed carry endorsement shall surrender the driver's license or nondriver's license
6 containing the concealed carry endorsement to the court, to the officer, or other official serving
7 the order, warrant, discharge, or commitment.

8 (3) The official to whom the driver's license or nondriver's license containing the
9 concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license
10 upon a form, approved by the director of revenue, that serves as a driver's license or a nondriver's
11 license and clearly states the concealed carry endorsement has been suspended. The official shall
12 then transmit the driver's license or a nondriver's license containing the concealed carry
13 endorsement to the circuit court of the county issuing the order, warrant, discharge, or
14 commitment. The concealed carry endorsement issued pursuant to sections 571.101 to 571.121
15 shall be suspended until the order is terminated or until the arrest results in a dismissal of all
16 charges. Upon dismissal, the court holding the driver's license or nondriver's license containing
17 the concealed carry endorsement shall return it to the individual.

18 (4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
19 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
20 action and the driver's license or nondriver's license with the concealed carry endorsement to the
21 department of revenue. The department of revenue shall notify the sheriff of the county which
22 issued the certificate of qualification for a concealed carry endorsement and shall report the
23 change in status of the concealed carry endorsement to the Missouri uniform law enforcement
24 system. The director of revenue shall immediately remove the endorsement issued pursuant to
25 sections 571.101 to 571.121 from the individual's driving record within three days of the receipt
26 of the notice from the court. The director of revenue shall notify the licensee that he or she must

1 apply for a new license pursuant to chapter 302, RSMo, which does not contain such
2 endorsement. This requirement does not affect the driving privileges of the licensee. The notice
3 issued by the department of revenue shall be mailed to the last known address shown on the
4 individual's driving record. The notice is deemed received three days after mailing.

5 2. A concealed carry endorsement shall be renewed for a qualified applicant upon receipt
6 of the properly completed renewal application and the required renewal fee by the sheriff of the
7 county of the applicant's residence. The renewal application shall contain the same required
8 information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint
9 requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant need
10 only display his or her current driver's license or nondriver's license containing a concealed carry
11 endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a
12 certificate of qualification which contains the date such certificate was renewed.

13 3. A person who has been issued a certificate of qualification for a concealed carry
14 endorsement who fails to file a renewal application on or before its expiration date must pay an
15 additional late fee of ten dollars per month for each month it is expired for up to six months.
16 After six months, the sheriff who issued the expired certificate shall notify the director of revenue
17 that such certificate is expired. The director of revenue shall immediately cancel the concealed
18 carry endorsement and remove such endorsement from the individual's driving record and notify
19 the individual of such cancellation. The notice of cancellation of the endorsement shall be
20 conducted in the same manner as described in subsection 1 of this section. Any person who has
21 been issued a certificate of qualification for a concealed carry endorsement pursuant to sections
22 571.101 to 571.121 who fails to renew his or her application within the six-month period must
23 reapply for a new certificate of qualification for a concealed carry endorsement and pay the fee for
24 a new application. The director of revenue shall not issue an endorsement on a renewed driver's
25 license or renewed nondriver's license unless the applicant for such license provides evidence that
26 he or she has renewed the certification of qualification for a concealed carry endorsement in the

manner provided for such renewal pursuant to sections 571.101 to 571.121. If an applicant for renewal of a driver's license or nondriver's license containing a concealed carry endorsement does not want to maintain the concealed carry endorsement, the applicant shall inform the director at the time of license renewal of his or her desire to remove the endorsement. When a driver's or nondriver's license applicant informs the director of his or her desire to remove the concealed carry endorsement, the director shall renew the driver's license or nondriver's license without the endorsement appearing on the license if the applicant is otherwise qualified for such renewal.

4. Any person issued a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall notify the department of revenue and the sheriffs of both the old and new jurisdictions of the endorsement holder's change of residence within thirty days after the changing of a permanent residence. The endorsement holder shall furnish proof to the department of revenue and the sheriff in the new jurisdiction that the endorsement holder has changed his or her residence. The sheriff of the new jurisdiction may charge a processing fee of not more than ten dollars for any costs associated with notification of a change in residence. The change of residence shall be made by the department of revenue onto the individual's driving record and the new address shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

5. Any person issued a driver's license or nondriver's license containing a concealed carry endorsement pursuant to sections 571.101 to 571.121 shall notify the sheriff or his or her designee of the endorsement holder's county or city of residence within seven days after actual knowledge of the loss or destruction of his or her driver's license or nondriver's license containing a concealed carry endorsement. The endorsement holder shall furnish a statement to the sheriff that the driver's license or nondriver's license containing the concealed carry endorsement has been lost or destroyed. After notification of the loss or destruction of a driver's license or nondriver's license containing a concealed carry endorsement, the sheriff shall reissue a new certificate of qualification within three working days of being notified by the concealed carry endorsement

holder of its loss or destruction. The reissued certificate of qualification shall contain the same personal information, including expiration date, as the original certificate of qualification. The applicant shall then take the certificate to the department of revenue, and the department of revenue shall proceed on the certificate in the same manner as provided in subsection 7 section 571.101. Upon application for a license pursuant to chapter 302, RSMo, the director of revenue shall issue a driver's license or nondriver's license containing a concealed carry endorsement if the applicant is otherwise eligible to receive such license.

