C.'9912

Mr. Speaker: I am instructed by the Senate to inform the House of

Representatives that the Senate has taken up and passed

SS HCS HB 1647

entitled:

## AN ACT

To repeal sections 259.010, 259.020, 259.030, 259.040, 259.070, 260.392, 292.606, 301.010, 320.106, 320.131, 320.136, 414.530, 414.560, 414.570, and 650.230, RSMo, and to enact in lieu thereof seventeen new sections relating to public safety, with an emergency clause for certain sections.

WITH SA1, 2, SA1 to SA3, SA3 a.a, SA4, 5, 6, 7, 8, SA9,

EC.

In which the concurrence of the House is respectfully requested.

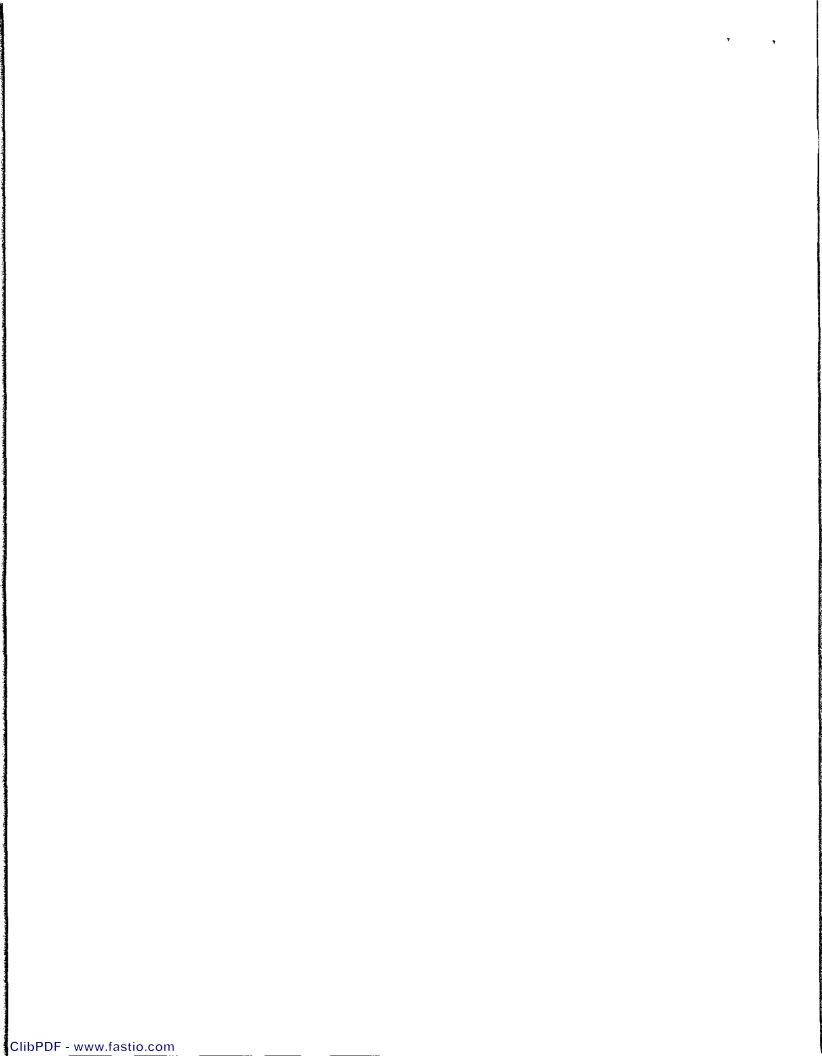
Respectfully,

Jeny L Spider

Terry L. Spieler Secretary of the Senate RECEIVED

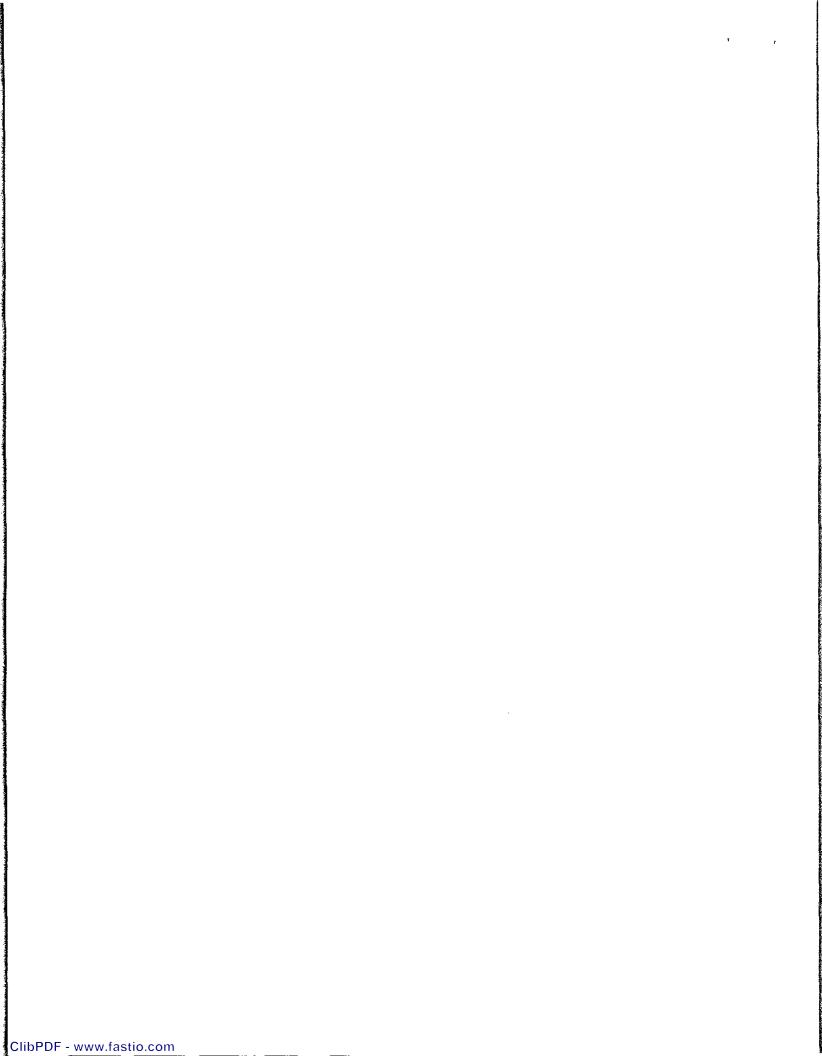
MAY 17 2017

J. CLERK



## SENATE AMENDMENT NO. \_/

	Offered by
	Amend SS/HCS/House Bill No. 1647, Page 54, Section 650.230, Line 27
2	of said page, by inserting immediately after said line the
3	following:
4	"701.550. 1. As used in this section the following terms
5	mean:
6	(1) "Anemometer", an instrument for measuring and recording
7	the speed of the wind;
8	(2) "Anemometer tower", a structure, including all guy
9	wires and accessory facilities, that has been constructed solely
0	for the purpose of mounting an anemometer to document whether a
1	site has wind resources sufficient for the operation of a wind
2	turbine generator;
3	(3) "Area surrounding the anchor point", an area not less
4	than sixty-four square feet whose outer boundary is at least four
5	feet from the anchor point.
6	2. Any anemometer tower that is fifty feet in height above
7	the ground or higher that is located outside the exterior
8	boundaries of any municipality, and whose appearance is not
9	otherwise mandated by state or federal law, shall be marked,
0	painted, flagged, or otherwise constructed to be recognizable in
1	clear air during daylight hours. Any anemometer tower that was
2	erected before August 28, 2012, shall be marked as required in
	7) Kenne 2 5-12-12-



•	1
1	this section by January 1, 2014. Any anemometer tower that is
2	erected on or after August 28, 2012, shall be marked as required
3	in this section at the time it is erected. Marking required
4	under this section includes marking the anemometer tower, guy
5	wires, and accessory facilities as follows:
6	(1) The top one-third of the anemometer tower shall be
7	painted in equal, alternating bands of aviation orange and white,
8	beginning with orange at the top of the tower and ending with
9	orange at the bottom of the marked portion of the tower;
10	(2) Two marker balls shall be attached to and evenly spaced
11	on each of the outside guy wires;
12	(3) The area surrounding each point where a guy wire is
13	anchored to the ground shall have a contrasting appearance with
14	any surrounding vegetation. If the adjacent land is grazed, the
15	area surrounding the anchor point shall be fenced; and

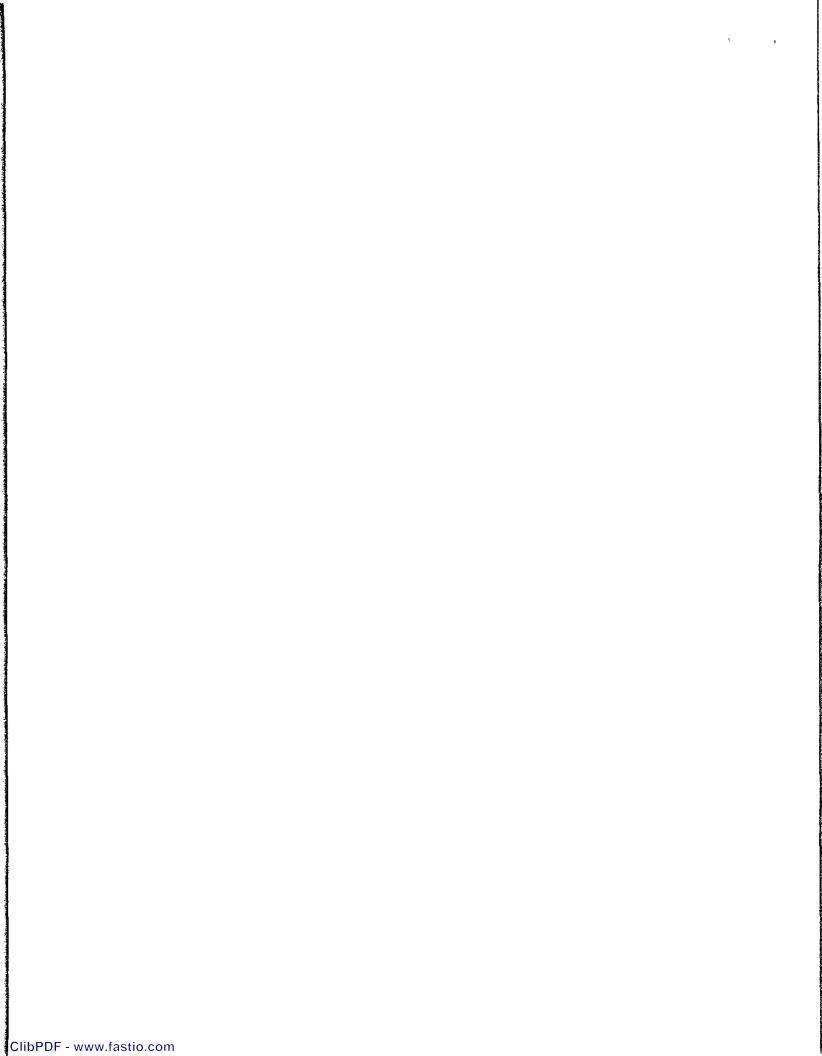
- 3. A violation of this section is a class B misdemeanor."; and
- 21 Further amend the title and enacting clause accordingly.

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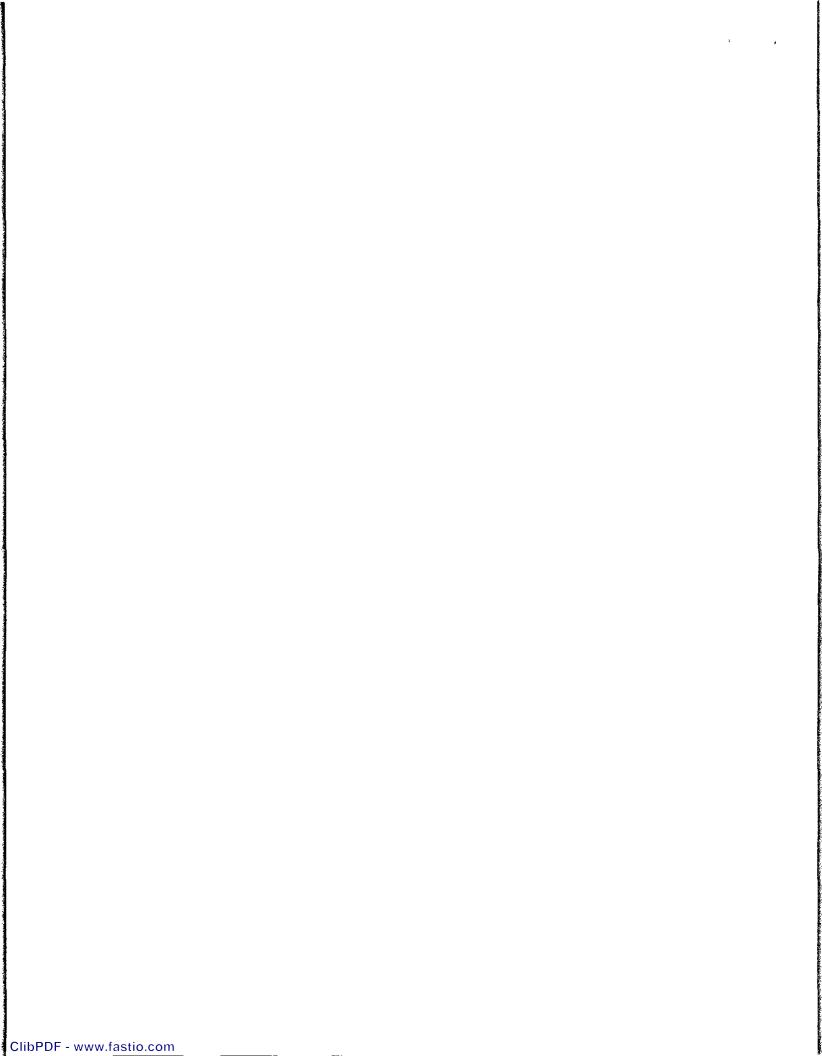
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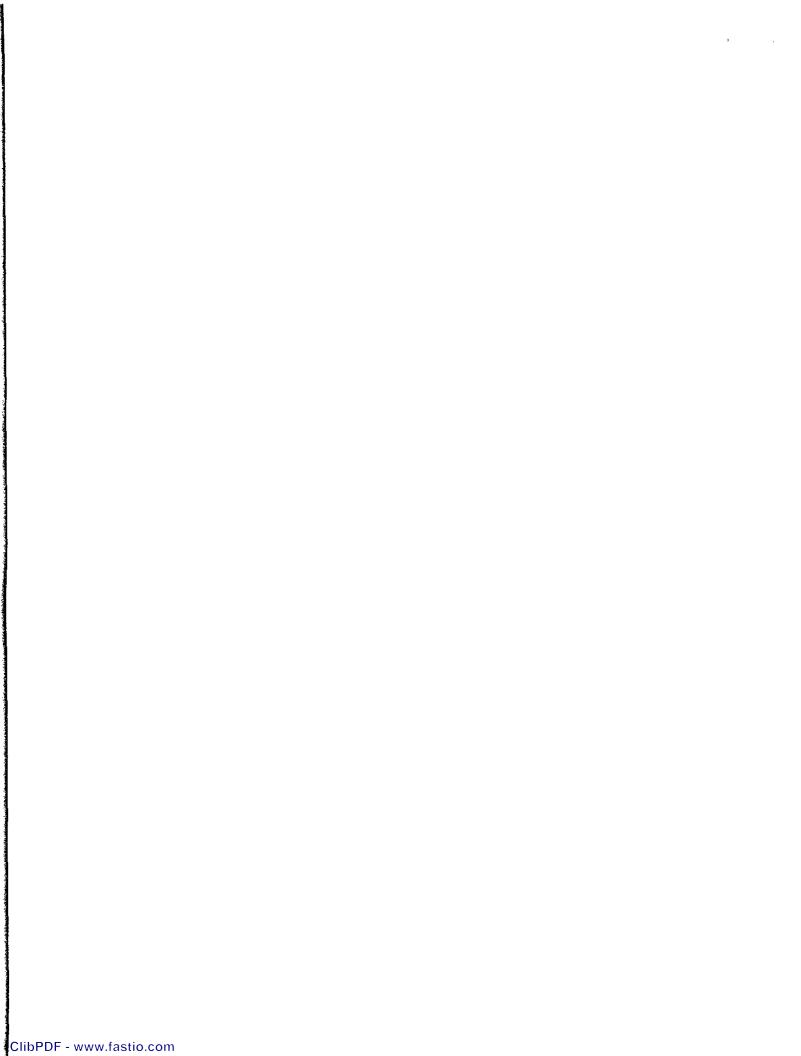
SENATE AMENDMENT NO  Offered by Muslimply of 18th		
Amend <u>SS/HCS/House</u> Bill No. <u>1647</u> , Page <u>51</u> , Section <u>414.570</u> , Line <u>26</u> ,		
by inserting immediately after said line, the following:		
"571.020. 1. A person commits a crime if such person		
knowingly possesses, manufactures, transports, repairs, or sells:		
(1) An explosive weapon;		
(2) An explosive, incendiary or poison substance or		
material with the purpose to possess, manufacture or sell an		
explosive weapon;		
(3) A gas gun;		
(4) [A switchblade knife;		
(5)] A bullet or projectile which explodes or detonates		
upon impact because of an independent explosive charge after		
having been shot from a firearm; or		
[(6)] <u>(5)</u> Knuckles; or		
[(7)] (6) Any of the following in violation of federal		
law:		
(a) A machine gun;		
(b) A short-barreled rifle or shotgun; [or]		
(c) A firearm silencer; or		
(d) A switchblade knife.		
2. A person does not commit a crime pursuant to this		
adopted 5-19-12		



- section if his conduct involved any of the items in subdivisions

  (1) to [(6)] (5) of subsection 1, the item was possessed in
- 3 conformity with any applicable federal law, and the conduct:
  - (1) Was incident to the performance of official duty by the armed forces, national guard, a governmental law enforcement agency, or a penal institution; or
  - (2) Was incident to engaging in a lawful commercial or business transaction with an organization enumerated in subdivision (1) of this section; or
  - (3) Was incident to using an explosive weapon in a manner reasonably related to a lawful industrial or commercial enterprise; or
  - (4) Was incident to displaying the weapon in a public museum or exhibition; or
  - (5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic performance.
  - 3. A crime pursuant to subdivision (1), (2), (3) or [(7)]

    (6) of subsection 1 of this section is a class C felony; a crime pursuant to subdivision (4)[,] or (5) [or (6)] of subsection 1 of this section is a class A misdemeanor.
  - 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, or any building or structure used for the

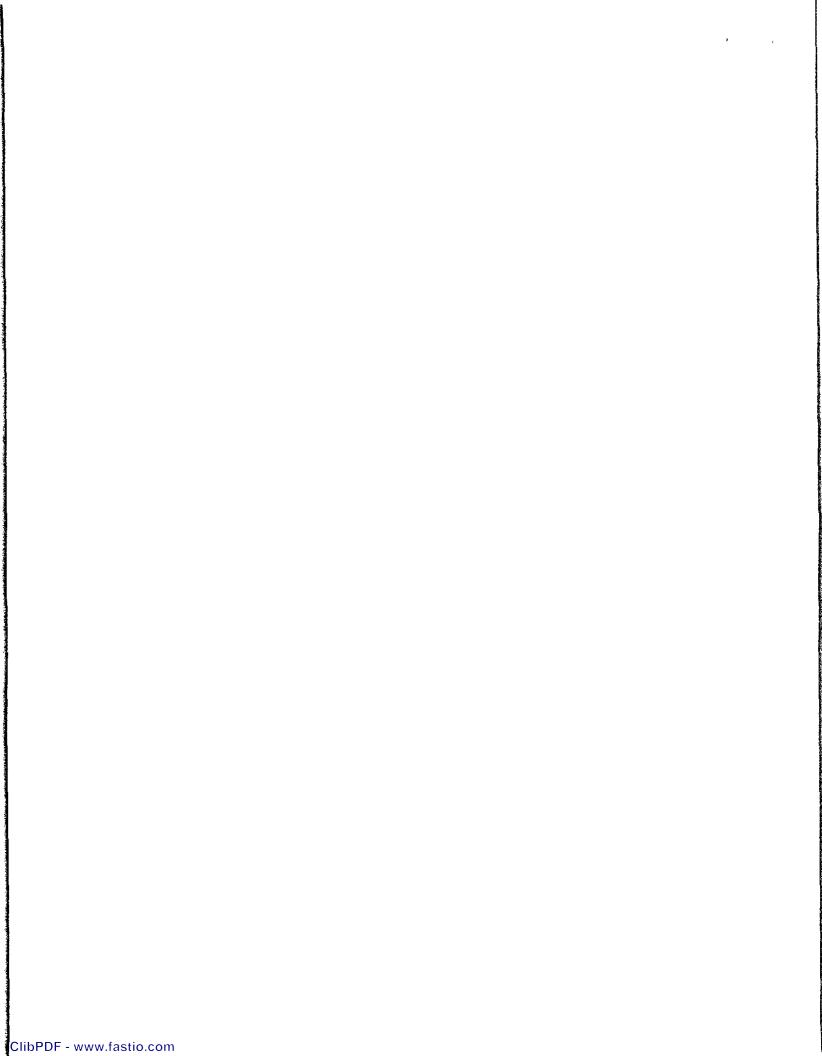


assembling of people; or

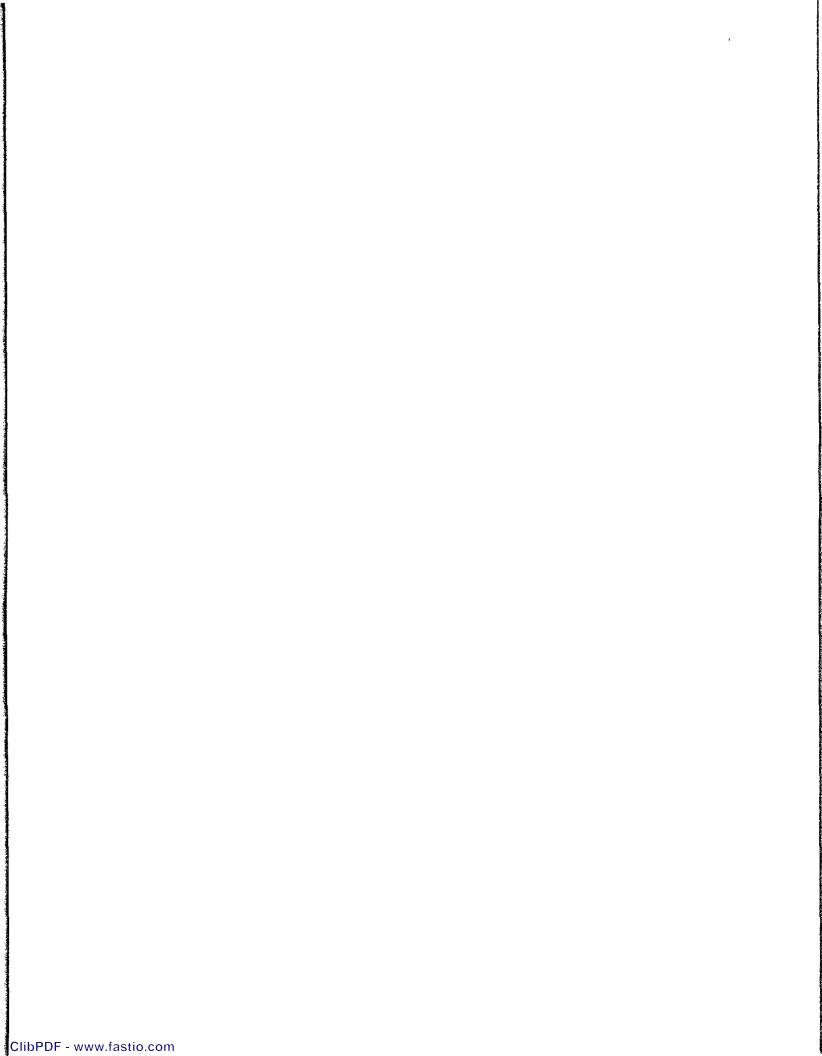
- (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an angry or threatening manner; or
- (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense;
- (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or church building; or
- (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public highway or discharges or shoots a firearm into any outbuilding; or
- (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place where people have assembled for worship, or into any election precinct on any election day, or into any building owned or occupied by any agency of the federal government, state government, or political subdivision thereof; or
- (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable structure, unless the person was lawfully acting in self-defense; or
- (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned by school officials or the district

school board.

- 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons described in this subsection, regardless of whether such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties, except as otherwise provided in this subsection:
- (1) All state, county and municipal peace officers who have completed the training required by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace while actually engaged in assisting such officer;
- (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for the detention of persons accused or convicted of crime;
- (3) Members of the armed forces or national guard while performing their official duty;



- (4) Those persons vested by article V, section 1 of the Constitution of Missouri with the judicial power of the state and those persons vested by Article III of the Constitution of the United States with the judicial power of the United States, the members of the federal judiciary;
- (5) Any person whose bona fide duty is to execute process, civil or criminal;
- (6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law enforcement agency's jurisdiction;
- (7) Any state probation or parole officer, including supervisors and members of the board of probation and parole;
- (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the regulations established by the board of police commissioners under section 84.340;
- (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;
- (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant circuit attorney who has completed the firearms safety training course required under subsection 2 of section 571.111; and
- (11) Any member of a fire department or fire protection district who is employed on a full-time basis as a fire investigator and who has a valid concealed carry endorsement under section 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.
  - 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of



this section do not apply when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section does not apply to any person twenty-one years of age or older or eighteen years of age or older and a member of the United States Armed Forces, or honorably discharged from the United States Armed Forces, transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person while traversing school premises for the purposes of transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related event or club event.

