

SECOND REGULAR SESSION

HOUSE BILL NO. 1669

95TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RUZICKA (Sponsor), SMITH (150), RUESTMAN, DOUGHERTY, LARGENT, JONES (89), MUNZLINGER, SCHOELLER, FISHER (125), WILSON (119), FLANIGAN, WILSON (130), DENISON, NOLTE, COLONA, WELLS, SCHAD, SMITH (14), LOEHNER, JONES (117), DIECKHAUS, SCHARNHORST, EMERY, COX, GUEST AND PARKINSON (Co-sponsors).

4221L.02I

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 571.030, 571.101, and 571.107, RSMo, and to enact in lieu thereof three new sections relating to carrying concealed weapons, with penalty provisions.

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

Section A. Sections 571.030, 571.101, and 571.107, RSMo, are repealed and three new sections enacted in lieu thereof, to be known as sections 571.030, 571.101, and 571.107, to read as follows:

571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

(1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other weapon readily capable of lethal use; or

(2) Sets a spring gun; or

(3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor vehicle as defined in section 302.010, RSMo, or any building or structure used for the assembling of people; or

(4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or

(5) Possesses or discharges a firearm or projectile weapon while intoxicated; or

(6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or

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.

14 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or
15 across a public highway or discharges or shoots a firearm into any outbuilding; or

16 (8) Carries a firearm or any other weapon readily capable of lethal use into any church
17 or place where people have assembled for worship, or into any election precinct on any election
18 day, or into any building owned or occupied by any agency of the federal government, state
19 government, or political subdivision thereof; or

20 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section
21 301.010, RSMo, discharges or shoots a firearm at any person, or at any other motor vehicle, or
22 at any building or habitable structure, unless the person was lawfully acting in self-defense; or

23 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable
24 of lethal use into any school, onto any school bus, or onto the premises of any function or activity
25 sponsored or sanctioned by school officials or the district school board.

26 2. Subdivisions (1), (3), (4), (6), (7), (8), (9) and (10) of subsection 1 of this section shall
27 not apply to or affect any of the following:

28 (1) All state, county and municipal peace officers who have completed the training
29 required by the police officer standards and training commission pursuant to sections 590.030
30 to 590.050, RSMo, and possessing the duty and power of arrest for violation of the general
31 criminal laws of the state or for violation of ordinances of counties or municipalities of the state,
32 whether such officers are on or off duty, and whether such officers are within or outside of the
33 law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in
34 subsection 10 of this section, and who carry the identification defined in subsection 11 of this
35 section, or any person summoned by such officers to assist in making arrests or preserving the
36 peace while actually engaged in assisting such officer;

37 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other
38 institutions for the detention of persons accused or convicted of crime;

39 (3) Members of the armed forces or national guard while performing their official duty;

40 (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the
41 judicial power of the state and those persons vested by Article III of the Constitution of the
42 United States with the judicial power of the United States, the members of the federal judiciary;

43 (5) Any person whose bona fide duty is to execute process, civil or criminal;

44 (6) Any federal probation officer or federal flight deck officer as defined under the
45 federal flight deck officer program, 49 U.S.C. Section 44921;

46 (7) Any state probation or parole officer, including supervisors and members of the
47 board of probation and parole;

48 (8) Any corporate security advisor meeting the definition and fulfilling the requirements
49 of the regulations established by the board of police commissioners under section 84.340, RSMo;
50 [and]

51 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner; **and**
52 **(10) Any prosecuting attorney or assistant prosecuting attorney or any circuit**
53 **attorney or assistant circuit attorney who has completed the firearms safety training course**
54 **required under subsection 2 of section 571.111.**

55 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when
56 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when
57 ammunition is not readily accessible or when such weapons are not readily accessible.
58 Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of
59 age or older transporting a concealable firearm in the passenger compartment of a motor vehicle,
60 so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also
61 in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in
62 his or her dwelling unit or upon premises over which the actor has possession, authority or
63 control, or is traveling in a continuous journey peaceably through this state. Subdivision (10)
64 of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by
65 a person while traversing school premises for the purposes of transporting a student to or from
66 school, or possessed by an adult for the purposes of facilitation of a school-sanctioned
67 firearm-related event.