6. If a person issued a concealed carry endorsement changes his or her name, the person to whom the endorsement was issued shall obtain a corrected certificate of qualification for a concealed carry endorsement with a change of name from the sheriff who issued such certificate upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not more than ten dollars for any costs associated with obtaining a corrected certificate of qualification. The endorsement holder shall furnish proof of the name change to the department of revenue and the sheriff within thirty days of changing his or her name and display his or her current driver's license or nondriver's license containing a concealed carry endorsement. The endorsement holder shall apply for a new driver's license or nondriver's license containing his or her new name. Such application for a driver's license or nondriver's license shall be made pursuant to chapter 302, RSMo. The director of revenue shall issue a driver's license or nondriver's license with concealed carry endorsement with the endorsement holder's new name if the applicant is otherwise eligible for such license. The director of revenue shall take custody of the old driver's license or nondriver's license. The name change shall be made by the department of revenue onto the individual's driving record and the new name shall be accessible by the Missouri uniform law enforcement system within three days of receipt of the information.

7. A concealed carry endorsement shall be automatically invalid after thirty days if the endorsement holder has changed his or her name or changed his or her residence and not notified the department of revenue and sheriff of a change of name or residence as required in subsections

1 4 and 6 of this section.

2 571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to
3 571.121 or a concealed carry endorsement or permit issued by another state or political
4 subdivision of another state shall authorize the person in whose name the permit or endorsement
5 is issued to carry concealed firearms on or about his or her person or vehicle throughout the state.
6 No driver's license or nondriver's license containing a concealed carry endorsement issued
7 pursuant to sections 571.101 to 571.121 or a concealed carry endorsement or permit issued by
8 another state or political subdivision of another state shall authorize any person to carry concealed
9 firearms into:

10 (1) Any police, sheriff, or highway patrol office or station without the consent of the chief
11 law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on
12 the premises of the office or station shall not be a criminal offense so long as the firearm is not
13 removed from the vehicle or brandished while the vehicle is on the premises;

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

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

21 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any
22 courtrooms, administrative offices, libraries or other rooms of any such court whether or not such
23 court solely occupies the building in question. This subdivision shall also include, but not be
24 limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the
25 courts or offices listed in this subdivision are temporarily conducting any business within the
26 jurisdiction of such courts or offices, and such other locations in such manner as may be specified

1 by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision
2 shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while
3 within their jurisdiction and on duty, those persons listed in subdivisions (2) [and] (4), and (10) of
4 subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity
5 for a court as may be specified by supreme court rule pursuant to subdivision (6) of this
6 subsection from carrying a concealed firearm within any of the areas described in this subdivision.
7 Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision
8 shall not be a criminal offense so long as the firearm is not removed from the vehicle or
9 brandished while the vehicle is on the premises;

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

16 (6) The general assembly, supreme court, county or municipality may by rule,
17 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
18 endorsement holders in that portion of a building owned, leased or controlled by that unit of
19 government. Any portion of a building in which the carrying of concealed firearms is prohibited
20 or limited shall be clearly identified by signs posted at the entrance to the restricted area. The
21 statute, rule or ordinance shall exempt any building used for public housing by private persons,
22 highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that
23 unit of government from any restriction on the carrying or possession of a firearm. The statute,
24 rule or ordinance shall not specify any criminal penalty for its violation but may specify that
25 persons violating the statute, rule or ordinance may be denied entrance to the building, ordered to
26 leave the building and if employees of the unit of government, be subjected to disciplinary

measures for violation of the provisions of the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of government;

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

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

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

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

(11) Any portion of a building used as a child-care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child-care facility in a family home from owning or possessing a firearm or a driver's license or nondriver's license containing a

1 concealed carry endorsement;

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

7 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the
8 premises of the amusement park shall not be a criminal offense so long as the firearm is not
9 removed from the vehicle or brandished while the vehicle is on the premises;

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

15 (15) Any private property whose owner has posted the premises as being off-limits to
16 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum
17 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one
18 inch. The owner, business or commercial lessee, manager of a private business enterprise, or any
19 other organization, entity, or person may prohibit persons holding a concealed carry endorsement
20 from carrying concealed firearms on the premises and may prohibit employees, not authorized by
21 the employer, holding a concealed carry endorsement from carrying concealed firearms on the
22 property of the employer. If the building or the premises are open to the public, the employer of
23 the business enterprise shall post signs on or about the premises if carrying a concealed firearm is
24 prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so
25 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
26 premises. An employer may prohibit employees or other persons holding a concealed carry

1 endorsement from carrying a concealed firearm in vehicles owned by the employer;

2 (16) Any sports arena or stadium with a seating capacity of five thousand or more.

3 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the
4 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

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

8 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of
9 subsection 1 of this section by any individual who holds a concealed carry endorsement issued
10 pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to
11 denial to the premises or removal from the premises. If such person refuses to leave the premises
12 and a peace officer is summoned, such person may be issued a citation for an amount not to
13 exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs
14 within a six-month period, such person shall be fined an amount not to exceed two hundred
15 dollars and his or her endorsement to carry concealed firearms shall be suspended for a period of
16 one year. If a third citation for a similar violation is issued within one year of the first citation,
17 such person shall be fined an amount not to exceed five hundred dollars and shall have his or her
18 concealed carry endorsement revoked and such person shall not be eligible for a concealed carry
19 endorsement for a period of three years. Upon conviction of charges arising from a citation issued
20 pursuant to this subsection, the court shall notify the sheriff of the county which issued the
21 certificate of qualification for a concealed carry endorsement and the department of revenue. The
22 sheriff shall suspend or revoke the certificate of qualification for a concealed carry endorsement
23 and the department of revenue shall issue a notice of such suspension or revocation of the
24 concealed carry endorsement and take action to remove the concealed carry endorsement from the
25 individual's driving record. The director of revenue shall notify the licensee that he or she must
26 apply for a new license pursuant to chapter 302, RSMo, which does not contain such

1 endorsement. A concealed carry endorsement suspension pursuant to sections 571.101 to 571.121
2 shall be reinstated at the time of the renewal of his or her driver's license. The notice issued by the
3 department of revenue shall be mailed to the last known address shown on the individual's driving
4 record. The notice is deemed received three days after mailing.”; and

5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.
8