- 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has a valid concealed carry endorsement issued pursuant to sections 571.101 to 571.121 or a valid permit or endorsement to carry concealed firearms issued by another state or political subdivision of another state.
- 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall not apply to persons who are engaged in a lawful act of defense pursuant to section

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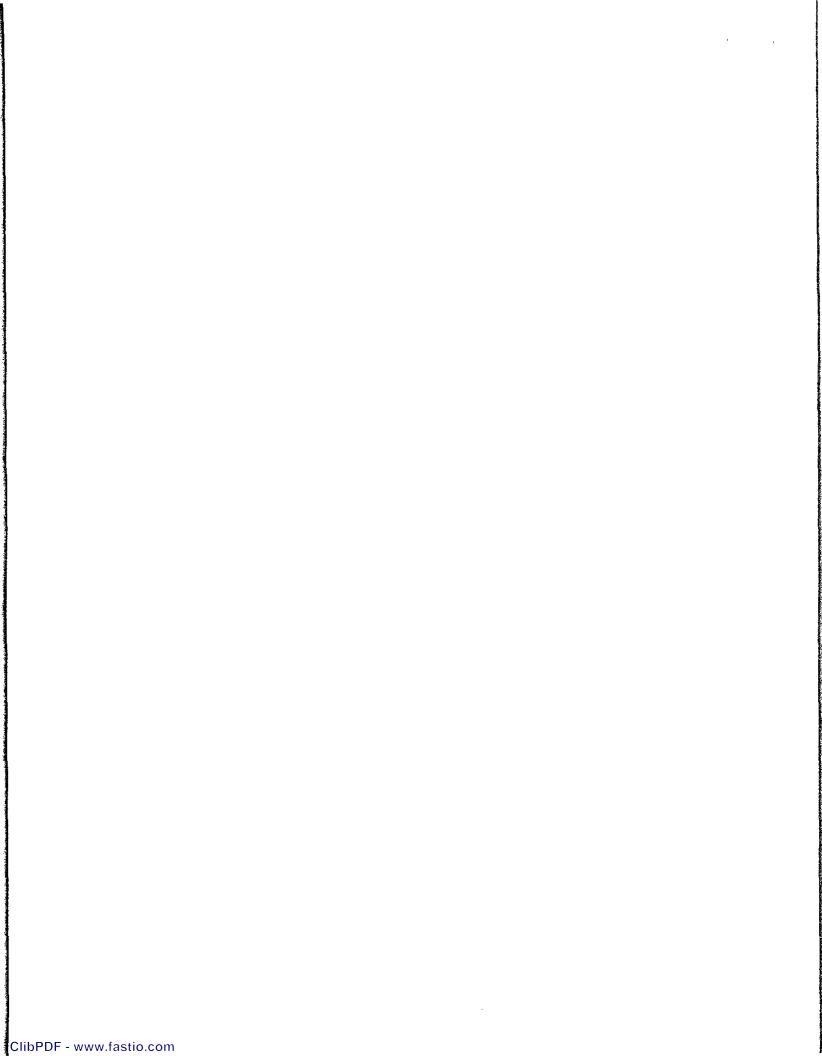
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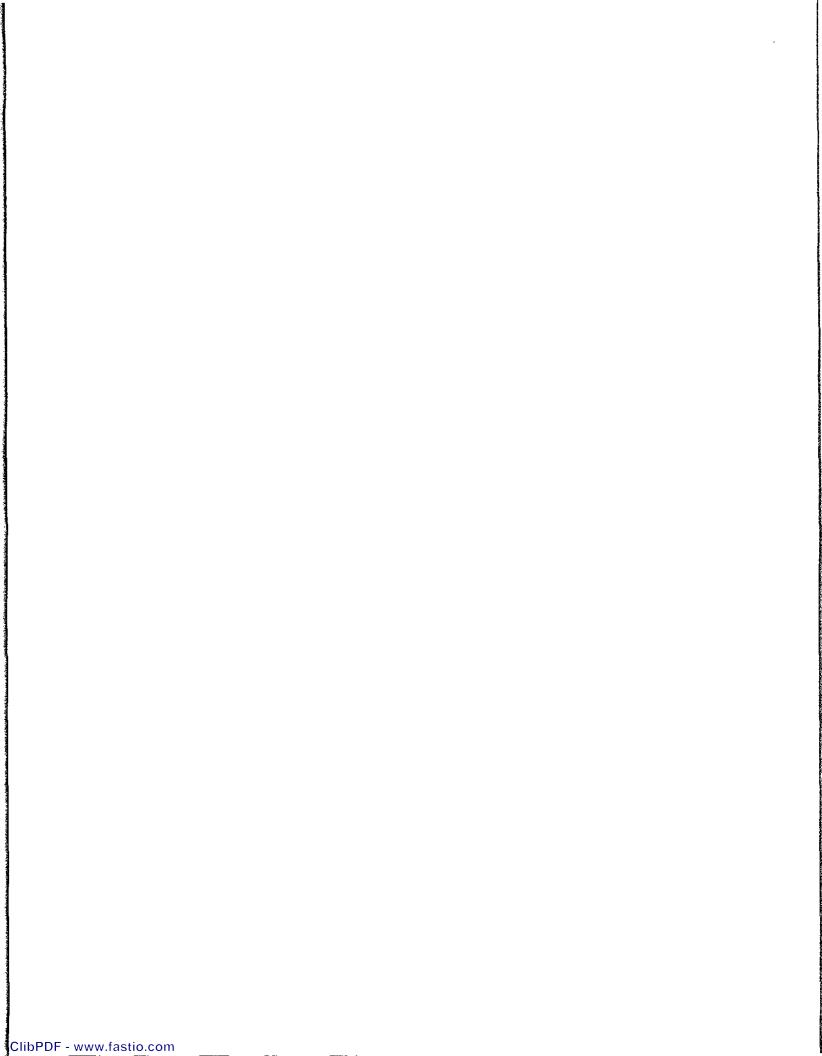
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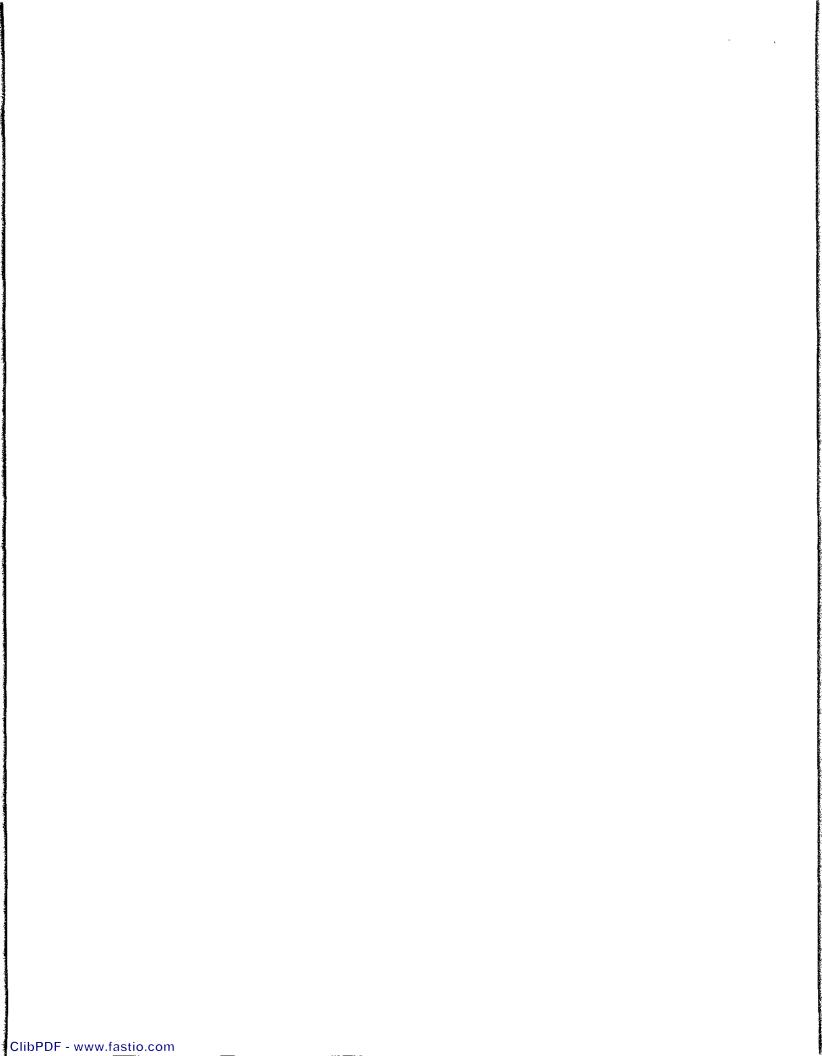


563.031.

- 6. Nothing in this section shall make it unlawful for a student to actually participate in school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or onto the premises of any other function or activity sponsored or sanctioned by school officials or the district school board.
- 7. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.
- 8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:
- (1) For the first violation a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony;
- (2) For any violation by a prior offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation or conditional release for a term of ten years;

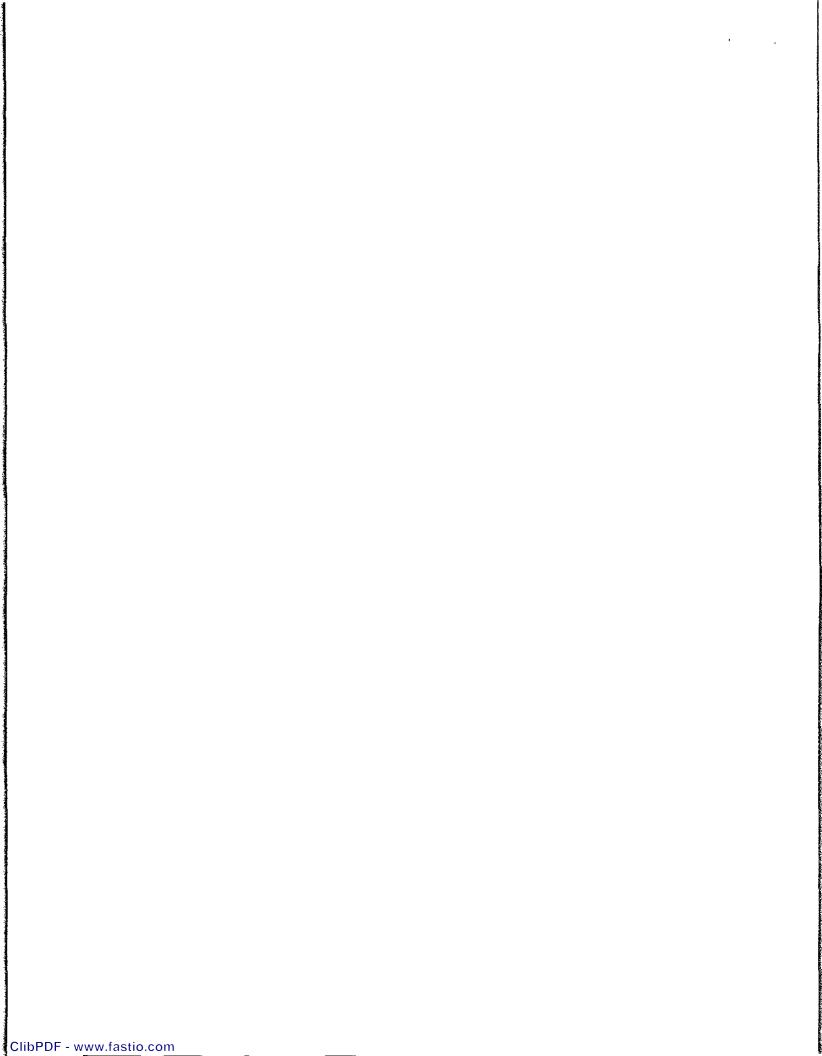


- (3) For any violation by a persistent offender as defined in section 558.016, a person shall be sentenced to the maximum authorized term of imprisonment for a class B felony without the possibility of parole, probation, or conditional release;
- (4) For any violation which results in injury or death to another person, a person shall be sentenced to an authorized disposition for a class A felony.
- 9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.
- 10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.
- 11. As used in this section "qualified retired peace officer" means an individual who:
- (1) Retired in good standing from service with a public agency as a peace officer, other than for reasons of mental instability;
- (2) Before such retirement, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
- (3) Before such retirement, was regularly employed as a peace officer for an aggregate of fifteen years or more, or retired from service with such agency, after completing any



applicable probationary period of such service, due to a service-connected disability, as determined by such agency;

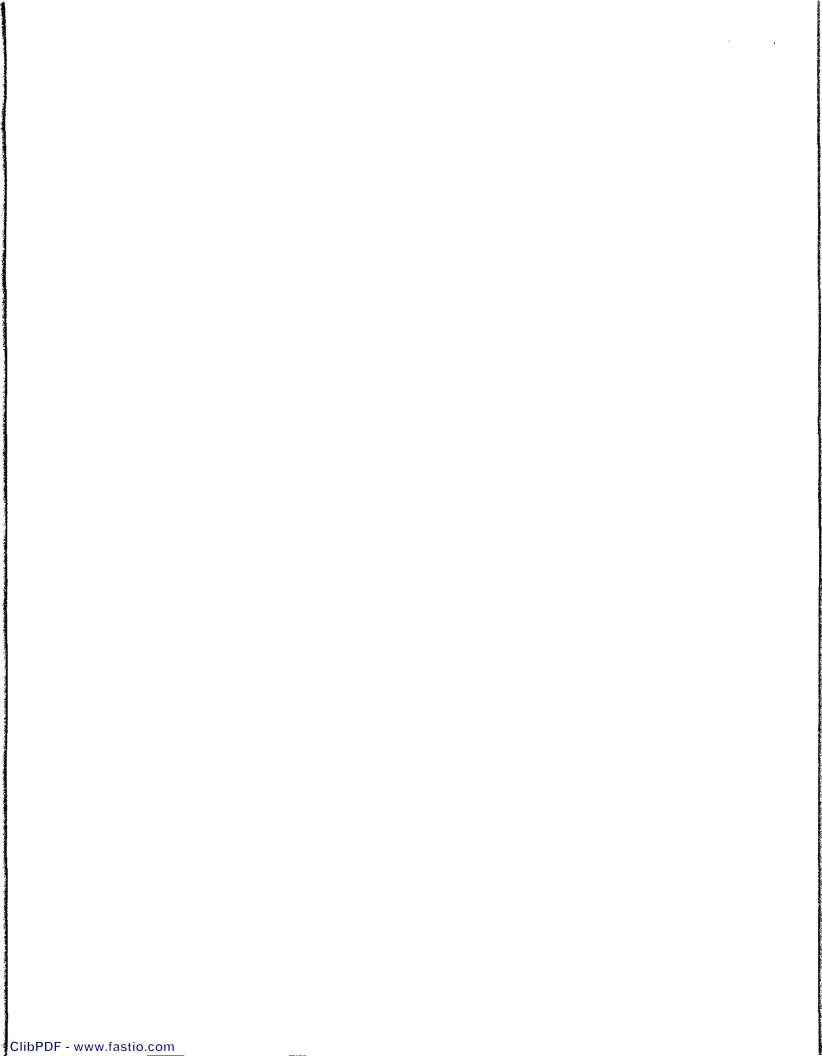
- (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such a plan is available;
- (5) During the most recent twelve-month period, has met, at the expense of the individual, the standards for training and qualification for active peace officers to carry firearms;
- (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
- (7) Is not prohibited by federal law from receiving a firearm.
- 12. The identification required by subdivision (1) of subsection 2 of this section is:
- (1) A photographic identification issued by the agency from which the individual retired from service as a peace officer that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the agency to meet the standards established by the agency for training and qualification for active peace officers to carry a firearm of the same type as the concealed firearm; or
- (2) A photographic identification issued by the agency from which the individual retired from service as a peace officer; and
- (3) A certification issued by the state in which the individual resides that indicates that the individual has, not less recently than one year before the date the individual is carrying the concealed firearm, been tested or otherwise found by the state to meet the standards established by the state for training and qualification for active peace officers to carry a



firearm of the same type as the concealed firearm.

571.037. Any person who has a valid concealed carry endorsement, and who is lawfully carrying a firearm in a concealed manner, may briefly and openly display the firearm to the ordinary sight of another person, unless the firearm is intentionally displayed in an angry or threatening manner, not in necessary self-defense.

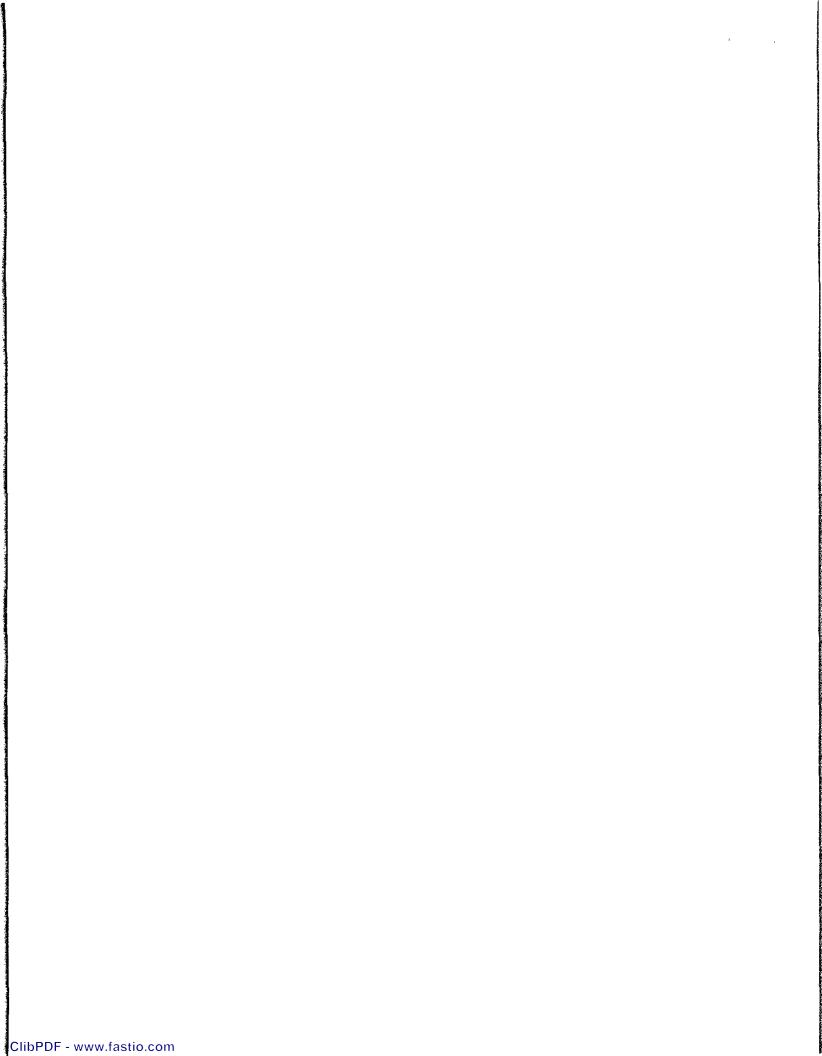
- 571.092. 1. Any individual who has been adjudged incapacitated under chapter 475, who has been involuntarily committed under chapter 632, or who is otherwise subject to the firearms-related disabilities of 18 U.S.C. Section 922(d)(4) or (g)(4) as a result of an adjudication or commitment that occurred in this state may file a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm imposed under 18 U.S.C. Section 922(d)(4) or (g)(4) and the laws of this state.
- 2. The petition shall be filed in the circuit court with jurisdiction in the petitioner's place of residence or that entered the letters of quardianship or the most recent order for involuntary commitment, or the most recent disqualifying order, whichever is later. The petition shall include:
  - (1) The circumstances regarding the firearms disabilities;
- (2) The applicant's record which at a minimum shall include the applicant's mental health and criminal history records, if any;
- (3) The applicant's reputation through character witness statements, testimony, or other character evidence; and
- (4) Any other information or evidence relevant to the relief sought, including but not limited to evidence concerning



any changes in the petitioner's condition since the disqualifying

commitment or adjudication occurred.

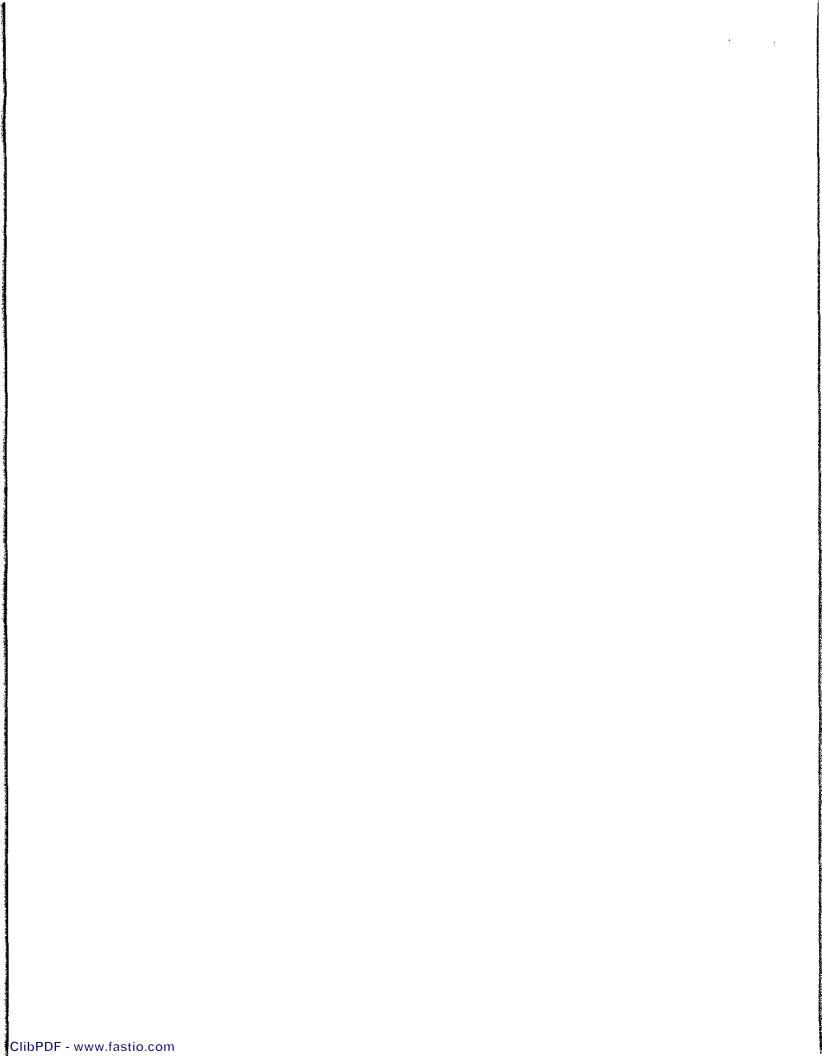
- Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.
- 3. The court shall grant the requested relief if it finds by clear and convincing evidence that:
- (1) The petitioner will not be likely to act in a manner dangerous to public safety; and
- (2) Granting the relief is not contrary to the public interest.
- 4. In order to determine whether to grant relief under this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the petitioner or by the local prosecuting attorney, circuit attorney, or attorney general. A record shall be kept of the proceedings.
- 5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The



court may allow the use of the record but shall restrict it from public disclosure, unless it finds that the public interest would be better served by making the record public.