68 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
69 person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to
70 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or
71 political subdivision of another state.

72 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall
73 not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031,
74 RSMo.

75 6. Nothing in this section shall make it unlawful for a student to actually participate in
76 school-sanctioned gun safety courses, student military or ROTC courses, or other
77 school-sponsored firearm-related events, provided the student does not carry a firearm or other
78 weapon readily capable of lethal use into any school, onto any school bus, or onto the premises
79 of any other function or activity sponsored or sanctioned by school officials or the district school
80 board.

81 7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision
82 (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or
83 subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor

84 if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of
85 subsection 1 of this section, in which case it is a class B felony, except that if the violation of
86 subdivision (9) of subsection 1 of this section results in injury or death to another person, it is
87 a class A felony.

88 8. Violations of subdivision (9) of subsection 1 of this section shall be punished as
89 follows:

90 (1) For the first violation a person shall be sentenced to the maximum authorized term
91 of imprisonment for a class B felony;

92 (2) For any violation by a prior offender as defined in section 558.016, RSMo, a person
93 shall be sentenced to the maximum authorized term of imprisonment for a class B felony without
94 the possibility of parole, probation or conditional release for a term of ten years;

95 (3) For any violation by a persistent offender as defined in section 558.016, RSMo, a
96 person shall be sentenced to the maximum authorized term of imprisonment for a class B felony
97 without the possibility of parole, probation, or conditional release;

98 (4) For any violation which results in injury or death to another person, a person shall
99 be sentenced to an authorized disposition for a class A felony.

100 9. Any person knowingly aiding or abetting any other person in the violation of
101 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that
102 prescribed by this section for violations by other persons.

103 10. As used in this section "qualified retired peace officer" means an individual who:

104 (1) Retired in good standing from service with a public agency as a peace officer, other
105 than for reasons of mental instability;

106 (2) Before such retirement, was authorized by law to engage in or supervise the
107 prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any
108 violation of law, and had statutory powers of arrest;

109 (3) Before such retirement, was regularly employed as a peace officer for an aggregate
110 of fifteen years or more, or retired from service with such agency, after completing any
111 applicable probationary period of such service, due to a service-connected disability, as
112 determined by such agency;

113 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such
114 a plan is available;

115 (5) During the most recent twelve-month period, has met, at the expense of the
116 individual, the standards for training and qualification for active peace officers to carry firearms;

117 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or
118 substance; and

119 (7) Is not prohibited by federal law from receiving a firearm.

120 11. The identification required by subdivision (1) of subsection 2 of this section is:

121 (1) A photographic identification issued by the agency from which the individual retired
122 from service as a peace officer that indicates that the individual has, not less recently than one
123 year before the date the individual is carrying the concealed firearm, been tested or otherwise
124 found by the agency to meet the standards established by the agency for training and qualification
125 for active peace officers to carry a firearm of the same type as the concealed firearm; or

126 (2) A photographic identification issued by the agency from which the individual retired
127 from service as a peace officer; and

128 (3) A certification issued by the state in which the individual resides that indicates that
129 the individual has, not less recently than one year before the date the individual is carrying the
130 concealed firearm, been tested or otherwise found by the state to meet the standards established
131 by the state for training and qualification for active peace officers to carry a firearm of the same
132 type as the concealed firearm.

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] **five** years from the date of issuance or
11 renewal. 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] **twenty-one** years of age, is a citizen of the United States
16 and either:

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

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

20 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
21 crime punishable by imprisonment for a term exceeding one year under the laws of any state or
22 of the United States other than a crime classified as a misdemeanor under the laws of any state

23 and punishable by a term of imprisonment of one year or less that does not involve an explosive
24 weapon, firearm, firearm silencer or gas gun;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

168 12. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the
169 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.