- 6. The court shall include in its order the specific findings of fact on which it bases its decision.
- 7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS). The Missouri state highway patrol shall contact the Federal Bureau of Investigation to effect this updating no later than twenty-one days from receipt of the order.
- 8. Any person who has been denied a petition for the removal of the disqualification to ship, transport, receive, purchase, possess, or transfer a firearm under this section shall not be eligible to file another petition for removal of such disqualification until the expiration of one year from the date of such denial.
- 9. In the event a petition is denied under this section, the petitioner may appeal such denial, and review shall be de novo.
- 571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the certificate holder shall

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apply for a driver's license or nondriver's license with the 1 2 director of revenue in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry 3 endorsement on a driver's license or nondriver's license and such endorsement or license has not been suspended, revoked, 5 cancelled, or denied may carry concealed firearms on or about his 6 7 or her person or within a vehicle. A concealed carry endorsement shall be valid for a period of three years from the date of 8 issuance or renewal. The concealed carry endorsement is valid 9 throughout this state. 10

- 2. A certificate of qualification for a concealed carry endorsement issued pursuant to subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:
- (1) Is at least twenty-one years of age, is a citizen of the United States and either:
  - (a) Has assumed residency in this state; or
- (b) Is a member of the armed forces stationed in Missouri, or the spouse of such member of the military;
- (2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the United States and either:
  - (a) Has assumed residency in this state;
- 25 (b) Is a member of the armed forces stationed in Missouri;
  26 or
- 27 (c) The spouse of such member of the military stationed in

  28 Missouri and twenty-one years of age;
  - (3) Has not pled guilty to or entered a plea of nolo

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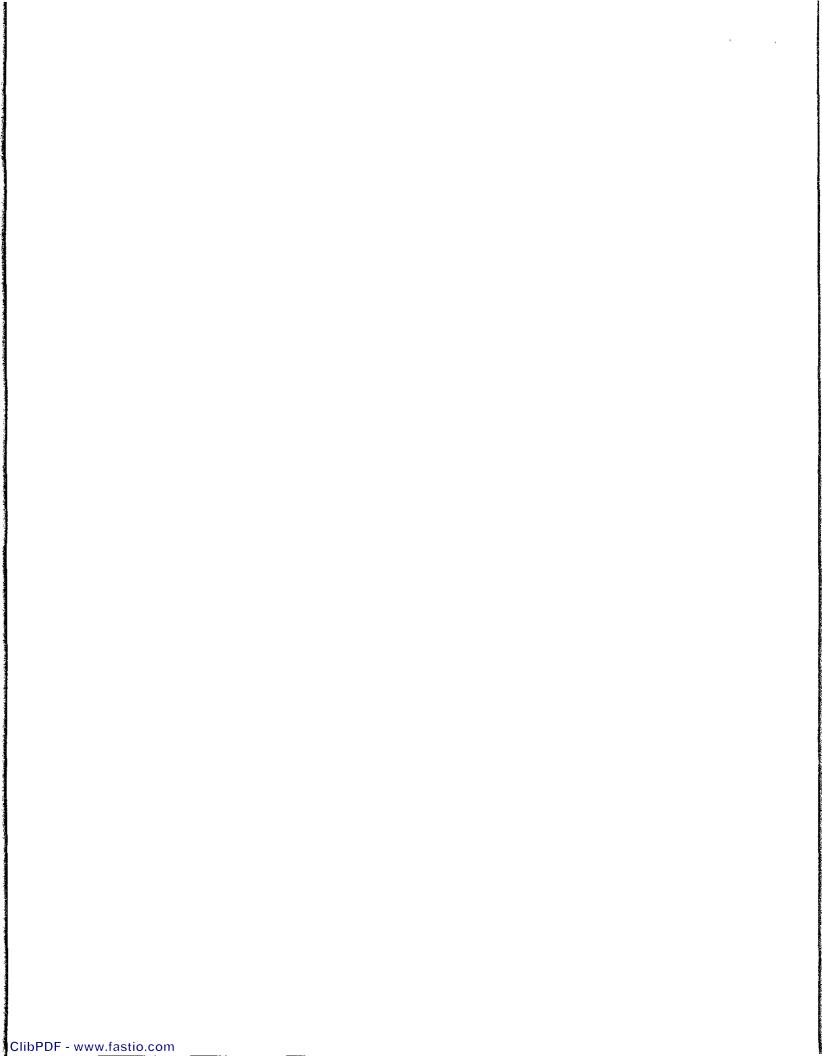
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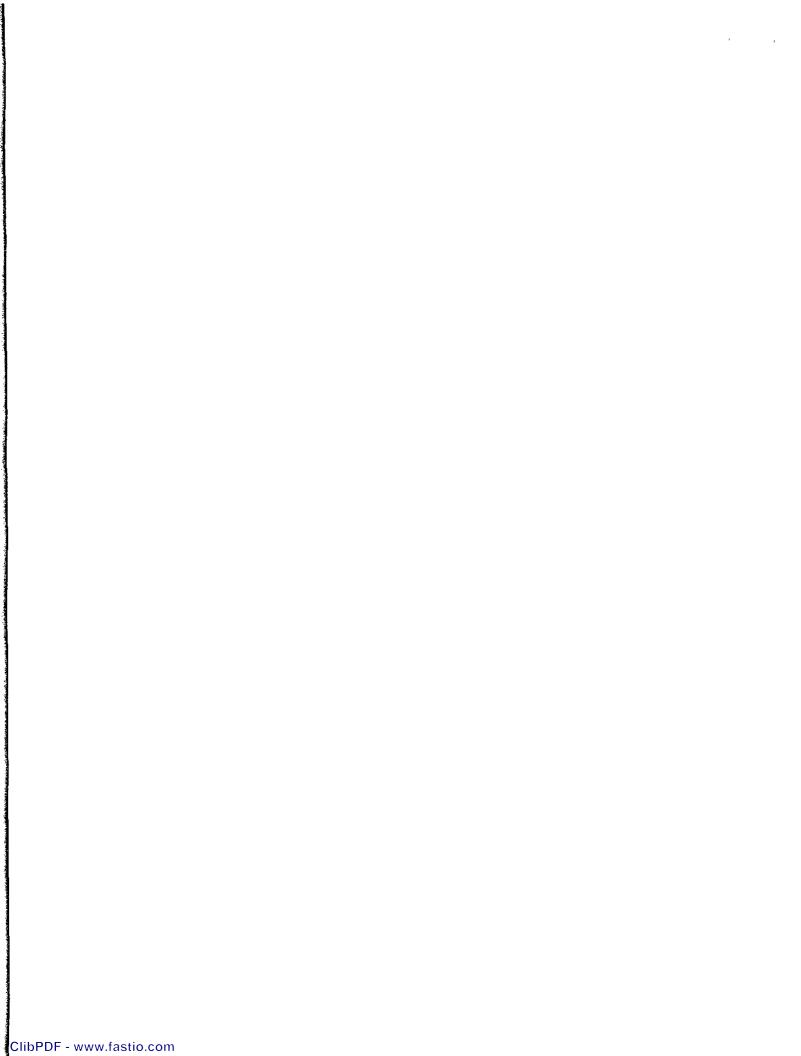
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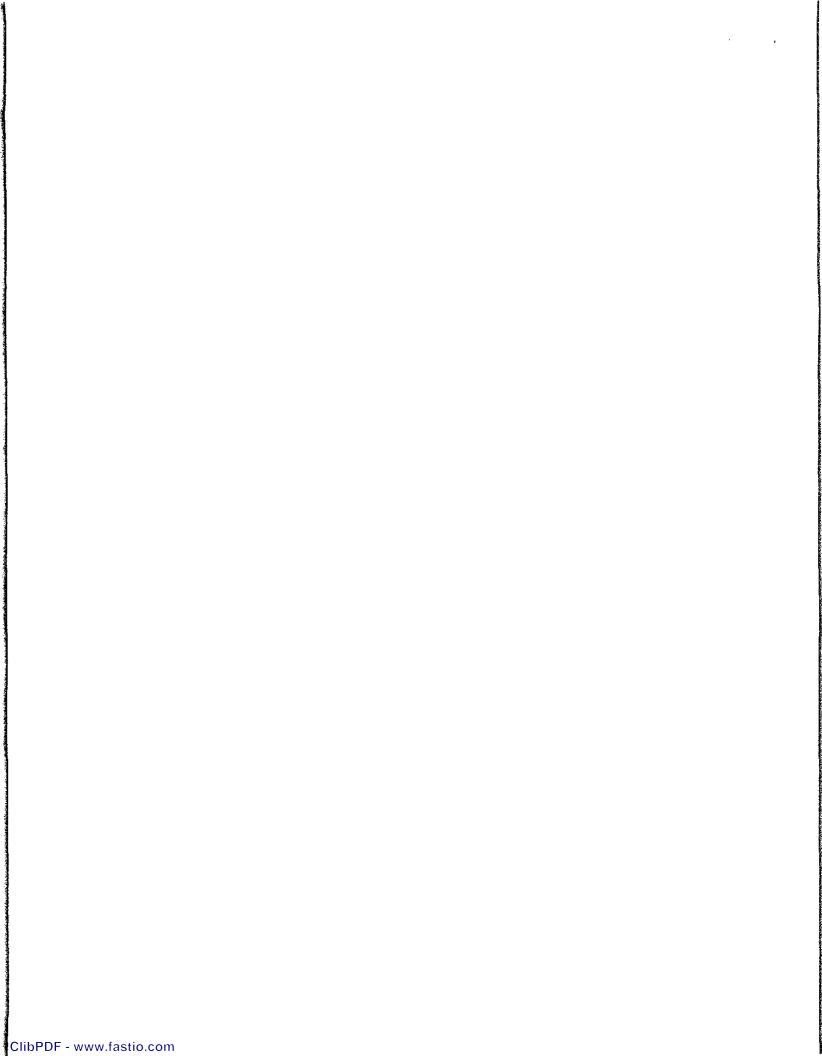
contendere or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

- [(3)] (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification for a concealed carry endorsement;
- [(4)] (5) Is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas qun;
- [(5)] (6) Has not been discharged under dishonorable conditions from the United States armed forces;
- [(6)] (7) Has not engaged in a pattern of behavior, documented in public records, that causes the sheriff to have a



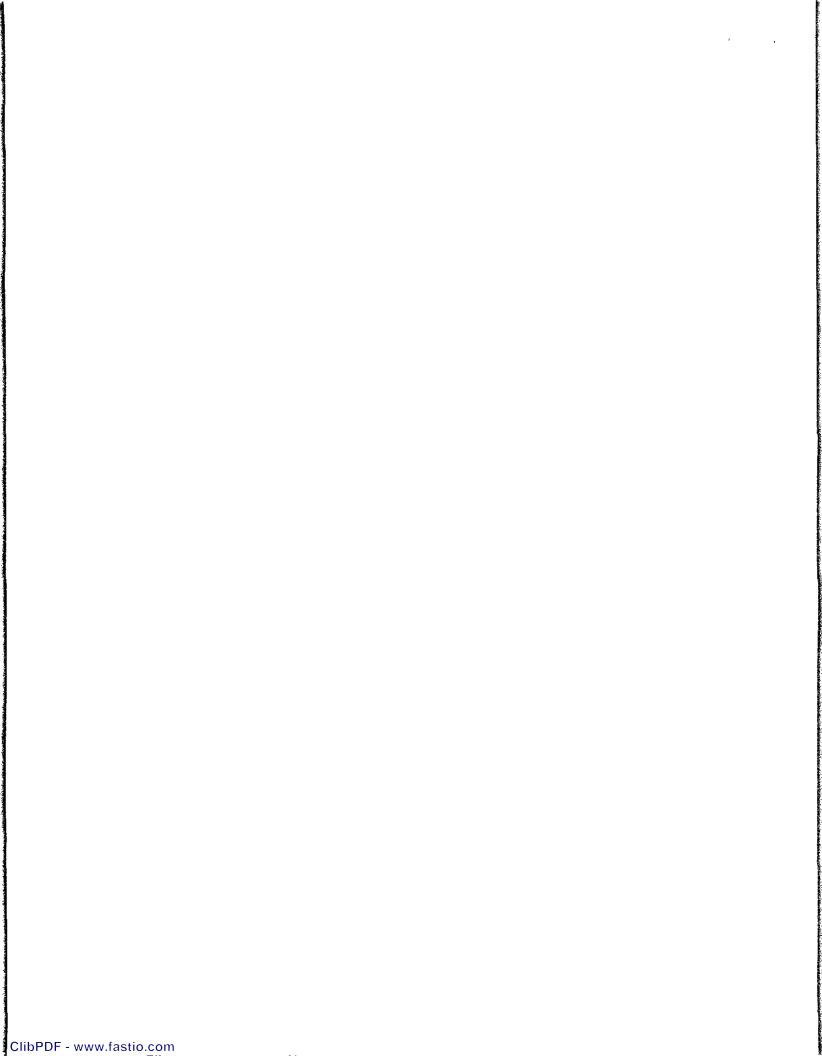
reasonable belief that the applicant presents a danger to himself or others;

- [(7)] <u>(8)</u> Is not adjudged mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state following a hearing at which the defendant was represented by counsel or a representative;
- [(8)] (9) Submits a completed application for a certificate of qualification as described in subsection 3 of this section;
- [(9)] (10) Submits an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111;
- [(10)] (11) Is not the respondent of a valid full order of protection which is still in effect. 3. The application for a certificate of qualification for a concealed carry endorsement issued by the sheriff of the county of the applicant's residence shall contain only the following information:
- (1) The applicant's name, address, telephone number, gender, and date and place of birth;
- (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the armed forces stationed in Missouri or the spouse of such a member of the armed forces and is a citizen of the United States;
- (3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years of age or older and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces;
  - (4) An affirmation that the applicant has not pled guilty



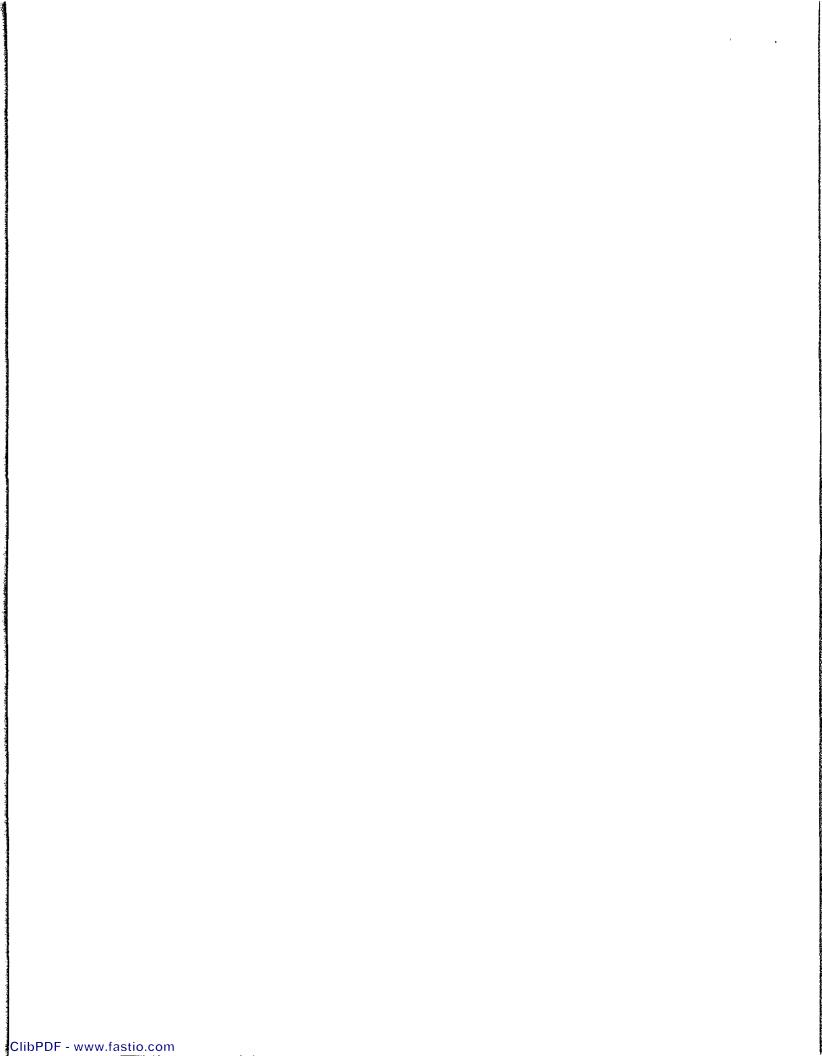
to or been convicted of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

- convicted of, pled guilty to, or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a certificate of qualification to obtain a concealed carry endorsement;
- (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;
- (7) An affirmation that the applicant has not been discharged under dishonorable conditions from the United States armed forces;
  - (8) An affirmation that the applicant is not adjudged



mentally incompetent at the time of application or for five years prior to application, or has not been committed to a mental health facility, as defined in section 632.005, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply;

- (9) An affirmation that the applicant has received firearms safety training that meets the standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;
- (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the respondent of a valid full order of protection which is still in effect; and
- (11) A conspicuous warning that false statements made by the applicant will result in prosecution for perjury pursuant to the laws of the state of Missouri.
- 4. An application for a certificate of qualification for a concealed carry endorsement shall be made to the sheriff of the county or any city not within a county in which the applicant resides. An application shall be filed in writing, signed under oath and under the penalties of perjury, and shall state whether the applicant complies with each of the requirements specified in subsection 2 of this section. In addition to the completed application, the applicant for a certificate of qualification for a concealed carry endorsement must also submit the following:
- (1) A photocopy of a firearms safety training certificate of completion or other evidence of completion of a firearms safety training course that meets the standards established in



- subsection 1 or 2 of section 571.111; and
- (2) A nonrefundable certificate of qualification fee as provided by subsection 10 or 11 of this section.
- Before an application for a certificate of qualification for a concealed carry endorsement is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military identification and orders showing the person being stationed in Missouri. to determine the applicant's suitability for a certificate of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff shall request a criminal background check through the appropriate law enforcement agency within three working days after submission of the properly completed application for a certificate of qualification for a concealed carry endorsement. If no disqualifying record is identified by the fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check. receipt of the completed background check, the sheriff shall issue a certificate of qualification for a concealed carry endorsement within three working days. The sheriff shall issue the certificate within forty-five calendar days if the criminal background check has not been received, provided that the sheriff shall revoke any such certificate and endorsement within twenty-four hours of receipt of any background check that results in a disqualifying record, and shall notify the department of revenue.

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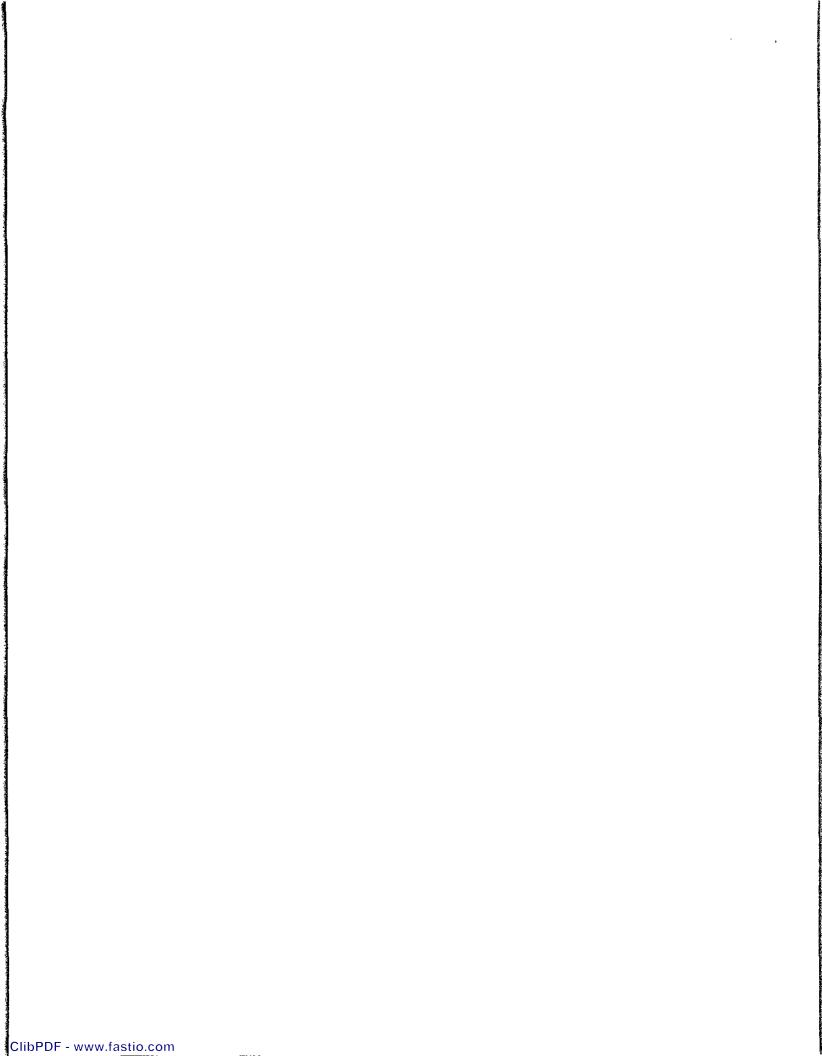
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- The sheriff may refuse to approve an application for a certificate of qualification for a concealed carry endorsement if he or she determines that any of the requirements specified in subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial and informing the applicant of the right to submit, within thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and inform the applicant within thirty days of the result of the reconsideration. The applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.
- 7. If the application is approved, the sheriff shall issue a certificate of qualification for a concealed carry endorsement to the applicant within a period not to exceed three working days after his or her approval of the application. The applicant shall sign the certificate of 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

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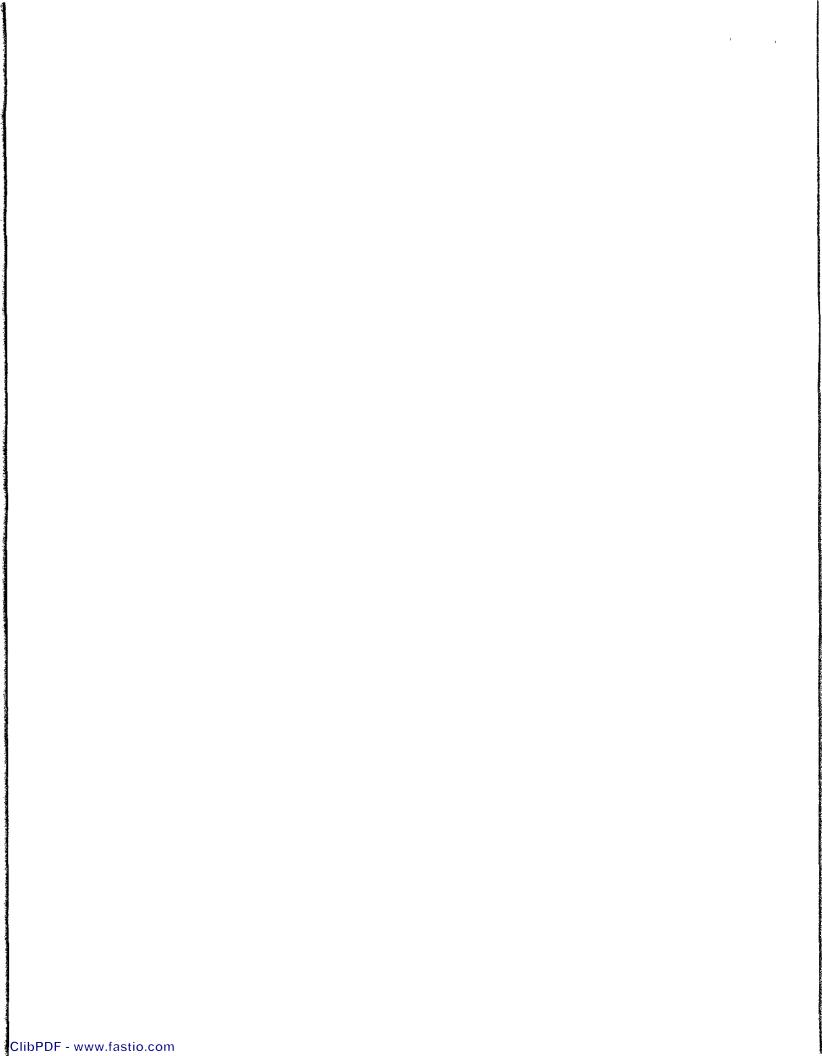
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license or nondriver's license application pursuant to chapter 302, the director of revenue shall issue a new driver's license or nondriver's license with an endorsement which identifies that the applicant has received a certificate of qualification 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. Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry endorsement shall expire three years from the date the certificate of qualification was issued pursuant to this 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

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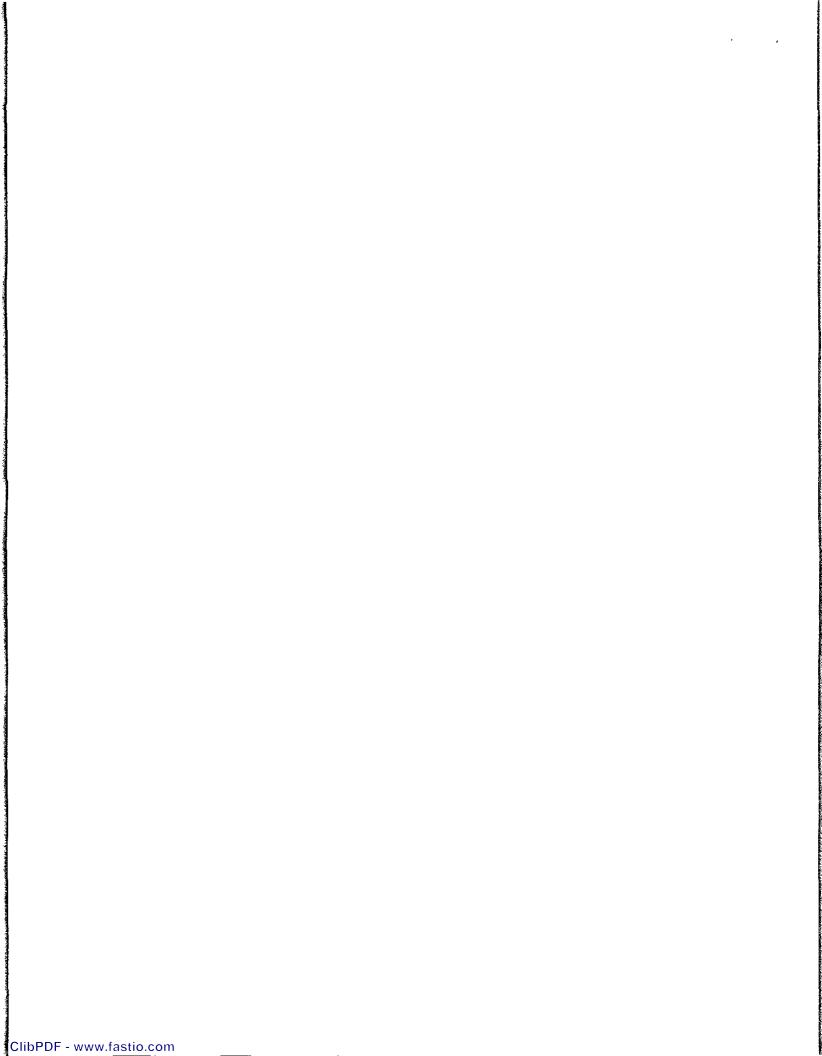
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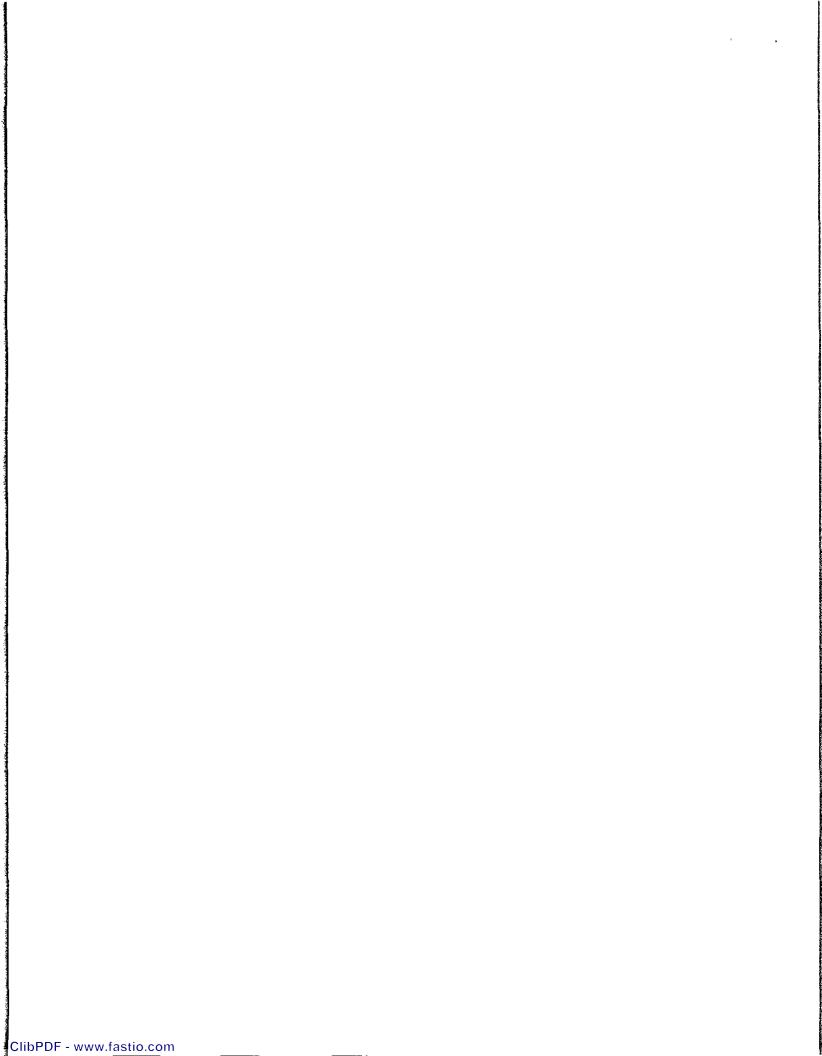
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purposes of sections 571.101 to 571.121. An applicant's status as a holder of a certificate of qualification or a concealed carry endorsement shall not be public information and shall be considered personal protected information. Any person who violates the provisions of this subsection by disclosing protected information shall be guilty of a class A misdemeanor.

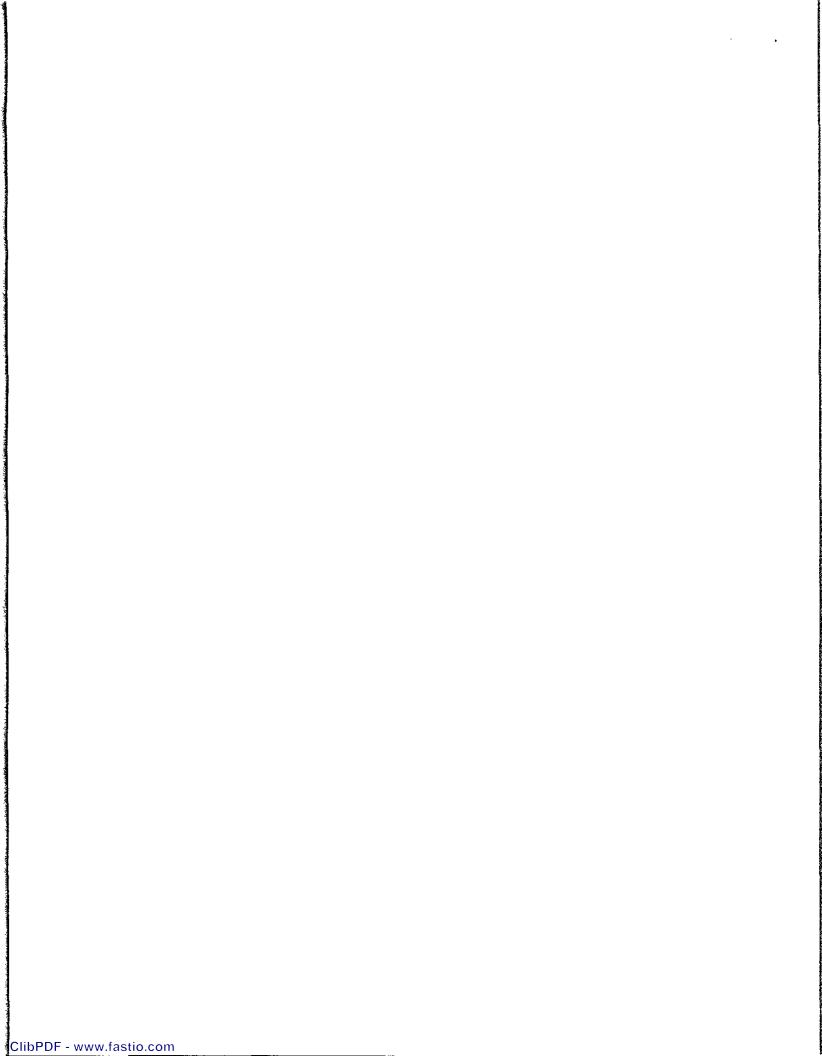
- 9. Information regarding any holder of a certificate of qualification or a concealed carry endorsement is a closed record.
- 10. For processing an application for a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall 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 classification the sheriff may designate the chief of police of any city, town, or municipality within such county.
- 571.111. 1. An applicant for a concealed carry endorsement shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a

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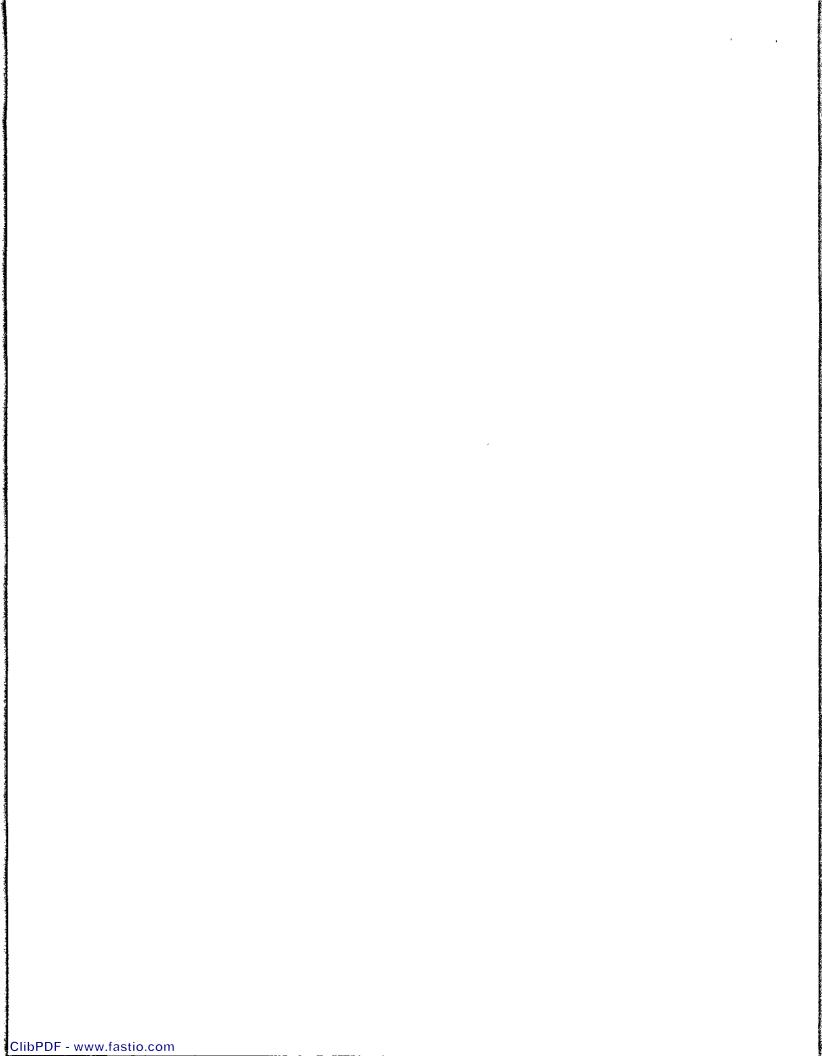


concealed carry endorsement:

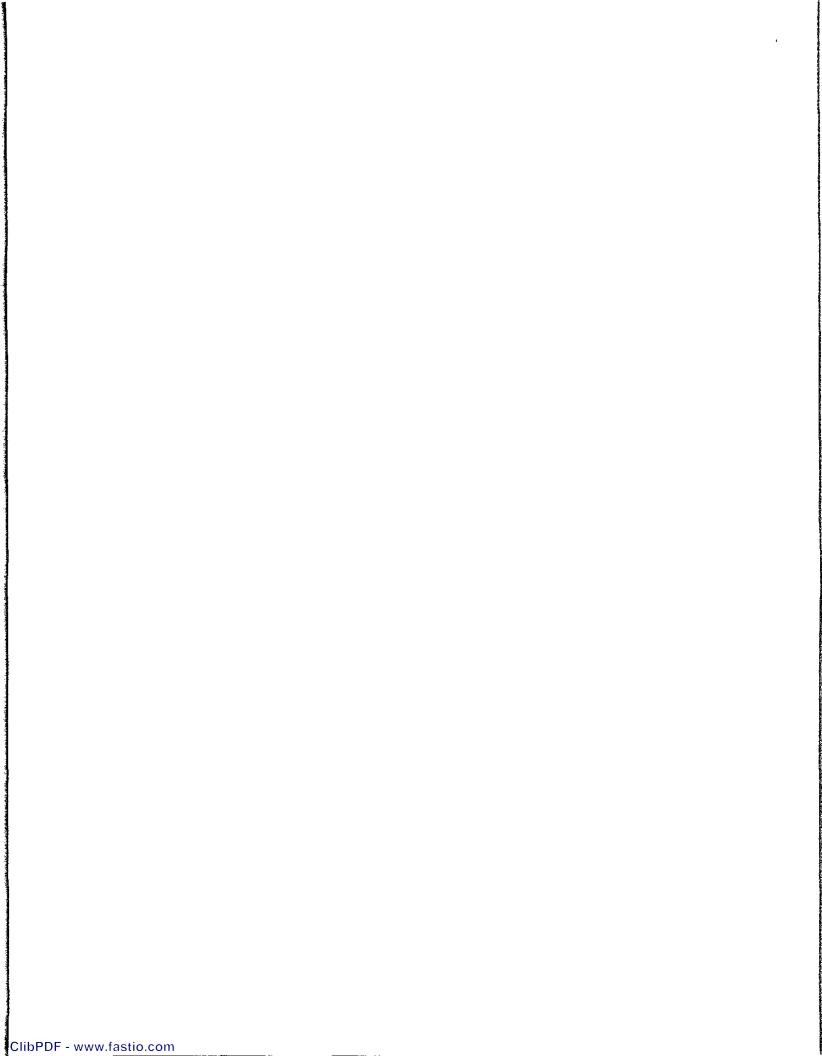
- (1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 5 of this section; or
- (2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or
- (3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or
- (4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or
- (5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or
- (6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her by section 217.105, that includes instruction on the justifiable use of force as prescribed in chapter 563; or
- (7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.



- 2. A certificate of firearms safety training course
  completion may be issued to any applicant by any qualified
  firearms safety instructor. On the certificate of course
  completion the qualified firearms safety instructor shall affirm
  that the individual receiving instruction has taken and passed a
  firearms safety course of at least eight hours in length taught
  by the instructor that included:
  - (1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;
  - (2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload a revolver and a semiautomatic pistol and demonstrated his or her marksmanship with both;
    - (3) The basic principles of marksmanship;
    - (4) Care and cleaning of concealable firearms;
    - (5) Safe storage of firearms at home;
  - (6) The requirements of this state for obtaining a certificate of qualification for a concealed carry endorsement from the sheriff of the individual's county of residence and a concealed carry endorsement issued by the department of revenue;
  - (7) The laws relating to firearms as prescribed in this chapter;
  - (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
  - (9) A live firing exercise of sufficient duration for each applicant to fire both a revolver and a semiautomatic pistol, from a standing position or its equivalent, a minimum of fifty rounds from each handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;

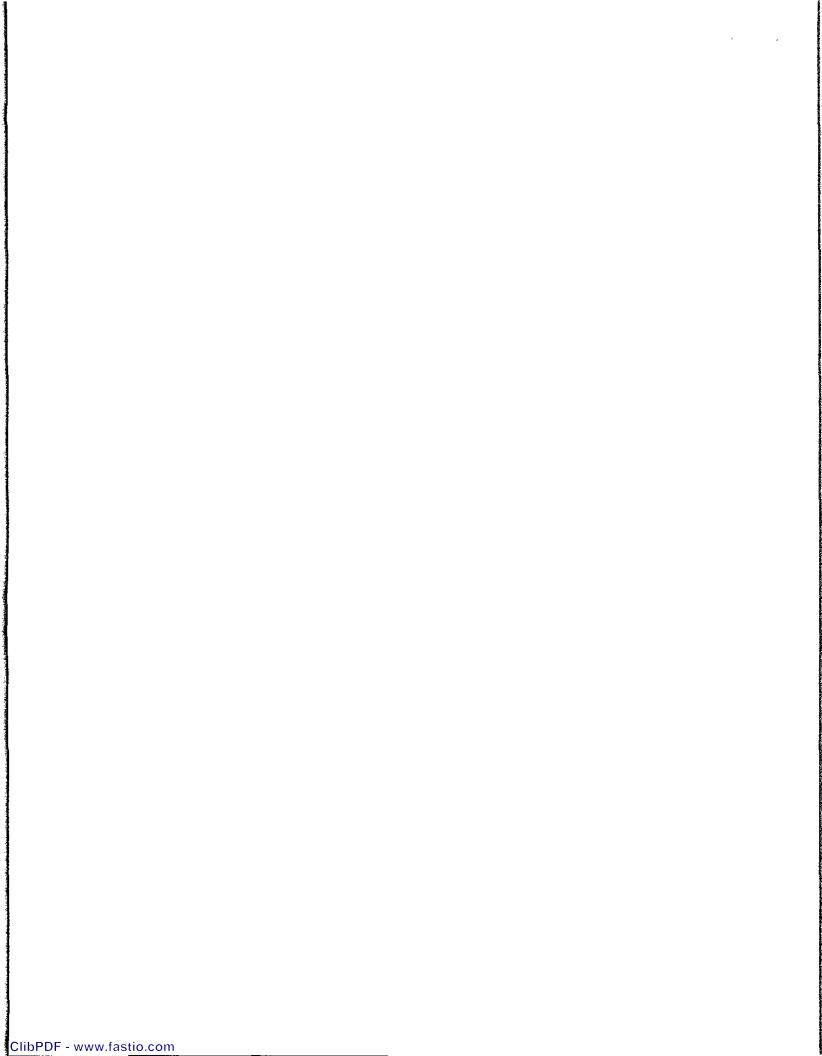


- (10) A live fire test administered to the applicant while the instructor was present of twenty rounds from each handgun from a standing position or its equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.
- 3. A qualified firearms safety instructor shall not give a grade of passing to an applicant for a concealed carry endorsement who:
- (1) Does not follow the orders of the qualified firearms instructor or cognizant range officer; or
- (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety instructor, poses a danger to the applicant or to others; or
- (3) During the live fire testing portion of the course fails to hit the silhouette portion of the targets with at least fifteen rounds, with both handguns.
- 4. Qualified firearms safety instructors who provide firearms safety instruction to any person who applies for a concealed carry endorsement shall:
- (1) Make the applicant's course records available upon request to the sheriff of the county in which the applicant resides;
- (2) Maintain all course records on students for a period of no less than four years from course completion date; and
- (3) Not have more than forty students in the classroom portion of the course or more than five students per range officer engaged in range firing.
- 5. A firearms safety instructor shall be considered to be a qualified firearms safety instructor by any sheriff issuing a certificate of qualification for a concealed carry endorsement

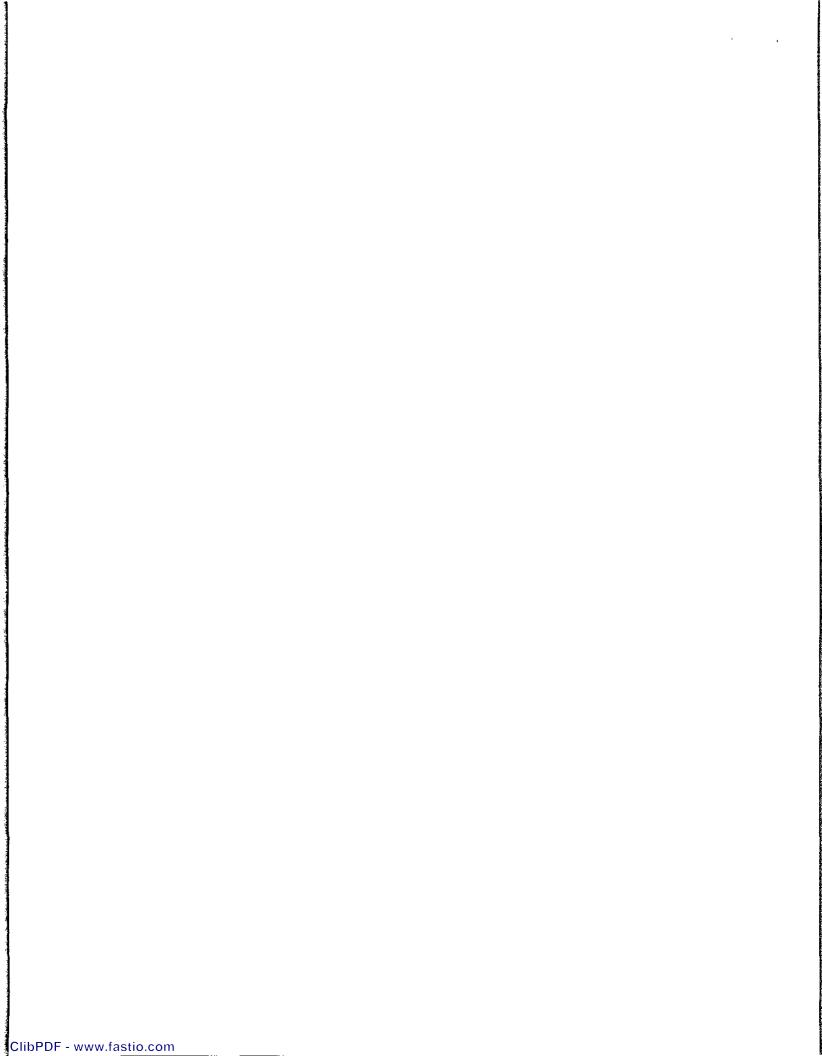


pursuant to sections 571.101 to 571.121 if the instructor:

- (1) Is a valid firearms safety instructor certified by the National Rifle Association holding a rating as a personal protection instructor or pistol marksmanship instructor; or
- (2) Submits a photocopy of a certificate from a firearms safety instructor's course offered by a local, state, or federal governmental agency; or
- (3) Submits a photocopy of a certificate from a firearms safety instructor course approved by the department of public safety; or
- (4) Has successfully completed a firearms safety instructor course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or
- (5) Is a certified police officer firearms safety instructor.
- 6. Any firearms safety instructor who knowingly provides any sheriff with any false information concerning an applicant's performance on any portion of the required training and qualification shall be guilty of a class C misdemeanor.
- 571.117. 1. Any person who has knowledge that another person, who was issued a certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to 571.121, never was or no longer is eligible for such endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's certificate of qualification for a concealed carry endorsement and such person's concealed carry endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry endorsement provided

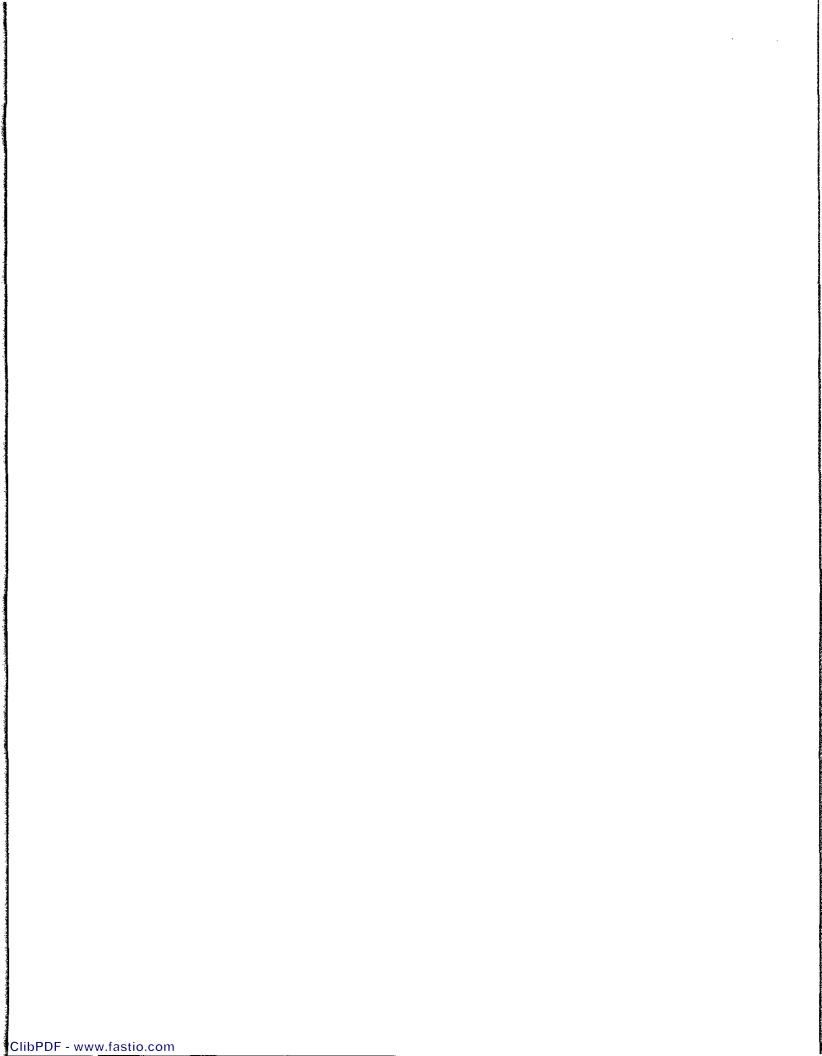


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       in this section. Appeal forms shall be provided by the clerk of
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       the small claims court free of charge to any person:
       SMALL CLAIMS COURT
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       In the Circuit Court of ....., Missouri
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       ...., PLAINTIFF
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            )
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               ) Case Number ......
           vs.
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       ...., DEFENDANT,
       Carry Endorsement Holder
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       ...., DEFENDANT,
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       Sheriff of Issuance
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       PETITION FOR REVOCATION
14
15
       OF CERTIFICATE OF QUALIFICATION
       OR CONCEALED CARRY ENDORSEMENT
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           Plaintiff states to the court that the defendant,
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       ..... has a certificate of qualification or a concealed
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       carry endorsement issued pursuant to sections 571.101 to 571.121,
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       RSMo, and that the defendant's certificate of qualification or
       concealed carry endorsement should now be revoked because the
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       defendant either never was or no longer is eligible for such a
       certificate or endorsement pursuant to the provisions of sections
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       571.101 to 571.121, RSMo, specifically plaintiff states that
       defendant, ....., never was or no longer is eligible for
25
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       such certificate or endorsement for one or more of the following
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       reasons:
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           (CHECK BELOW EACH REASON
           THAT APPLIES TO THIS DEFENDANT)
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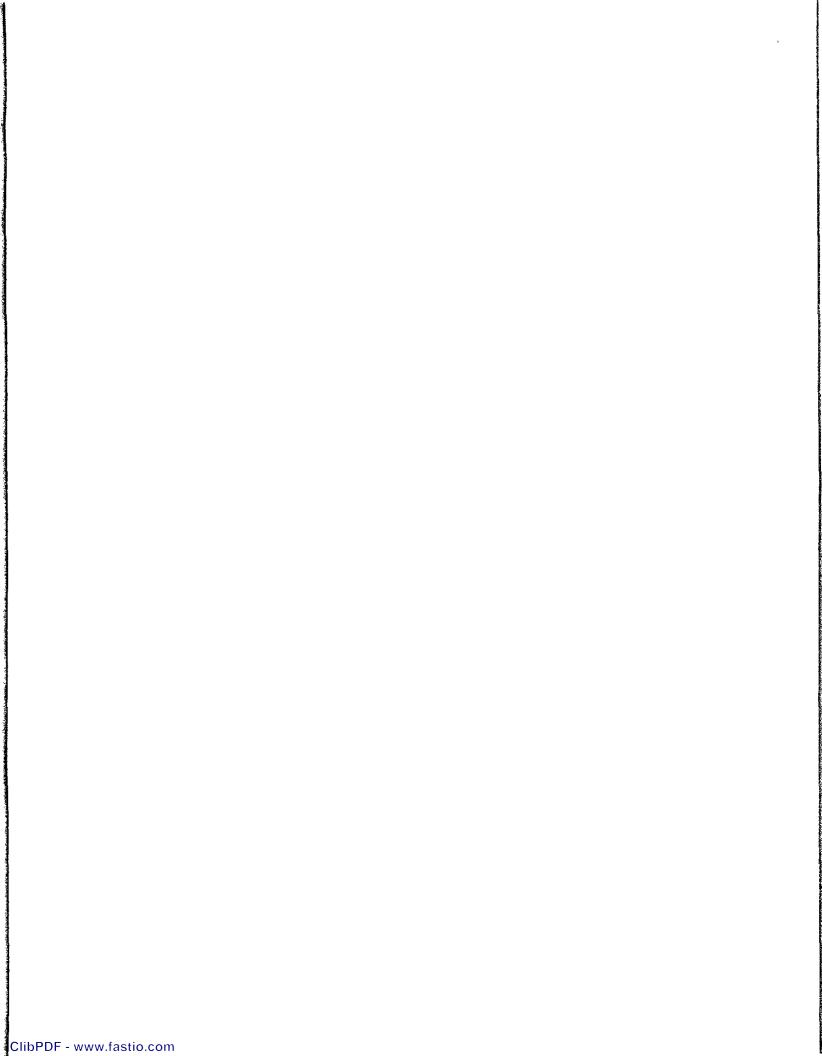
1 ☐ Defendant is not at least twenty-one years of age or at 2 least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed 3 4 Forces. 5 Defendant is not a citizen of the United States. Defendant had not resided in this state prior to 6 issuance of the permit and does not qualify as a military member 7 or spouse of a military member stationed in Missouri. 8 □ Defendant has pled guilty to or been convicted of a 9 10 crime punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States other than a 11 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 13 does not involve an explosive weapon, firearm, firearm silencer, 14 or gas gun. 15 Defendant has been convicted of, pled quilty to or 16 **17** . entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period 18 immediately preceding application for a certificate of 19 qualification or concealed carry endorsement issued pursuant to 20 sections 571.101 to 571.121, RSMo, or if the applicant has been 21 convicted of two or more misdemeanor offenses involving driving 22 while under the influence of intoxicating liquor or drugs or the 23 possession or abuse of a controlled substance within a five-year 24 period immediately preceding application for a certificate of 25 qualification or a concealed carry endorsement issued pursuant to 26 sections 571.101 to 571.121, RSMo. 27 28 ☐ Defendant is a fugitive from justice or currently

charged in an information or indictment with the commission of a



crime punishable by imprisonment for a term exceeding one year 1 under the laws of any state of the United States other than a 2 crime classified as a misdemeanor under the laws of any state and 3 punishable by a term of imprisonment of one year or less that 4 5 does not involve an explosive weapon, firearm, firearm silencer, or gas gun. 6 ☐ Defendant has been discharged under dishonorable 7 conditions from the United States armed forces. 8 Defendant is reasonably believed by the sheriff to be a 9 danger to self or others based on previous, documented pattern. 10 Defendant is adjudged mentally incompetent at the time 11 of application or for five years prior to application, or has 12 been committed to a mental health facility, as defined in section 13 632.005, RSMo, or a similar institution located in another state, 14 except that a person whose release or discharge from a facility 15 in this state pursuant to chapter 632, RSMo, or a similar 16 discharge from a facility in another state, occurred more than 17 five years ago without subsequent recommitment may apply. 18 Defendant failed to submit a completed application for a 19 certificate of qualification or concealed carry endorsement 20 issued pursuant to sections 571.101 to 571.121, RSMo. 21 Defendant failed to submit to or failed to clear the 22 23 required background check. Defendant failed to submit an affidavit attesting that 24 the applicant complies with the concealed carry safety training 25 requirement pursuant to subsection 1 of section 571.111, RSMo. 26 The plaintiff subject to penalty for perjury states that the 27 information contained in this petition is true and correct to the 28

best of the plaintiff's knowledge, is reasonably based upon the



petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

## ...., PLAINTIFF

- 2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121, at the time of issuance or renewal or is no longer eligible for a certificate of qualification or the concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the court shall issue an appropriate order to cause the revocation of the certificate of qualification or concealed carry endorsement. Costs shall not be assessed against the sheriff.
- The finder of fact, in any action brought against an endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars