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

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

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

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

20 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any
21 courtrooms, administrative offices, libraries or other rooms of any such court whether or not such
22 court solely occupies the building in question. This subdivision shall also include, but not be
23 limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of
24 the courts or offices listed in this subdivision are temporarily conducting any business within the
25 jurisdiction of such courts or offices, and such other locations in such manner as may be
26 specified by supreme court rule pursuant to subdivision (6) of this subsection. Nothing in this
27 subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section
28 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2)

29 [and], (4), **and (10)** of subsection 2 of section 571.030, or such other persons who serve in a law
30 enforcement capacity for a court as may be specified by supreme court rule pursuant to
31 subdivision (6) of this subsection from carrying a concealed firearm within any of the areas
32 described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the
33 areas listed in this subdivision shall not be a criminal offense so long as the firearm is not
34 removed from the vehicle or brandished while the vehicle is on the premises;

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

41 (6) The general assembly, supreme court, county or municipality may by rule,
42 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
43 endorsement holders in that portion of a building owned, leased or controlled by that unit of
44 government. Any portion of a building in which the carrying of concealed firearms is prohibited
45 or limited shall be clearly identified by signs posted at the entrance to the restricted area. The
46 statute, rule or ordinance shall exempt any building used for public housing by private persons,
47 highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that
48 unit of government from any restriction on the carrying or possession of a firearm. The statute,
49 rule or ordinance shall not specify any criminal penalty for its violation but may specify that
50 persons violating the statute, rule or ordinance may be denied entrance to the building, ordered
51 to leave the building and if employees of the unit of government, be subjected to disciplinary
52 measures for violation of the provisions of the statute, rule or ordinance. The provisions of this
53 subdivision shall not apply to any other unit of government;

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

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

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

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

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

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

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

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

93 (15) Any private property whose owner has posted the premises as being off-limits to
94 concealed firearms by means of one or more signs displayed in a conspicuous place of a
95 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less
96 than one inch. The owner, business or commercial lessee, manager of a private business
97 enterprise, or any other organization, entity, or person may prohibit persons holding a concealed
98 carry endorsement from carrying concealed firearms on the premises and may prohibit
99 employees, not authorized by the employer, holding a concealed carry endorsement from
100 carrying concealed firearms on the property of the employer. If the building or the premises are

101 open to the public, the employer of the business enterprise shall post signs on or about the
102 premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on
103 the premises shall not be a criminal offense so long as the firearm is not removed from the
104 vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees
105 or other persons holding a concealed carry endorsement from carrying a concealed firearm in
106 vehicles owned by the employer;

107 (16) Any sports arena or stadium with a seating capacity of five thousand or more.
108 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the
109 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

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

113 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of
114 subsection 1 of this section by any individual who holds a concealed carry endorsement issued
115 pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person
116 to denial to the premises or removal from the premises. If such person refuses to leave the
117 premises and a peace officer is summoned, such person may be issued a citation for an amount
118 not to exceed one hundred dollars for the first offense. If a second citation for a similar violation
119 occurs within a six-month period, such person shall be fined an amount not to exceed two
120 hundred dollars and his or her endorsement to carry concealed firearms shall be suspended for
121 a period of one year. If a third citation for a similar violation is issued within one year of the first
122 citation, such person shall be fined an amount not to exceed five hundred dollars and shall have
123 his or her concealed carry endorsement revoked and such person shall not be eligible for a
124 concealed carry endorsement for a period of three years. Upon conviction of charges arising
125 from a citation issued pursuant to this subsection, the court shall notify the sheriff of the county
126 which issued the certificate of qualification for a concealed carry endorsement and the
127 department of revenue. The sheriff shall suspend or revoke the certificate of qualification for
128 a concealed carry endorsement and the department of revenue shall issue a notice of such
129 suspension or revocation of the concealed carry endorsement and take action to remove the
130 concealed carry endorsement from the individual's driving record. The director of revenue shall
131 notify the licensee that he or she must apply for a new license pursuant to chapter 302, RSMo,
132 which does not contain such endorsement. A concealed carry endorsement suspension pursuant
133 to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her driver's
134 license. The notice issued by the department of revenue shall be mailed to the last known
135 address shown on the individual's driving record. The notice is deemed received three days after
136 mailing.