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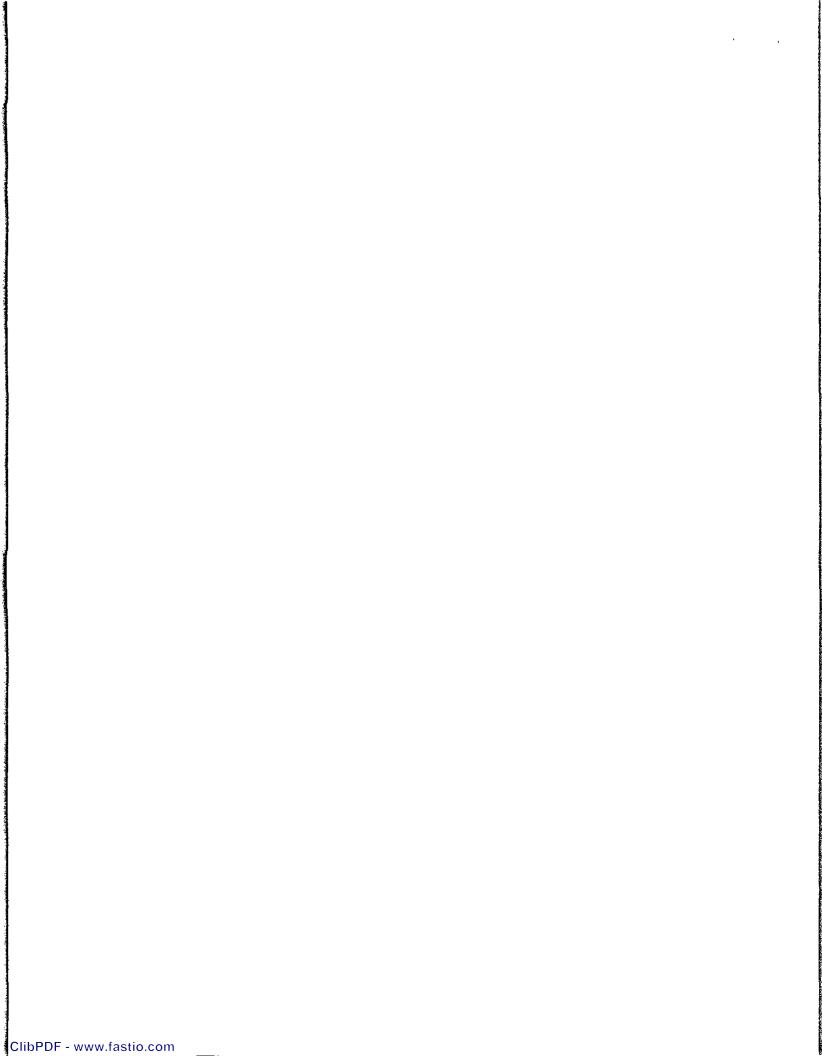
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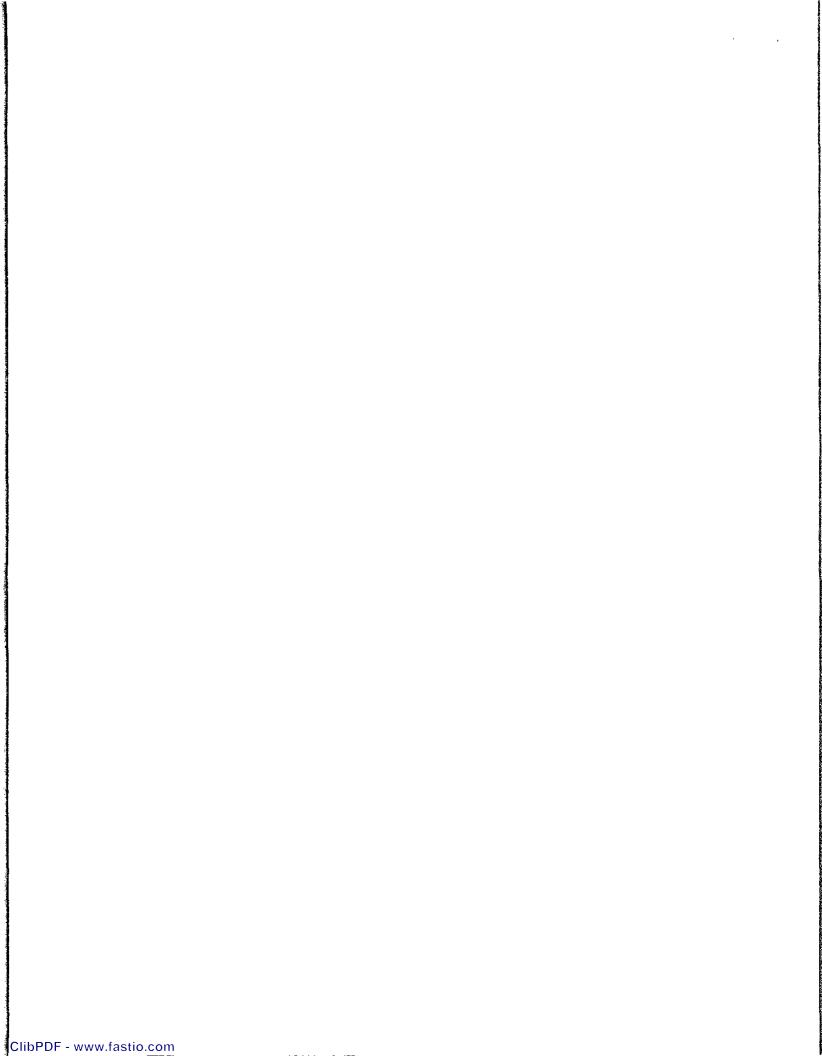


per hour.

- 4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a certificate of qualification or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.
- 5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and

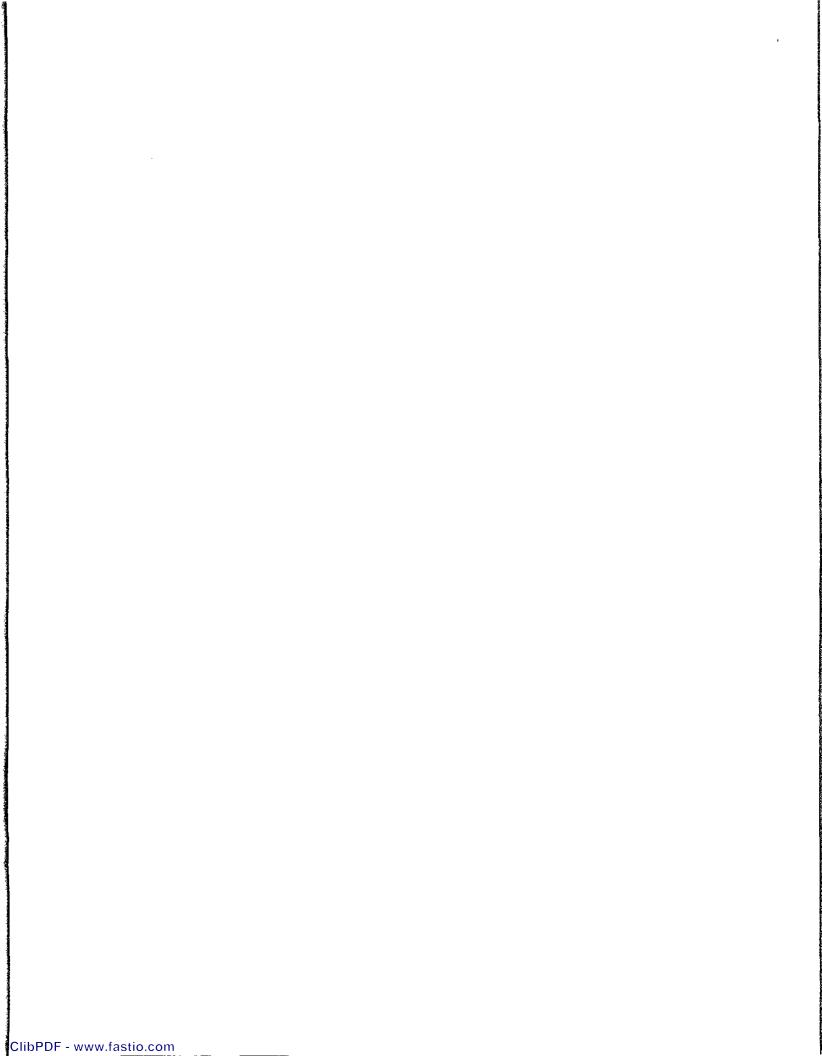
Further amend said bill, page 54, section 650.230, line 27, by inserting after all of said line, the following:

- "[475.375. 1. Any individual over the age of eighteen years who has been adjudged incapacitated under this chapter or who has been involuntarily committed under chapter 632 may file a petition for the removal of the disqualification to purchase, possess, or transfer a firearm when:
- (1) The individual no longer suffers from the condition that resulted in the individual's incapacity or involuntary commitment;
- (2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and
- (3) Granting relief under this section is not contrary to the public interest. No individual who has been found guilty by reason of mental disease or defect may petition a court for restoration under this section.
- 2. The petition shall be filed in the circuit court that entered the letters of guardianship or the most recent order for involuntary commitment, whichever is later. Upon receipt of the petition, the clerk shall schedule a hearing and provide notice of the hearing to the petitioner.
- 3. The burden is on the petitioner to establish by clear and convincing evidence that:
  - (1) The petitioner no longer suffers from the



condition that resulted in the incapacity or the involuntary commitment;

- (2) The individual no longer poses a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and
- (3) Granting relief under this section is not contrary to the public interest.
- 4. Upon the filing of the petition the court shall review the petition and determine if the petition is based upon frivolous grounds and if so may deny the petition without a hearing. In order to determine whether petitioner has met the burden pursuant to this section, the court may request the local prosecuting attorney, circuit attorney, or attorney general to provide a written recommendation as to whether relief should be granted. In any order requiring such review the court may grant access to any and all mental health records, juvenile records, and criminal history of the petitioner wherever maintained. The court may allow presentation of evidence at the hearing if requested by the local prosecuting attorney, circuit attorney, or attorney general.
- 5. If the petitioner is filing the petition as a result of an involuntary commitment under chapter 632, the hearing and records shall be closed to the public, unless the court finds that public interest would be better served by conducting the hearing in public. If the court determines the hearing should be open to the public, upon motion by the petitioner, the court may allow for the in-camera inspection of mental health records. The court may allow the use of the record but shall restrict from public disclosure, unless it finds that the public interest would be better served by making the record public.
  - 6. The court shall enter an order that:
- (1) The petitioner does or does not continue to suffer from the condition that resulted in commitment;
- (2) The individual does or does not continue to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; and
- (3) Granting relief under this section is not contrary to the public interest. The court shall include in its order the specific findings of fact on which it bases its decision.
- 7. Upon a judicial determination to grant a petition under this section, the clerk in the county where the petition was granted shall forward the order to the Missouri state highway patrol for updating of the petitioner's record with the National Instant Criminal Background Check System (NICS).

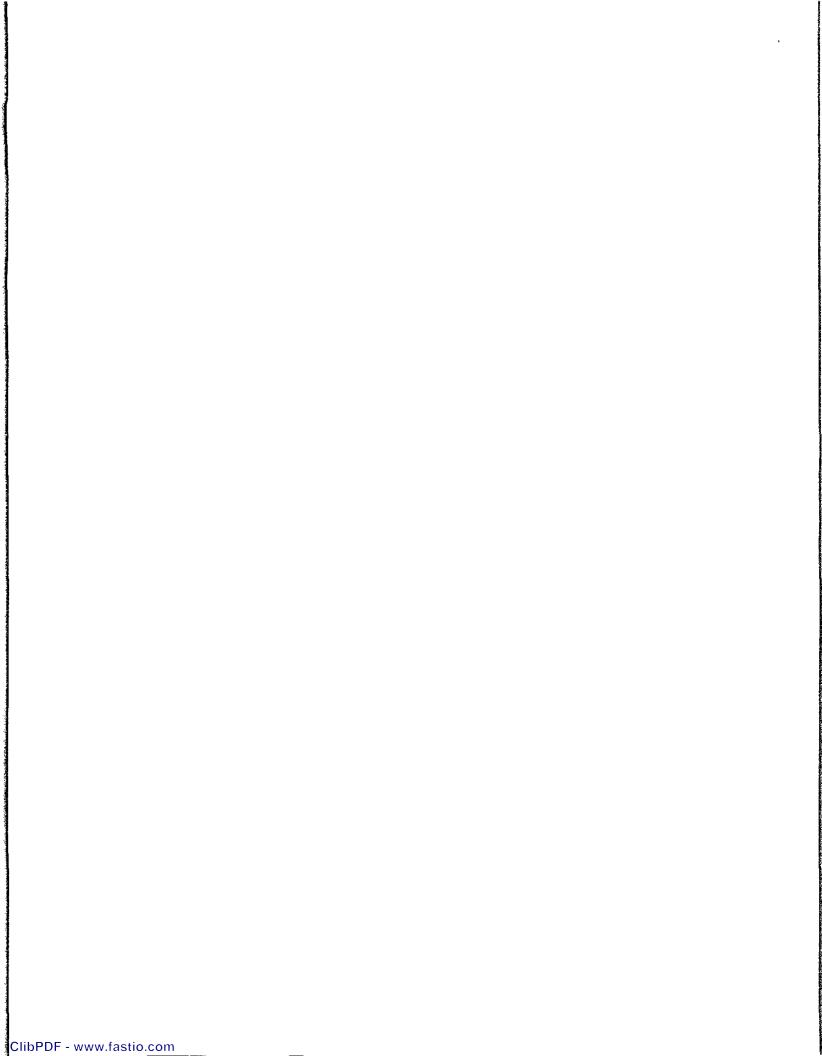


8. (1) Any person who has been denied a petition for the removal of the disqualification to purchase, possess, or transfer a firearm pursuant to this section shall not be eligible to file another petition for removal of the disqualification to purchase, possess, or transfer a firearm until the expiration of one year from the date of such denial.

- (2) If a person has previously filed a petition for the removal of the disqualification to purchase, possess, or transfer a firearm and the court determined that:
  - (a) The petitioner's petition was frivolous; or
- (b) The petitioner's condition had not so changed such that the person continued to suffer form the condition that resulted in the individual's incapacity or involuntary commitment and continued to pose a danger to self or others for purposes of the purchase, possession, or transfer of firearms under 18 U.S.C. Section 922; or
- (3) Granting relief under this section would be contrary to the public interest, then the court shall deny the subsequent petition unless the petition contains the additional facts upon which the court could find the condition of the petitioner had so changed that a hearing was warranted.]"; and

Further amend page 55, section B, line 1, by inserting after the word "law", the following: "and to clarify the requirements for concealed carry endorsements", and further amend line 2, by striking the word "and", and further amend said line, by inserting after "320.136", the following: "and section 571.111"; and further amend line 6, by striking the word "and"; and further amend said line, by inserting after "320.136", the following: "and section 571.111" and

Further amend the title and enacting clause accordingly.



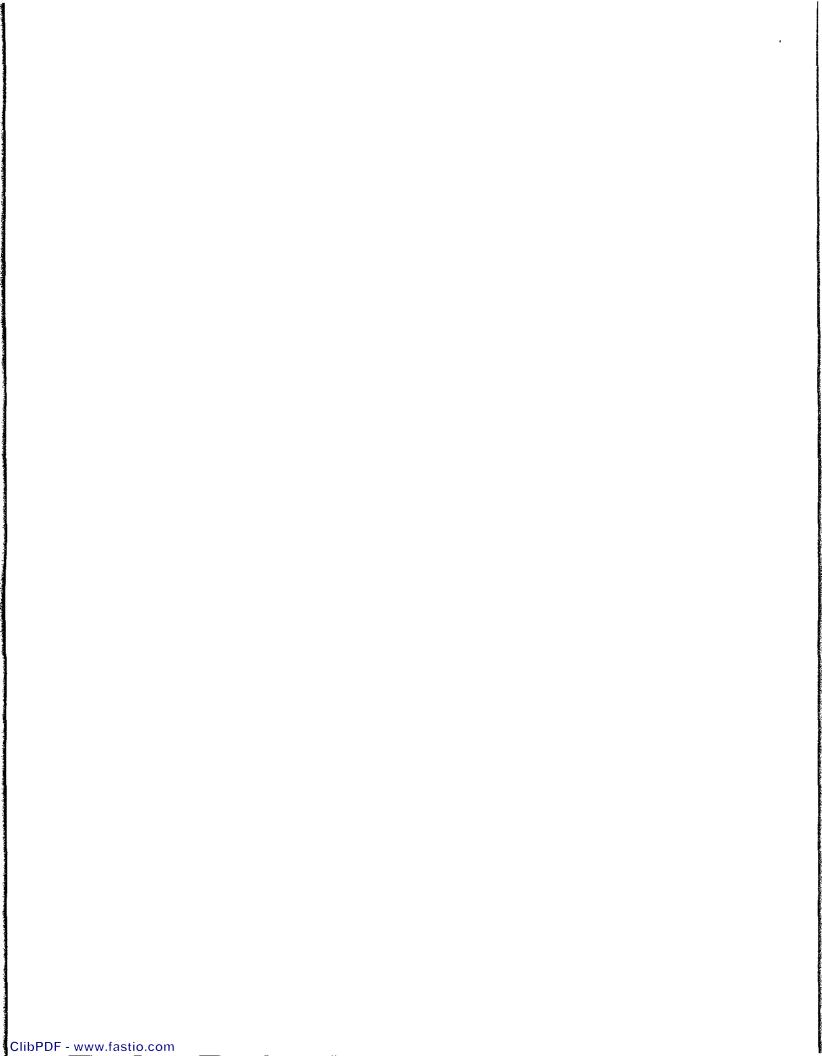
## SENATE AMENDMENT NO. \_\_\_\_\_\_

SENATE AMENDMENT NO. 3

	SENATE AMENDMENT NO.
	Offered by auly of 944 Distr.
	Amend SA#3/SS/HCS/House Bill No. 1647, Page 2 , Section 610.140 , Line 8
2	of said page, by inserting immediately after "2." the following:
3	"The following offenses are eligible to be expunged when such
4	offenses occurred within the state of Missouri and were
5	prosecuted under the jurisdiction of a Missouri municipal
6	associate or circuit court:
7	(1)"; and further amend line 11 of said page, by striking
8	"is eligible to be expunged when such" and inserting in lieu
9	thereof the following: ";
.0	(2) Any misdemeanor offense of sections 569.065, 569.067,
1	569.090, subdivision (1) of subsection 1 of section 569.120,
2	sections 569.140, 569.145, 572.020, 574.020, or 574.075; or
3	(3) Any class B or C misdemeanor offense of section
4	574.010."; and further amend lines 12-14 of said page, by

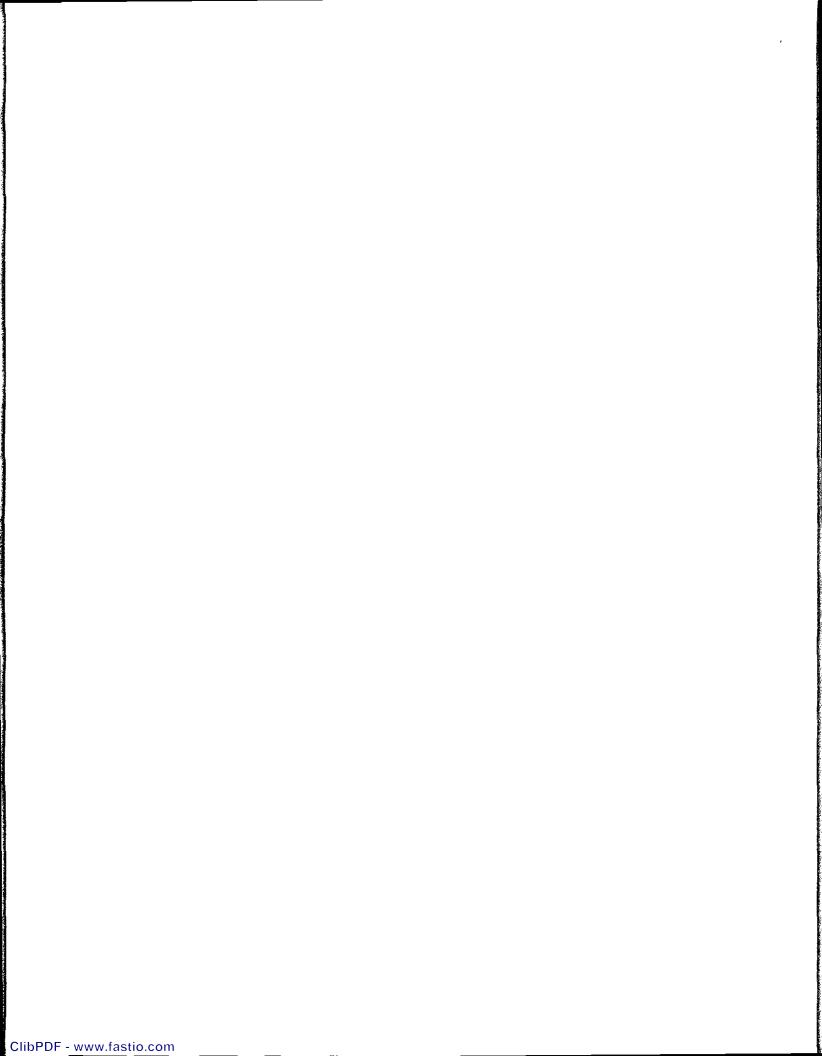
March 5-17-12

striking all of said lines.



## SENATE AMENDMENT NO. 3

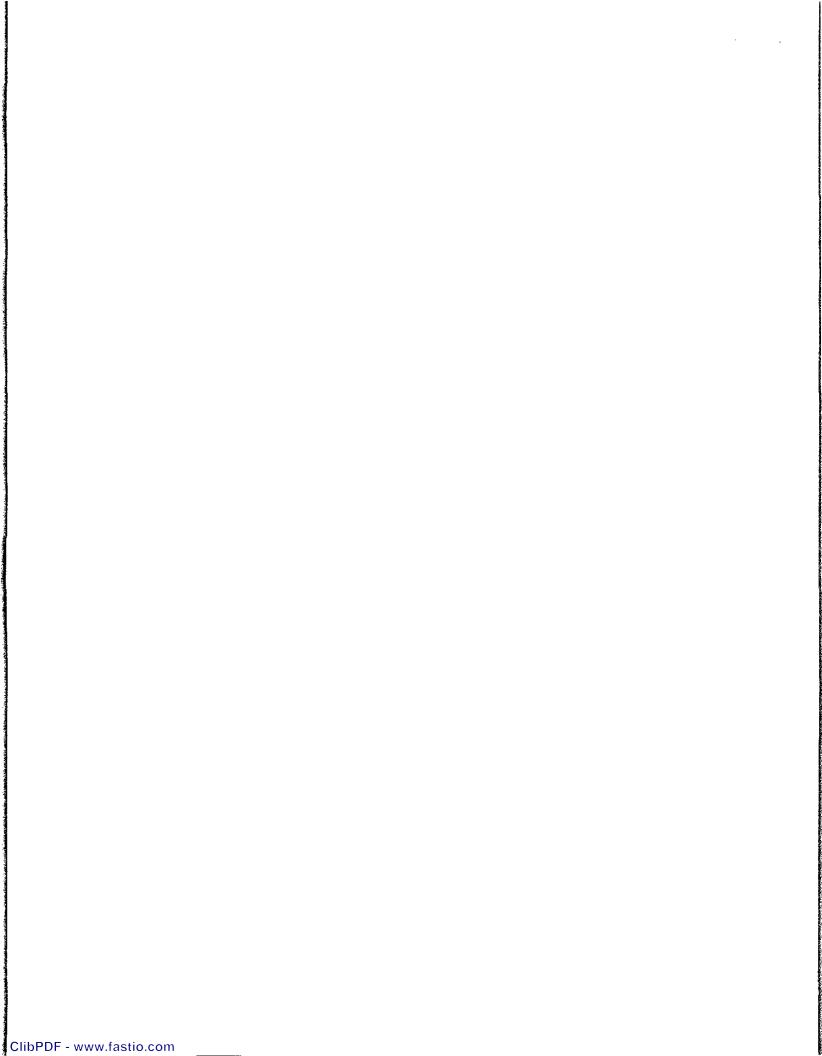
	offered by Lager of 12th
	Amend SS/HCS/House Bill No. <u>1647</u> , Page <u>51</u> , Section <u>414.570</u> , Line <u>26</u>
2	of said page, by inserting after all of said line the following:
3	"488.650. There shall be assessed as costs a surcharge in
4	the amount of one hundred dollars on all petitions for
5	expungement filed under the provisions of section 610.140. Such
6	surcharge shall be collected and disbursed by the clerk of the
7	court as provided by sections 488.010 to 488.020. Moneys
8	collected from this surcharge shall be payable to the general
9	revenue fund.
10	561.026. Notwithstanding any other provision of law except
11	for section 610.140, a person who is convicted:
12	(1) Of any crime shall be disqualified from registering and
13	voting in any election under the laws of this state while
14	confined under a sentence of imprisonment;
15	(2) Of a felony or misdemeanor connected with the exercise
16	of the right of suffrage shall be forever disqualified from
17	registering and voting;
18	(3) Of any felony shall be forever disqualified from
19	serving as a juror.
20	610.140. 1. Notwithstanding any other provision of law and
21	subject to the provisions of this section, any person may apply
22	to any court in which such person was found guilty of any of the
	alapted 5-17-12-



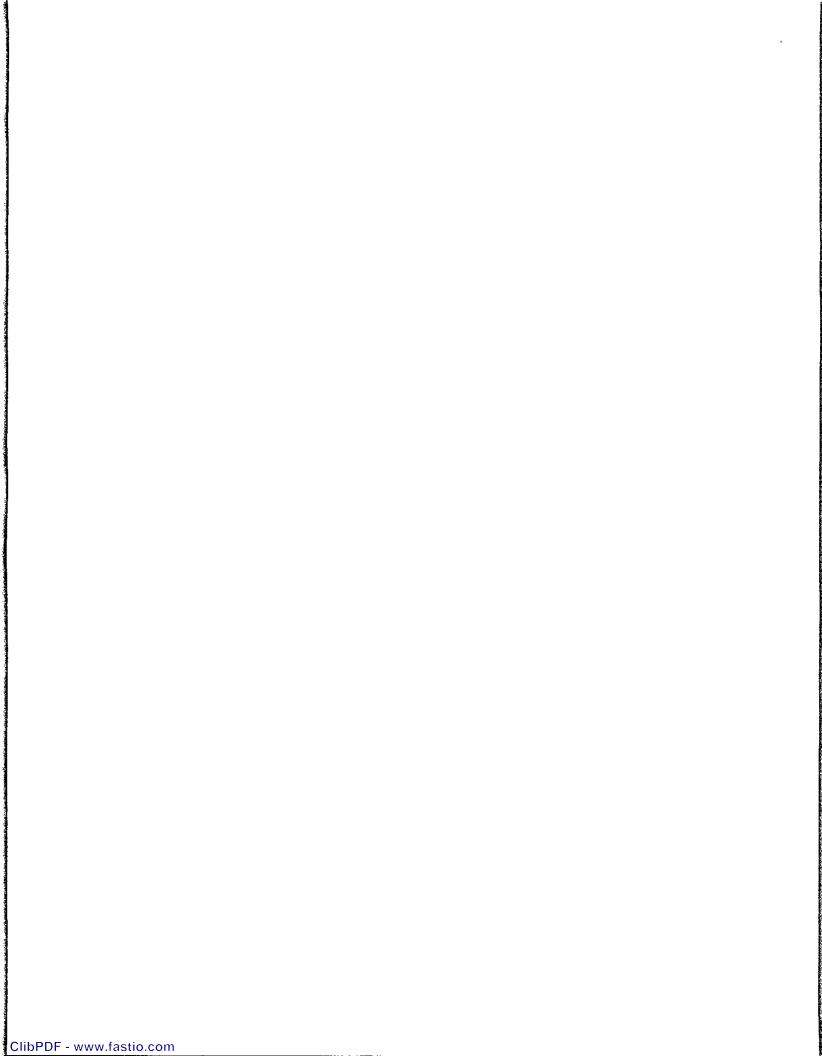
offenses specified in subsection 2 of this section for an order
to expunge recordations of such arrest, plea, trial, or
conviction. A person may apply to have one or more offenses
expunged so long as such person lists all the offenses he or she
is seeking to have expunged in the same petition and so long as
all such offenses are eligible under subsection 2 of this
section.

- 2. Any felony or misdemeanor offense of passing a bad check under 570.120, fraudulently stopping payment of an instrument under 570.125, or fraudulent use of a credit device or debit device under section 570.130 is eligible to be expunged when such felony or misdemeanor offense occurred within the state of Missouri, and was prosecuted under the jurisdiction of a Missouri municipal, associate, or circuit court.
- 3. The petition shall name as defendants all law enforcement agencies, courts, prosecuting or circuit attorneys, central state repositories of criminal records, or others who the petitioner has reason to believe may possess the records subject to expungement for each of the offenses listed in the petition.

  The court's order of expungement shall not affect any person or entity not named as a defendant in the action.
- 4. The petition shall be dismissed if it does not include the following information:
  - (1) The petitioner's:
  - <u>(a) Full name;</u>
- 26 <u>(b) Sex;</u>
- 27 <u>(c) Race;</u>
- 28 (d) Driver's license number, if applicable: and
- (e) Current address;



Each offense charged against the petitioner for which 1 the petitioner is requesting expungement; 2 The date the petitioner was arrested for each offense; 3 (4) The name of the county where the petitioner was 4 arrested for each offense and if any of the offenses occurred in 5 a municipality, the name of the municipality for each offense; 6 (5) The name of the agency that arrested the petitioner for 7 each offense; 8 (6) The case number and name of the court for each offense; 9 10 <u>and</u> (7) Petitioner's fingerprints on a standard fingerprint 11 card at the time of filing a petition for expungement which will 12 be forwarded to the central repository for the sole purpose of 13 14 positively identifying the petitioner. 5. The court may set a hearing on the matter no sooner than 15 thirty days from the filing of the petition and shall give 16 reasonable notice of the hearing to each entity named in the 17 petition. At the hearing, the court may accept evidence and hear 18 testimony on, and may consider, the following criteria for each 19 of the offenses listed in the petition for expungement: 20 (1) It has been at least twenty years if the offense is a 21 22 felony, or at least ten years if the offense is a misdemeanor, 23 municipal offense, or infraction, since the person making the 24 application completed: 25 (a) Any sentence of imprisonment; or 26 (b) Any period of probation or parole; 27 (2) The person has not been found quilty of a misdemeanor or felony, not including violations of the traffic regulations 28 29 provided under chapters 304 and 307, during the time period



- 1 specified for the underlying offense in subdivision (1) of this
  2 subsection;
  - (3) The person has paid any amount of restitution ordered by the court;
  - (4) The circumstances and behavior of the petitioner warrant the expungement; and
    - (5) The expungement is consistent with the public welfare.
  - 6. If the court determines at the conclusion of the hearing that such person meets all the criteria set forth in subsection 5 of this section for each of the offenses listed in the petition for expungement, the court may enter an order of expungement. A copy of the order shall be provided to each entity named in the petition, and, upon receipt of the order, each entity shall destroy any record in its possession relating to any offense listed in the petition. If destruction of the record is not feasible because of the permanent nature of the record books, such record entries shall be blacked out. Entries of a record ordered expunded shall be removed from all electronic files maintained with the state of Missouri, except for the files of the court. The records and files maintained in any administrative or court proceeding in a municipal, associate, or circuit court for any offense ordered expunded under this section shall be confidential and only available to the parties or by order of the court for good cause shown. The central repository shall request the Federal Bureau of Investigation to expunge the records from its files.
  - 7. The order shall not limit any of the petitioner's rights that were restricted as a collateral consequence of such person's criminal record, and such rights shall be restored upon issuance

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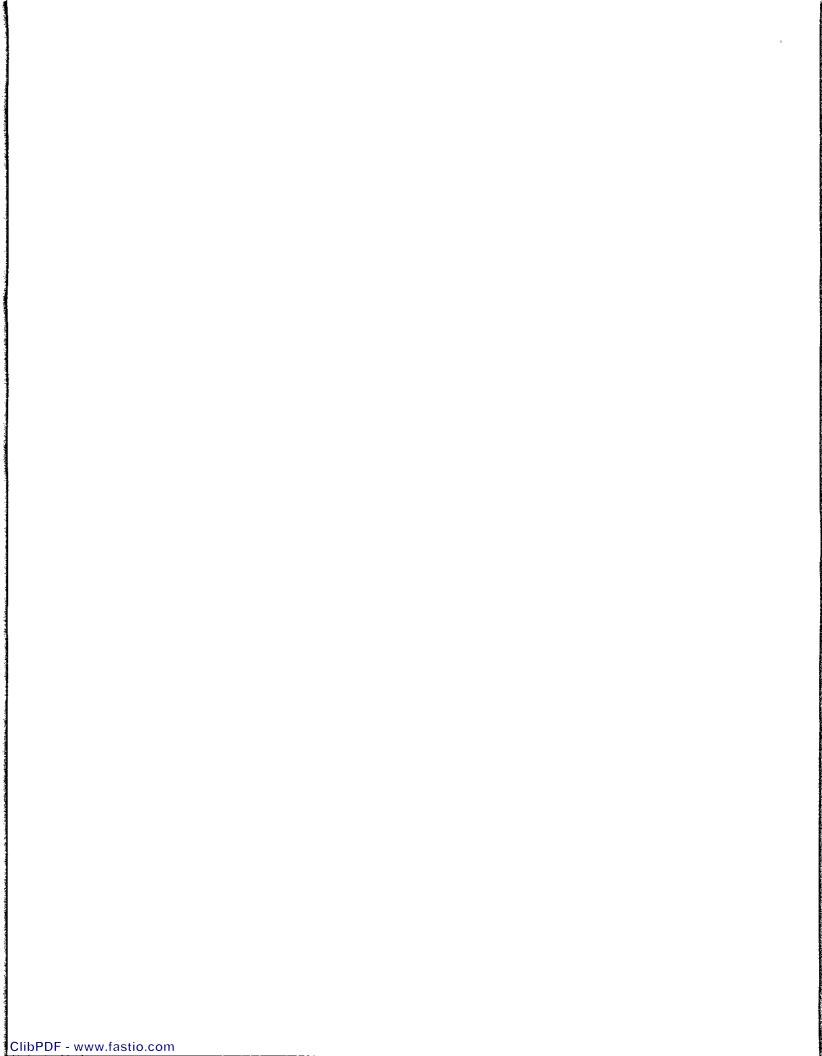
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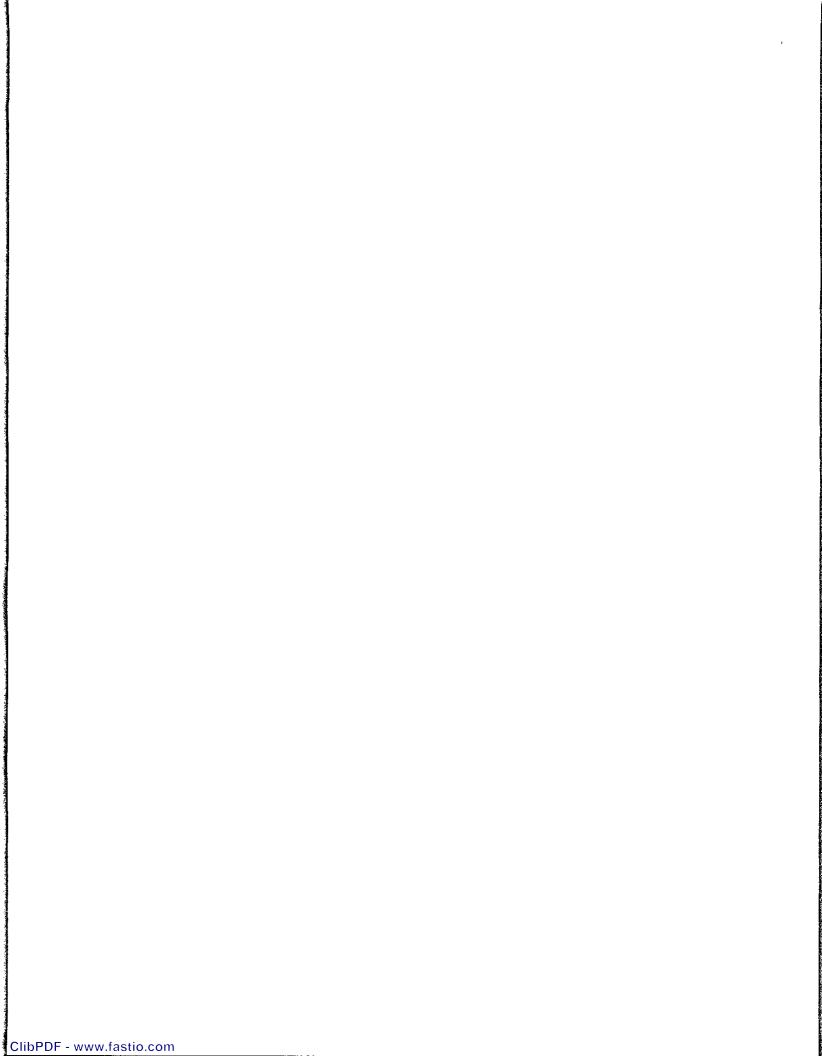
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1	of the order of expungement. Except as otherwise provided under
2	this section, the effect of such order shall be to restore such
3	person to the status he or she occupied prior to such arrests,
4	pleas, trials, or convictions as if such events had never taken
5	place. No person as to whom such order has been entered shall be
6	held thereafter under any provision of law to be guilty of
7	perjury or otherwise giving a false statement by reason of his or
8	her failure to recite or acknowledge such arrests, pleas, trials,
9	convictions, or expungement in response to an inquiry made of him
10	or her and no such inquiry shall be made for information relating
11	to an expungement, except the petitioner shall disclose the
12	expunded offense to any court when asked or upon being charged
13	with any subsequent offense. The expunded offense may be
14	considered a prior offense in determining a sentence to be
15	imposed for any subsequent offense that the person is found
16	quilty of committing.

- 8. Notwithstanding the provisions of subsection 7 of this section to the contrary, a person granted an expungement shall disclose any expunged offense when the disclosure of such information is necessary to complete any application for:
- (1) A license, certificate, or permit issued by this state to practice such individual's profession;
  - (2) Any license issued under chapter 313; or
- (3) Paid or unpaid employment with an entity licensed under chapter 313, any state-operated lottery, or any emergency services provider, including any law enforcement agency.

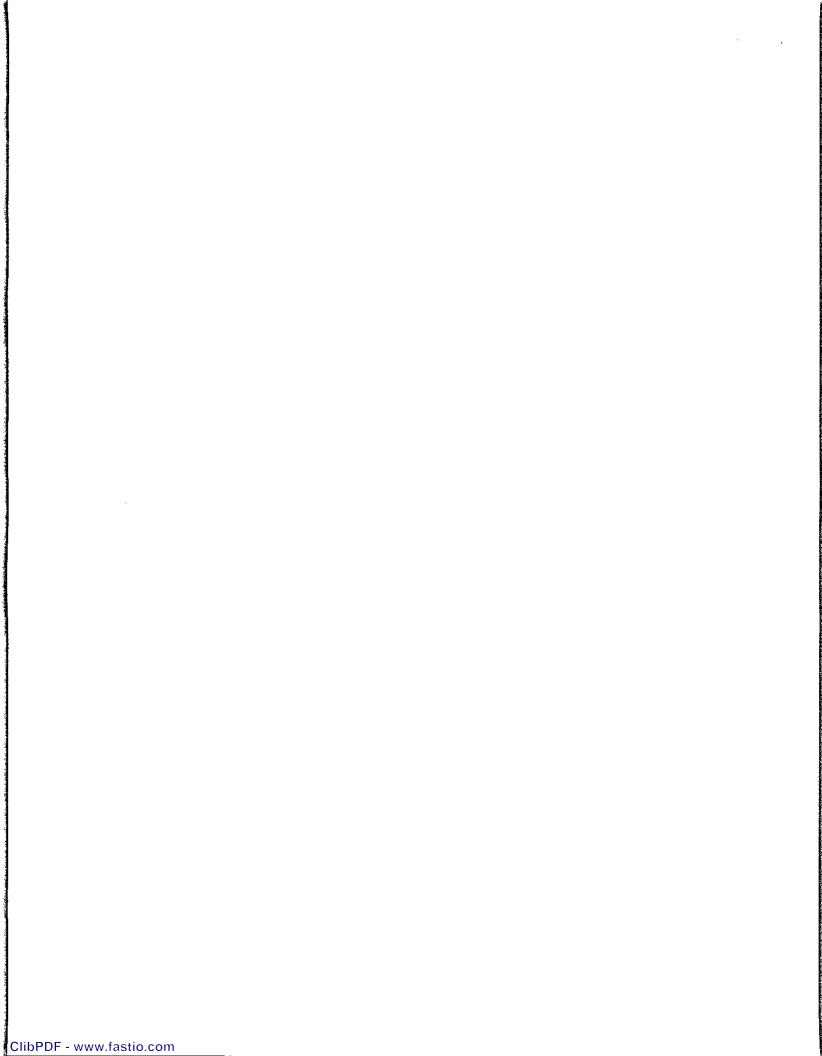
Notwithstanding any provision of law to the contrary, an expunged offense shall not be grounds for automatic disqualification of an



applicant, but may be a factor for denying employment, or a professional license, certificate, or permit.

9. If the court determines that such person has not met the criteria for any of the offenses listed in the petition for expungement, the court shall enter an order dismissing the petition. Any person whose petition for expungement has been dismissed by the court for failure to meet the criteria set forth in subsection 5 of this section may not refile another petition until a year has passed since the date of filing for the previous petition.

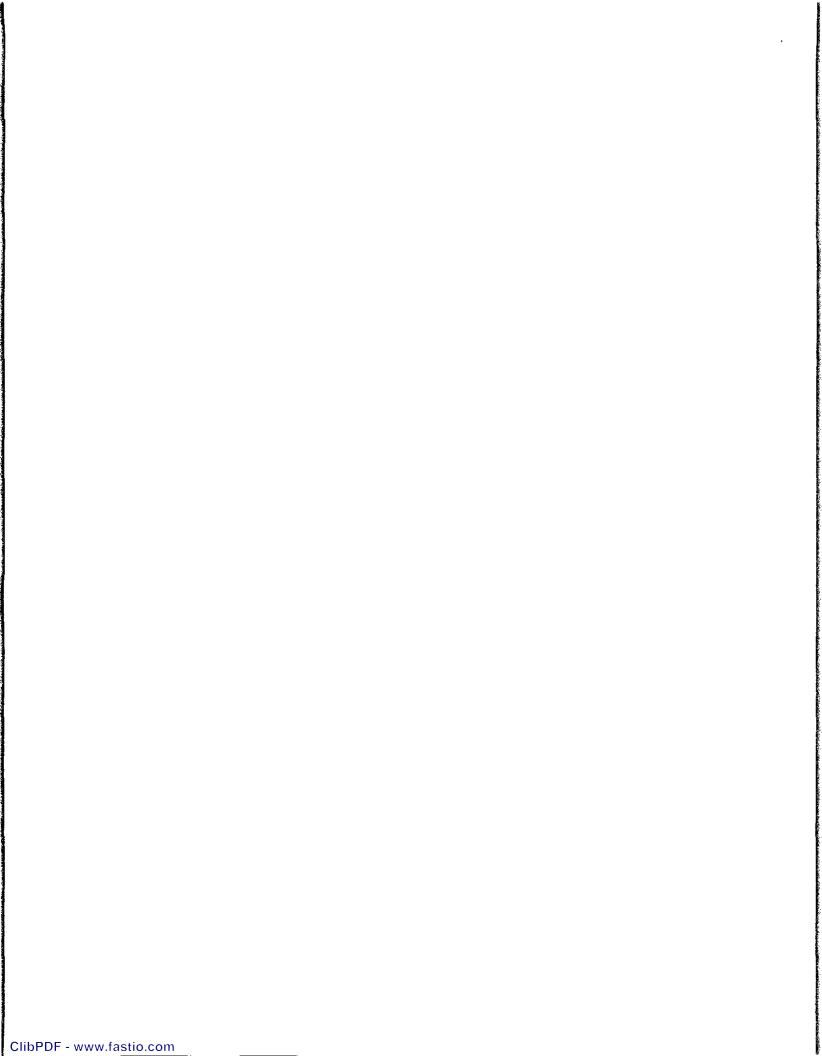
10. A person may be granted more than one expungement under this section provided that no person shall be granted more than one order of expungement from the same court. Nothing contained in this section shall prevent the court from maintaining records to ensure that an individual has only one petition for expungement granted by such court under this section."; and Further amend the title and enacting clause accordingly.



## SENATE AMENDMENT NO. 4

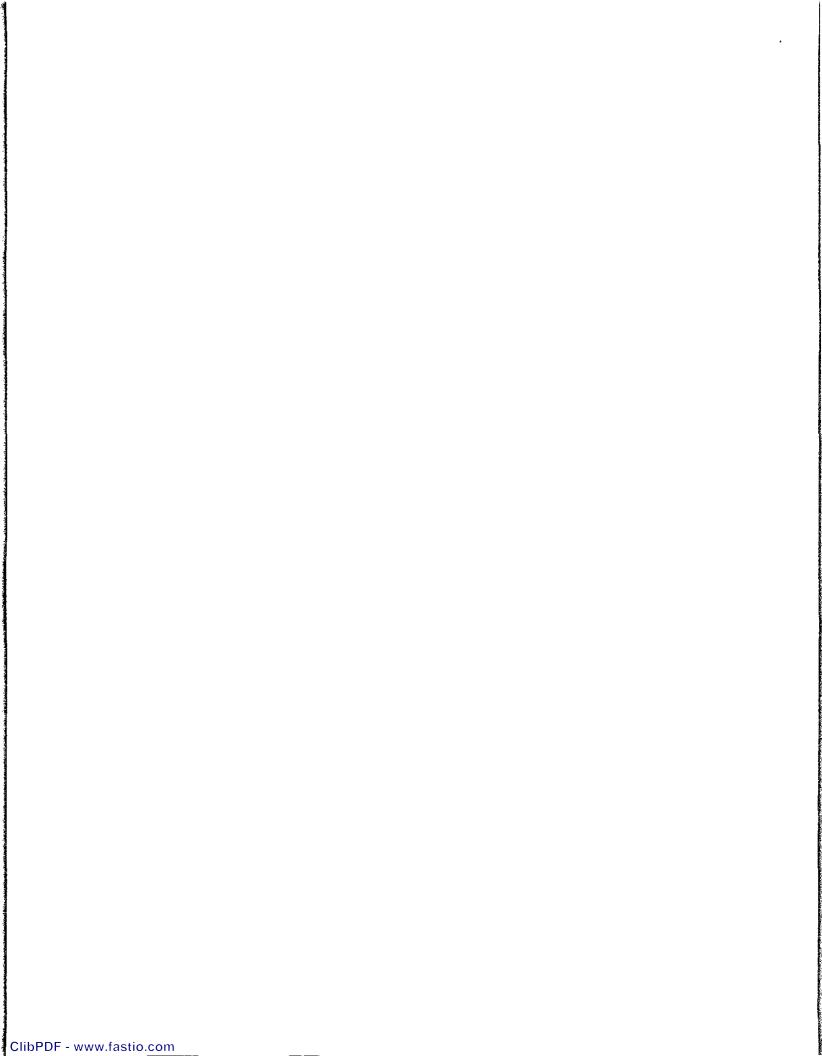
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	AmendSS/HCS/House Bill No. 1647, Page 45 , Section 320.136 , Line 25
2	of said page, by inserting immediately after said line the
3	following:
4	"321.228. 1. As used in this section, the following terms
5	shall mean:
6	(1) "Residential construction", new construction and
7	erection of detached single-family or two-family dwellings or the
8	development of land to be used for detached single-family or two-
9	family dwellings;
10	(2) "Residential construction regulatory system", any
11	bylaw, ordinance, order, rule, or regulation adopted,
12	implemented, or enforced by any city, town, village, or county
13	that pertains to residential construction, to any permitting
1,4	system, or program relating to residential construction,
15	including but not limited to the use or occupancy by the initial
16	occupant thereof, or to any system or program for the inspection
17	of residential construction. Residential construction regulatory
18	system also includes the whole or any part of a nationally
19	recognized model code, with or without amendments specific to
20	such city, town, village, or county.
21	2. Notwithstanding the provisions of any other law to the
22	contrary, if a city, town, village, or county adopts or has
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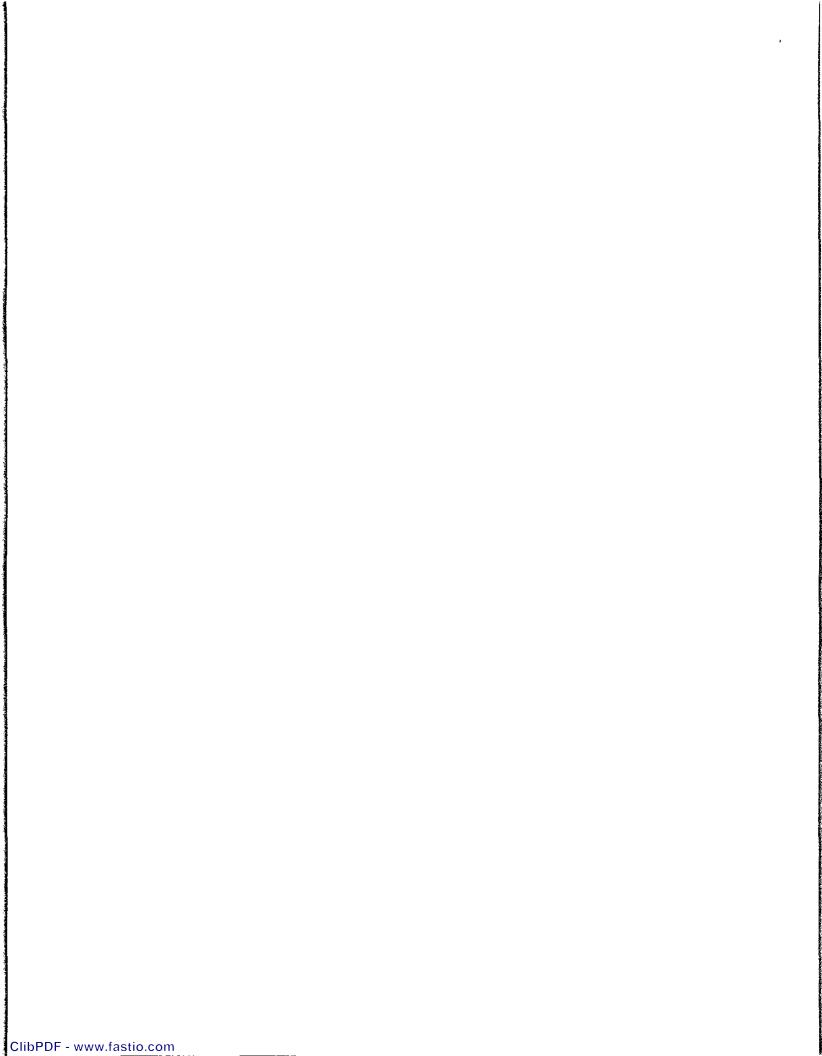


adopted, implements, and enforces a residential construction regulatory system applicable to residential construction within its jurisdiction, any fire protection districts wholly or partly located within such city, town, village, or county shall be without power, authority, or privilege to enforce or implement a residential construction regulatory system purporting to be applicable to any residential construction within such city, town, village, or county. Any such residential construction regulatory system adopted by a fire protection district or its board shall be treated as advisory only and shall not be enforced by such fire protection district or its board. 

- 3. Notwithstanding the provisions of any other law to the contrary, fire protection districts:
- (1) Shall have final regulatory authority regarding the location and specifications of fire hydrants, fire hydrant flow rates, and fire lanes, all as it relates to residential construction. Nothing in this subdivision shall be construed to require the political subdivision supplying water to incur any costs to modify its water supply infrastructure; and
- (2) May inspect the alteration, enlargement, replacement or repair of a detached single-family or two-family dwelling; and
- (3) Shall not collect a fee for the services described in subdivisions (1) and (2) of this subsection.
- 321.460: 1. Two or more fire protection districts may consolidate with each other in the manner hereinafter provided, and only if the districts have one or more common boundaries, in whole or in part, or are located within the same county, in whole or in part, as to any respective two of the districts which are so consolidating.



- 2. By a majority vote of each board of directors of each fire protection district included within the proposed consolidation, a consolidation plan may be adopted. The consolidation plan shall include the name of the proposed consolidated district, the legal description of the boundaries of each district to be consolidated, and a legal description of the boundaries of the consolidated district, the amount of outstanding bonds, if any, of each district proposed to be consolidated, a listing of the firehouses within each district, and the names of the districts to be consolidated.
- 3. Each board of the districts approving the plan for proposed consolidation shall duly certify and file in the office of the clerk of the circuit court of the county in which the district is located a copy of the plan of consolidation, bearing the signatures of those directors who vote in favor thereof, together with a petition for consolidation. The petition may be made jointly by all of the districts within the respective plan of consolidation. A filing fee of fifty dollars shall be deposited with the clerk, on the filing of the petition, against the costs of court.
- 4. The circuit court sitting in and for any county to which the petition is presented is hereby vested with jurisdiction, power and authority to hear the same, and to approve the consolidation and order such districts consolidated, after holding an election, as hereinafter provided.
- 5. If the circuit court finds the plan for consolidation to have been duly approved by the respective boards of directors of the fire protection districts proposed to be consolidated, then the circuit court shall enter its order of record, directing the

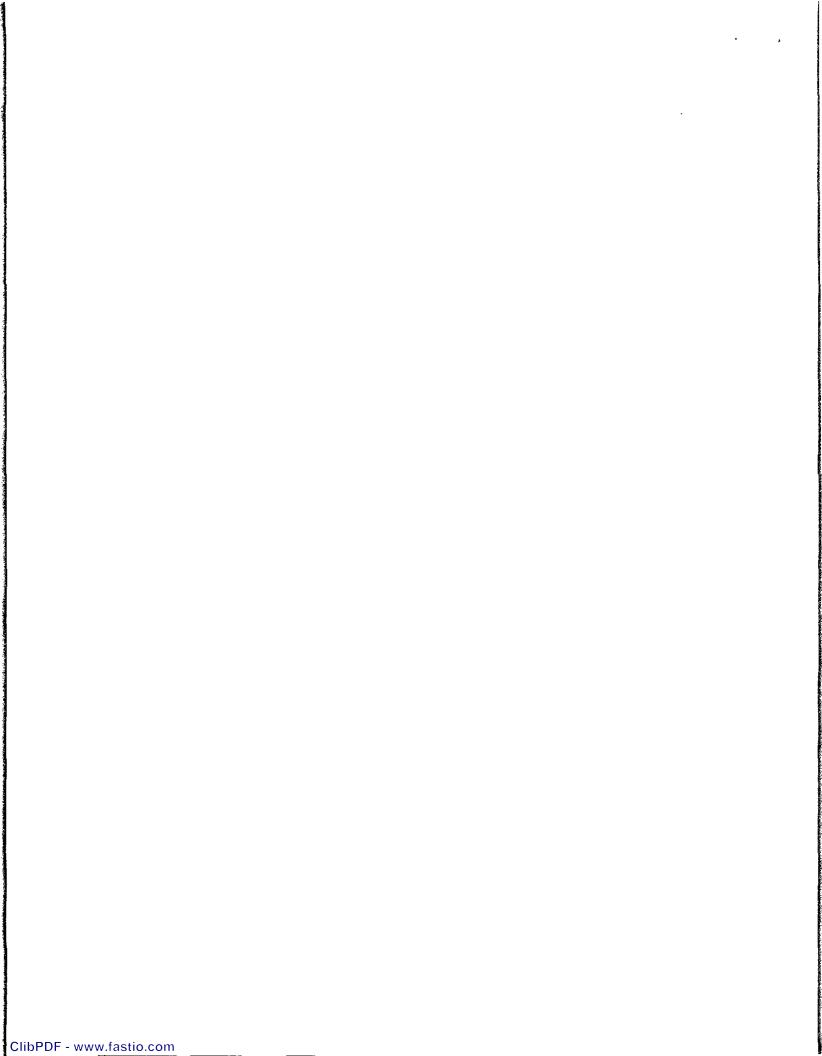


submission of the question.

- 6. The order shall direct publication of notice of election, and shall fix the date thereof. The order shall direct that the elections shall be held to vote on the proposition of consolidating the districts and to elect three persons, having the qualifications declared in section 321.130 and being among the then directors of the districts proposed to be consolidated, to become directors of the consolidated district.
- 7. The question shall be submitted in substantially the following form:

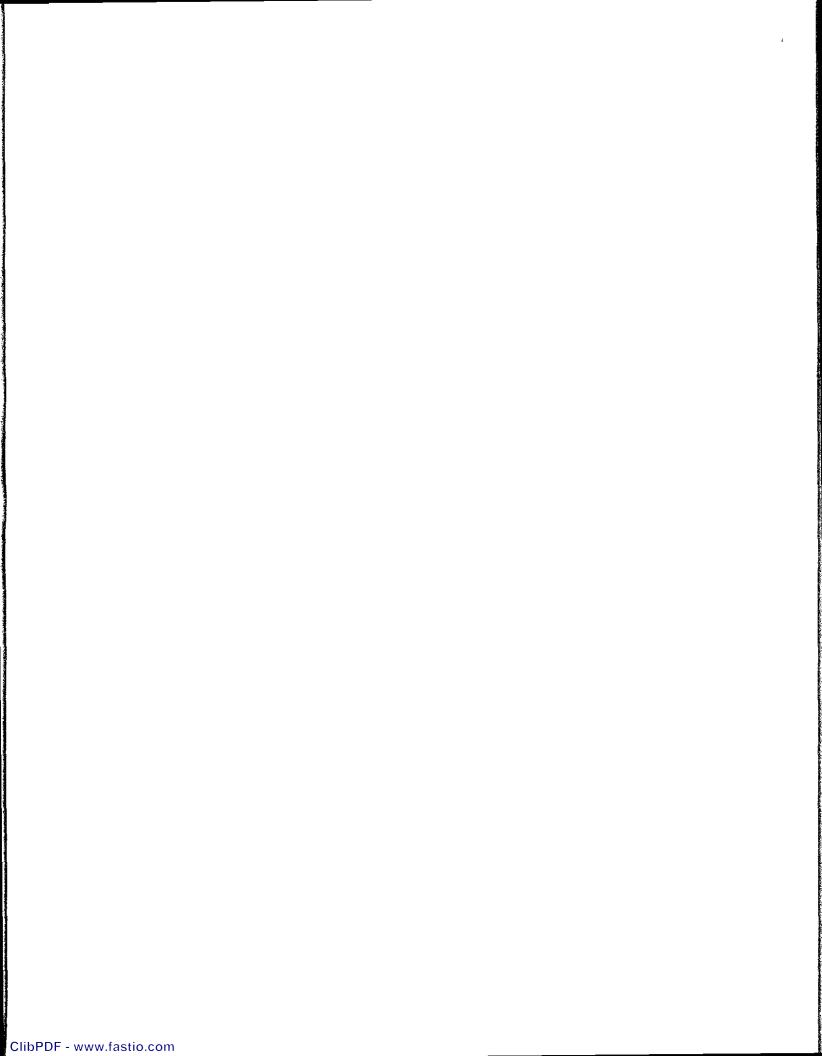
Shall the .... Fire Protection Districts and the .... Fire Protection District be consolidated into one fire protection district to be known as the .... Fire Protection District, with tax levies not in excess of the following amounts: maintenance fund .... cents per one hundred dollars assessed valuation; ambulance service .... cents per one hundred dollars assessed valuation; pension fund .... cents per one hundred dollars assessed valuation; and dispatching fund .... cents per one hundred dollars assessed valuation; and dispatching fund .... cents per one hundred dollars assessed valuation?

8. If, upon the canvass and declaration, it is found and determined that a majority of the voters of the districts voting on the proposition or propositions have voted in favor of the proposition to incorporate the consolidated district, then the court shall then further, in its order, designate the first board of directors of the consolidated district, who have been elected by the voters voting thereon, the one receiving the third highest number of votes to hold office until the first Tuesday in April which is more than one year after the date of election, the one receiving the second highest number of votes to hold office until



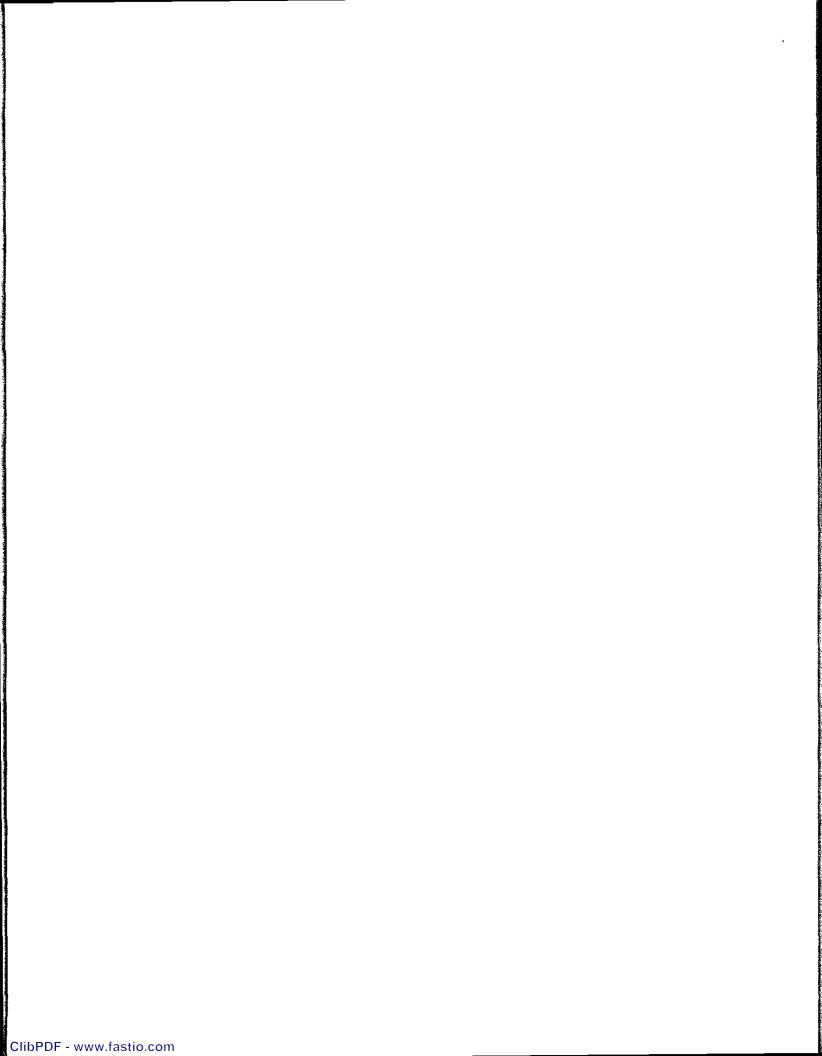
two years after the first Tuesday aforesaid, and the one receiving the highest number of votes until four years after the first Tuesday in April as aforesaid. If any other propositions are also submitted at the election, the court, in its order, shall also declare the results of the votes thereon. If the court shall find and determine, upon the canvass and declaration, that a majority of the voters of the consolidated district have not voted in favor of the proposition to incorporate the consolidated district, then the court shall enter its order declaring the proceedings void and of no effect, and shall dismiss the same at the cost of petitioners."; and

Further amend the title and enacting clause accordingly.



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SENATE AMENDMENT NO. 5 HOUSE 414.570 Offered By JENATUR 13 UF Hense AMEND Senate Substitute for Senate Committee Substitute for Senate Bill Nos 489 & 637, Rage 1 1 Section A. Line 3, by inserting after all of said section and line the following: LTAILING ME PARTY AND INTERPRETATION OF THE PARTY OF 2 3 "565.081. 1. A person commits the crime of assault of a law enforcement officer, corrections 4 5 officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer in the first degree if such person attempts to kill or knowingly 6 7 causes or attempts to cause serious physical injury to a law enforcement officer, corrections officer, 8 emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, 9 or probation and parole officer. 10 2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions 11 12 (15), (16), (17), and (18) of section 190.100. 13 3. As used in this section the term "corrections officer" includes any jailer or corrections officer 14 of the state or any political subdivision of the state. 15 4. When used in this section, the terms "highway worker", "construction zone", or "work zone" 16 shall have the same meaning as such terms are defined in section 304.580. 5. As used in this section, the term "utility worker" means any employee while in performance of 17 their job duties, including any person employed under contract, of a utility that provides gas, heat, 18 19 electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, 20 or cooperatively owned. 21 6. As used in this section, the term "cable worker" means any employee including any person 22 employed under contract, of a cable operator, as such term is defined in section 673,2677 23 7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway 24 worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer 25 in the first degree is a class A felony. 565.082. 1. A person commits the crime of assault of a law enforcement officer, corrections 26 27 officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable 28 worker, or probation and parole officer in the second degree if such person: 29 (1) Knowingly causes or attempts to cause physical injury to a law enforcement officer, 30 corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility 31 worker, cable worker, or probation and parole officer by means of a deadly weapon or dangerous Action Taken \_\_\_\_\_ Date 1 Mississa 5-17-12



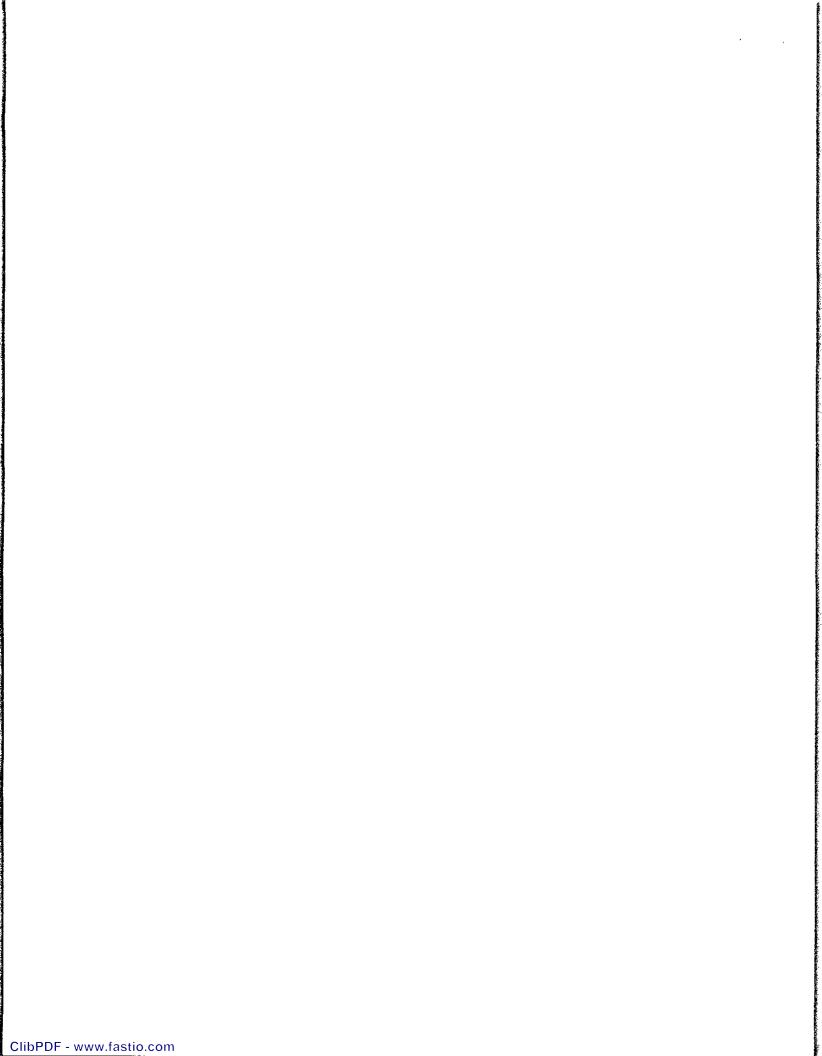
1 instrument; 2 (2) Knowingly causes or attempts to cause physical injury to a law enforcement officer, 3 corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility 4 worker, cable worker, or probation and parole officer by means other than a deadly weapon or dangerous 5 instrument: 6 (3) Recklessly causes serious physical injury to a law enforcement officer, corrections officer, 7 emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, 8 or probation and parole officer; or 9 (4) While in an intoxicated condition or under the influence of controlled substances or drugs, 10 operates a motor vehicle or vessel in this state and when so operating, acts with criminal negligence to 11 cause physical injury to a law enforcement officer, corrections officer, emergency personnel, highway 12 worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer; 13 (5) Acts with criminal negligence to cause physical injury to a law enforcement officer, 14 corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility 15 worker, cable worker, or probation and parole officer by means of a deadly weapon or dangerous 16 instrument: (6) Purposely or recklessly places a law enforcement officer, corrections officer, emergency 17 18 personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation 19 and parole officer in apprehension of immediate serious physical injury; or 20 (7) Acts with criminal negligence to create a substantial risk of death or serious physical injury to 21 a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer. 22 23 2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, 24 emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions (15), (16), (17), and (18) of section 190.100. 25 26 3. As used in this section the term "corrections officer" includes any jailer or corrections officer 27 of the state or any political subdivision of the state. 28 4. When used in this section, the terms "highway worker", "construction zone", or "work zone" 29 shall have the same meaning as such terms are defined in section 304.580. 30 5. As used in this section, the term "utility worker" means any employee while in performance of their job duties, including any person employed under contract, of a utility that provides gas, heat, 31 32 electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, 33 or cooperatively owned. 34 6. As used in this section, the term "cable worker" means any employee, including any person 35 employed under contract, of a cable operator, as such term is defined in section 67.2677. 36 7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway 37 worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer 38 in the second degree is a class B felony unless committed pursuant to subdivision (2), (5), (6), or (7) of

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subsection 1 of this section in which case it is a class C felony. For any violation of subdivision (1), (3),

or (4) of subsection 1 of this section, the defendant must serve mandatory jail time as part of his or her

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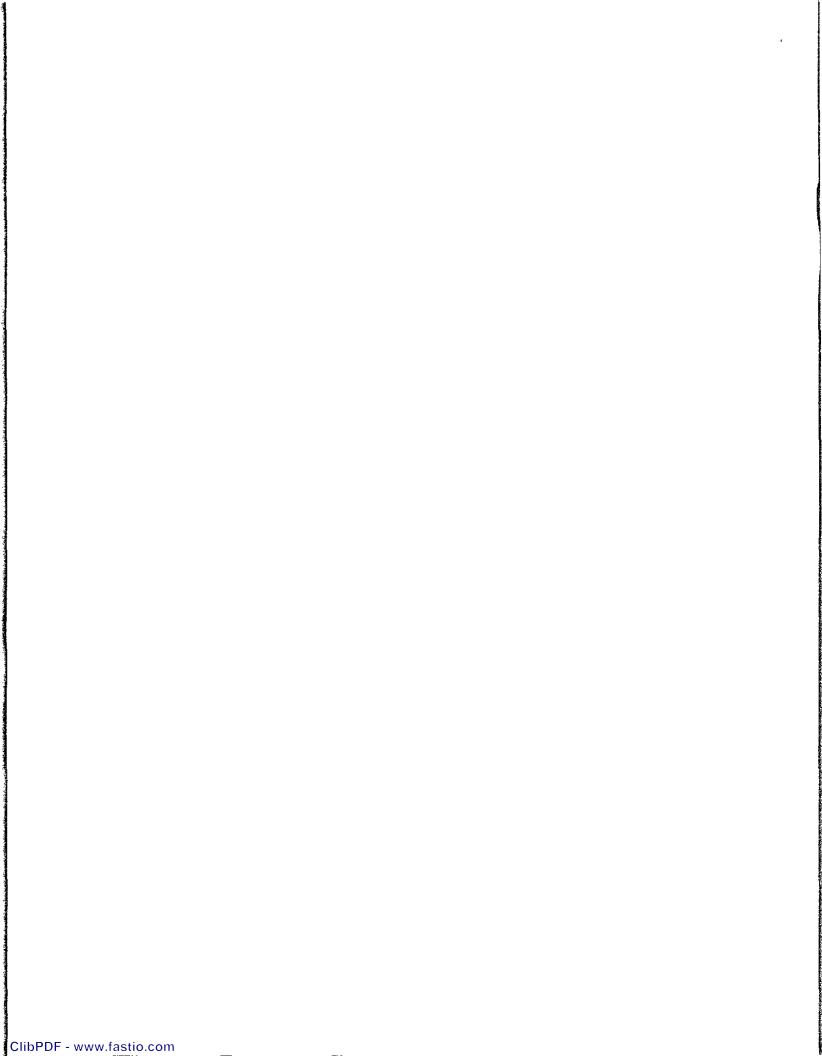
1 sentence. 2 565.083. 1. A person commits the crime of assault of a law enforcement officer, corrections 3 officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer in the third degree if: 4 5 (1) Such person recklessly causes physical injury to a law enforcement officer, corrections 6 officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable 7 worker, or probation and parole officer; 8 (2) Such person purposely places a law enforcement officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, utility worker, cable worker, or probation 9 10 and parole officer in apprehension of immediate physical injury; 11 (3) Such person knowingly causes or attempts to cause physical contact with a law enforcement 12 officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, 13 utility worker, cable worker, or probation and parole officer without the consent of the law enforcement 14 officer, corrections officer, emergency personnel, highway worker in a construction zone or work zone, 15 utility worker, cable worker, or probation and parole officer. 16 2. As used in this section, "emergency personnel" means any paid or volunteer firefighter, 17 emergency room or trauma center personnel, or emergency medical technician as defined in subdivisions 18 (15), (16), (17), and (18) of section 190.100. 19 3. As used in this section the term "corrections officer" includes any jailer or corrections officer 20 of the state or any political subdivision of the state. 21 4. When used in this section, the terms "highway worker", "construction zone", or "work zone" 22 shall have the same meaning as such terms are defined in section 304.580. 5. As used in this section, the term "utility worker" means any employee while in performance of 23 24 their job duties, including any person employed under contract, of a utility that provides gas, heat, 25 electricity, water, steam, telecommunications services, or sewer services, whether privately, municipally, 26 or cooperatively owned. 27 6. As used in this section, the term "cable worker" means any employee, including any person 28 employed under contract, of a cable operator, as such term is defined in section 67.2677. 29 7. Assault of a law enforcement officer, corrections officer, emergency personnel, highway 30 worker in a construction zone or work zone, utility worker, cable worker, or probation and parole officer 31 in the third degree is a class A misdemeanor."; and 32

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

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## SENATE AMENDMENT NO. 6

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	mend <u>SS/H(S/House</u> Bill No. 1647, Page <u>13</u> , Section <u>292.606</u> , Line 1	8
2	by inserting after all of said line the following:	
3	"292.655. 1. For purposes of this section, the following	
4	<u>terms mean:</u>	
5	(1) "Engineered injury protection device", a mechanical	
6	device or feature to a device that renders the needle incapable	
7	of inflicting a needlestick injury either by:	
8	(a) Destruction of the medical needle sharp metal point at	
9	the point of procedure or use; or	
٥۔	(b) Covering the sharp end of the needle at the time the	
.1	needle is removed from the skin of the subject human or animal.	
.2	Recapping the medical needle with the original needle packaging	
_3	cover is not considered an engineered injury protection device.	
-4	(2) "Medical needles", hypodermic needles or other similar	
-5	hollow-bore needles, syringes, or blood extraction apparatus with	
-6	a primary function to penetrate the skin of a living human or	
.7	animal.	
.8	2. Employers that use medical needles in the routine course	
۔9	of conducting business in the state may use any commercially	
30	available engineered injury protection device that can be	
21	reasonably expected to reduce the risk of accidental needlestick	

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injuries to employees, patients, or customers.

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3. This section shall not apply to needles for sewing dead animal skins or parts, fish hooks, gaffs, animal tags, or other similar sharp objects related to animals but unrelated to healthcare or testing of live animals. This section shall not apply to any veterinary care provided by a licensed veterinarian or veterinary care provider in or outside of a designated veterinary office, including but not limited to, a ranch, farm, or private residence being provided in the scope of veterinary practices under chapter 340."; and

Further amend the title and enacting clause accordingly.

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## SENATE AMENDMENT NO. 7

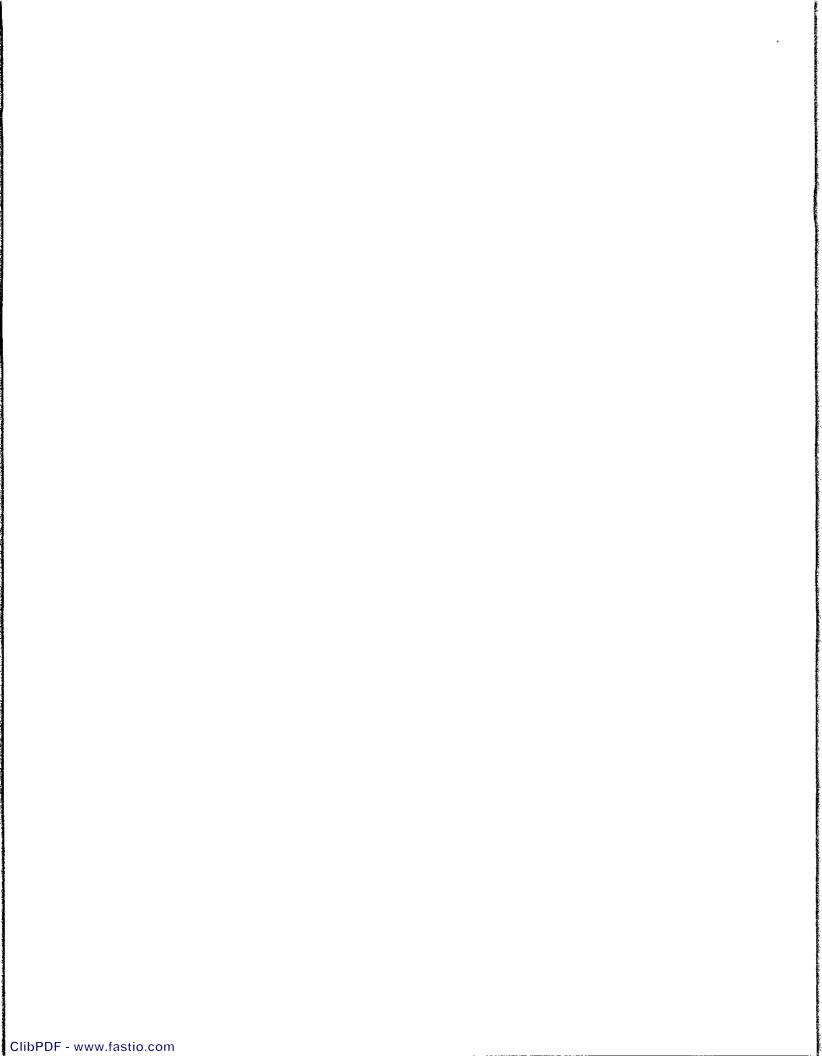
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Amend _	22	Hes	House	_ Bill No.	1647,	Page	 Section	_A	, Line	<u> </u>

2 by inserting after all of said line the following:

"190.335. 1. In lieu of the tax levy authorized under section 190.305 for emergency telephone services, the county commission of any county may impose a county sales tax for the provision of central dispatching of fire protection, including law enforcement agencies, emergency ambulance service or any other emergency services, including emergency telephone services, which shall be collectively referred to herein as "emergency services", and which may also include the purchase and maintenance of communications and emergency equipment, including the operational costs associated therein, in accordance with the provisions of this section.

- 2. Such county commission may, by a majority vote of its members, submit to the voters of the county, at a public election, a proposal to authorize the county commission to impose a tax under the provisions of this section. If the residents of the county present a petition signed by a number of residents equal to ten percent of those in the county who voted in the most recent gubernatorial election, then the commission shall submit such a proposal to the voters of the county.
  - 3. The ballot of submission shall be in substantially the

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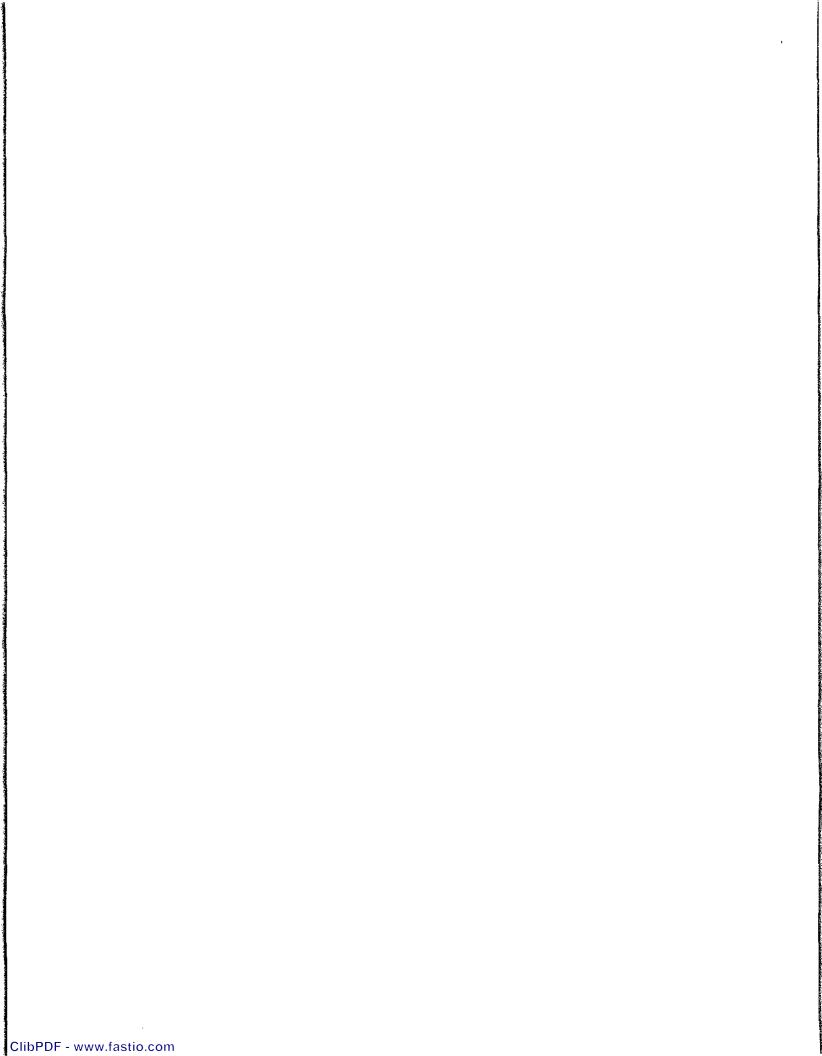


following form:

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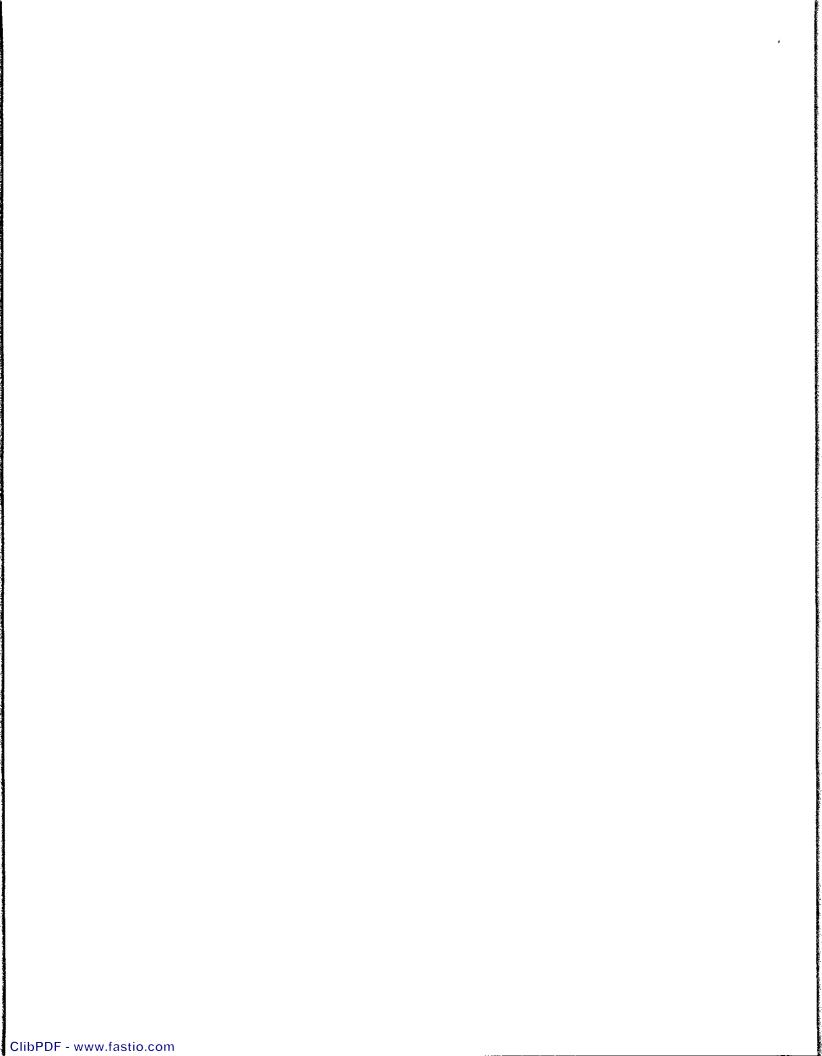
If a majority of the votes cast on the proposal by the qualified voters voting thereon are in favor of the proposal, then the ordinance shall be in effect as provided herein. If a majority of the votes cast by the qualified voters voting are opposed to the proposal, then the county commission shall have no power to impose the tax authorized by this section unless and until the county commission shall again have submitted another proposal to authorize the county commission to impose the tax under the provisions of this section, and such proposal is approved by a majority of the qualified voters voting thereon.

- 4. The sales tax may be imposed at a rate not to exceed one percent on the receipts from the sale at retail of all tangible personal property or taxable services at retail within any county adopting such tax, if such property and services are subject to taxation by the state of Missouri under the provisions of sections 144.010 to 144.525. The sales tax shall not be collected prior to thirty-six months before operation of the central dispatching of emergency services.
- 5. Except as modified in this section, all provisions of sections 32.085 and 32.087 shall apply to the tax imposed under



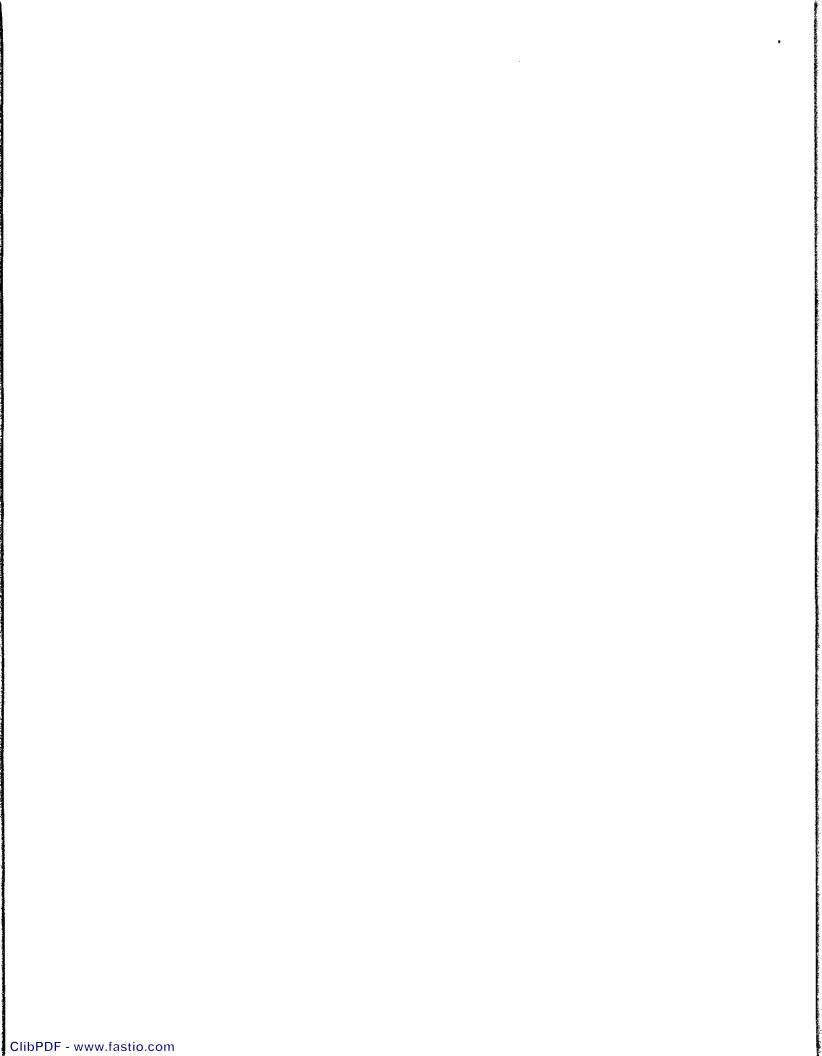
this section.

- 6. Any tax imposed pursuant to section 190.305 shall terminate at the end of the tax year in which the tax imposed pursuant to this section for emergency services is certified by the board to be fully operational. Any revenues collected from the tax authorized under section 190.305 shall be credited for the purposes for which they were intended.
- 7. At least once each calendar year, the board shall establish a tax rate, not to exceed the amount authorized, that together with any surplus revenues carried forward will produce sufficient revenues to fund the expenditures authorized by this act. Amounts collected in excess of that necessary within a given year shall be carried forward to subsequent years. The board shall make its determination of such tax rate each year no later than September first and shall fix the new rate which shall be collected as provided in this act. Immediately upon making its determination and fixing the rate, the board shall publish in its minutes the new rate, and it shall notify every retailer by mail of the new rate.
- 8. Immediately upon the affirmative vote of voters of such a county on the ballot proposal to establish a county sales tax pursuant to the provisions of this section, the county commission shall appoint the initial members of a board to administer the funds and oversee the provision of emergency services in the county. Beginning with the general election in 1994, all board members shall be elected according to this section and other applicable laws of this state. At the time of the appointment of the initial members of the board, the commission shall relinquish and no longer exercise the duties prescribed in this chapter with

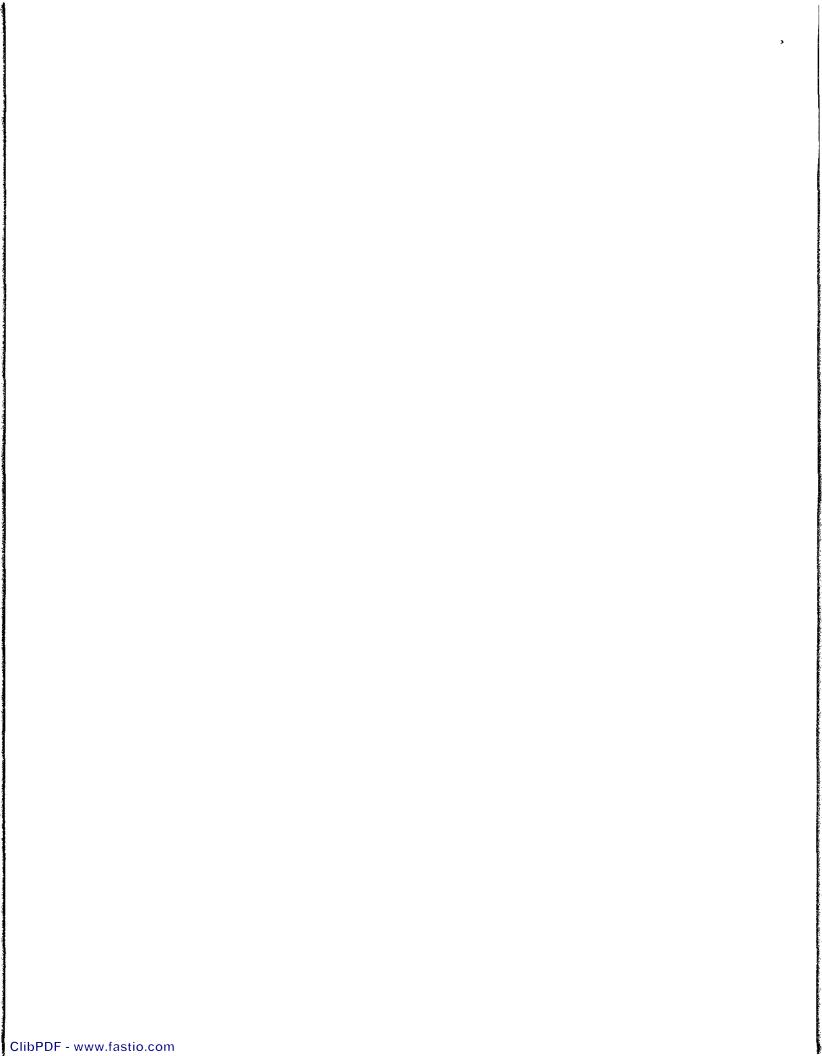


regard to the provision of emergency services and such duties shall be exercised by the board.

- 9. The initial board shall consist of seven members appointed without regard to political affiliation, who shall be selected from, and who shall represent, the fire protection districts, ambulance districts, sheriff's department, municipalities, any other emergency services and the general public. This initial board shall serve until its successor board is duly elected and installed in office. The commission shall ensure geographic representation of the county by appointing no more than four members from each district of the county commission.
- 10. Beginning in 1994, three members shall be elected from each district of the county commission and one member shall be elected at large, such member to be the chairman of the board. Of those first elected, four members from districts of the county commission shall be elected for terms of two years and two members from districts of the county commission and the member at large shall be elected for terms of four years. In 1996, and thereafter, all terms of office shall be four years.
- 11. Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the first classification with more than two hundred forty thousand three hundred but fewer than two hundred forty thousand four hundred inhabitants, any emergency telephone service 911 board appointed by the county under section 190.309 which is in existence on the date the voters approve a sales tax under this section shall continue to exist and shall have the powers set forth under section 190.339.



- (1) Notwithstanding the provisions of subsections 8 to 10 of this section to the contrary, in any county of the second classification with more than fifty-four thousand two hundred but fewer than fifty-four thousand three hundred inhabitants or any county of the first classification with more than fifty thousand but fewer than seventy thousand inhabitants that has approved a sales tax under this section, the county commission shall appoint the members of the board to administer the funds and oversee the provision of emergency services in the county.
  - (2) The board shall consist of seven members appointed without regard to political affiliation. Except as provided in subdivision (4) of this subsection, each member shall be one of the following:
  - (a) The head of any of the county's fire protection districts, or a designee;
  - (b) The head of any of the county's ambulance districts, or a designee;
    - (c) The county sheriff, or a designee;
  - (d) The head of any of the police departments in the county, or a designee; and
  - (e) The head of any of the county's emergency management organizations, or a designee. (3) Upon the appointment of the board under this subsection, the board shall have the power provided in section 190.339 and shall exercise all powers and duties exercised by the county commission under this chapter, and the commission shall relinquish all powers and duties relating to the provision of emergency services under this chapter to the board.
    - (4) In any county of the first classification with more



than fifty thousand but fewer than seventy thousand inhabitants,
each of the entities listed in subdivision (2) of this subsection
shall be represented on the board by at least one member."; and
Further amend the title and enacting clause accordingly.

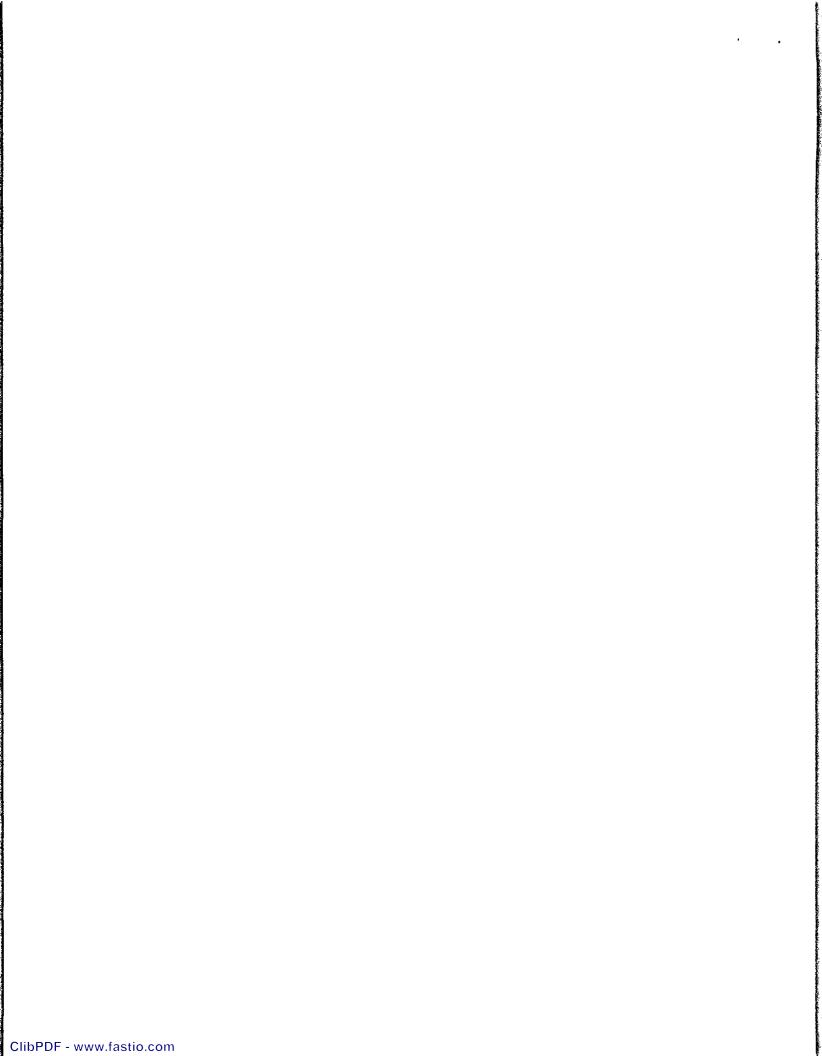
## SENATE AMENDMENT NO. 8

Offered by of of
AmendSS/HCS/House Bill No. 1647 , Page51 , Section _414.570 , Line _26 ,
by inserting after all of said line the following:
"488.5026. 1. Upon approval of the governing body of a

city, county, or a city not within a county, a surcharge of two dollars shall be assessed as costs in each court proceeding filed in any court in any city, county, or city not within a county adopting such a surcharge, in all criminal cases including violations of any county ordinance or any violation of criminal or traffic laws of the state, including an infraction and violation of a municipal ordinance; except that no such fee shall be collected in any proceeding in any court when the proceeding or the defendant has been dismissed by the court or when costs are to be paid by the state, county, or municipality. A surcharge of two dollars shall be assessed as costs in a juvenile court proceeding in which a child is found by the court to come within the applicable provisions of subdivision (3) of subsection 1 of section 211.031.

2. Notwithstanding any other provision of law, the moneys collected by clerks of the courts pursuant to the provisions of subsection 1 of this section shall be collected and disbursed in accordance with sections 488.010 to 488.020, and shall be payable

offered 5-17-12 adopted 5-17-12



to the treasurer of the governmental unit authorizing such surcharge.

3. The treasurer shall deposit funds generated by the surcharge into the "Inmate Prisoner Detainee Security Fund". Funds deposited shall be utilized to acquire and develop biometric verification systems and information sharing to ensure that inmates, prisoners, or detainees in a holding cell facility or other detention facility or area which hold persons detained only for a shorter period of time after arrest or after being formally charged can be properly identified upon booking and tracked within the local law enforcement administration system, criminal justice administration system, or the local jail system. Upon the installation of the information sharing or biometric verification system, funds in the inmate prisoner detainee security fund may also be used for the maintenance, repair, and replacement of the information sharing or biometric verification system, and also to pay for any expenses related to detention, custody, and housing and other expenses for inmates, prisoners, and detainees."; and

Further amend the title and enacting clause accordingly.

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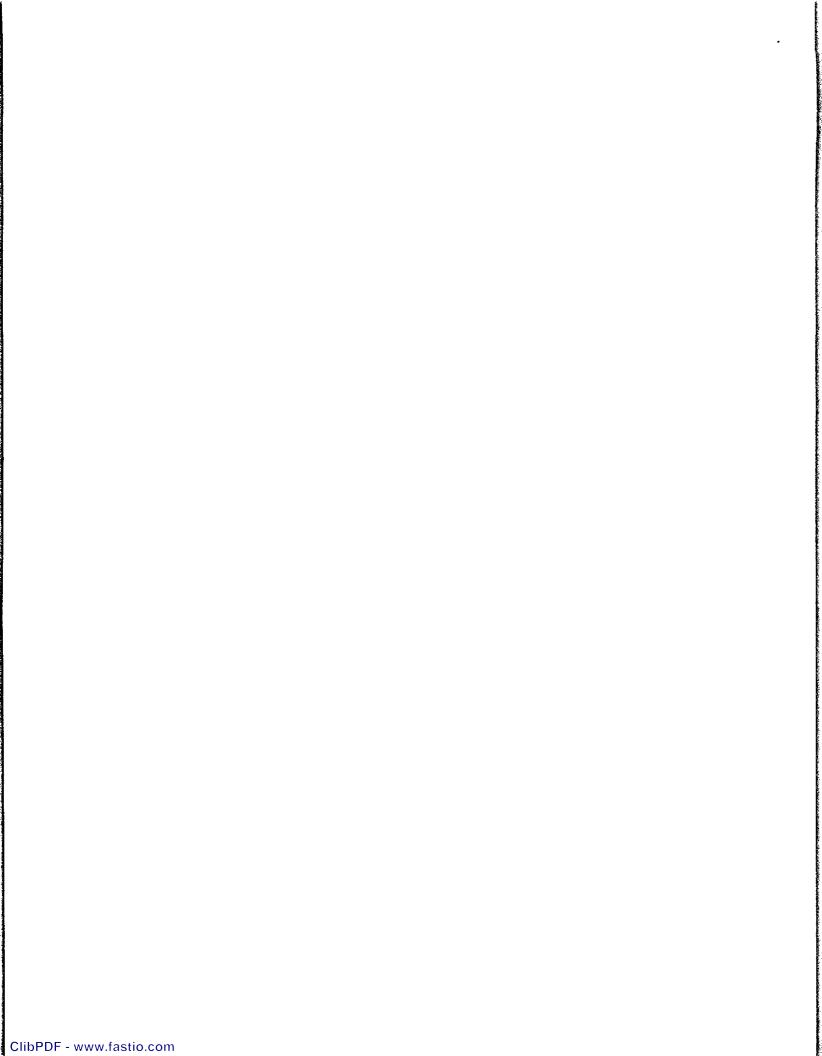
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## SENATE AMENDMENT NO. 9

	offered by Lager of 17th
	Amend <u>SS/HCS/House</u> Bill No. <u>1647</u> , Page <u>54</u> , Section <u>650.230</u> , Line <u>27</u> ,
2	by inserting after all of said line the following:
3	"Section 1. Notwithstanding any provision of section
1	292.655 to the contrary, employers that use medical needles in
5	the routine course of conducting business in this state may use
5	any Occupational Safety and Health Administration- or Food and
7	Drug Administration-approved device. "; and
3	Further amend the title and enacting clause accordingly.

offered 5-17-12 adapted 5-17-12