

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Committee Substitute for Senate Bill No. 613, Page 5, Section 1.320, Line 142, by
2 inserting immediately after said line the following:

3 "1.322. The following federal acts, laws, executive orders, administrative orders, court
4 orders, rules, and regulations shall be considered infringements on the people's right to keep and bear
5 arms, as guaranteed by the Second Amendment of the Constitution of the United States and article I,
6 section 23 of the Constitution of Missouri, within the borders of this state, including, but not limited
7 to:

8 (1) Any tax, levy, fee, or stamp imposed on firearms, firearm accessories, or ammunition not
9 common to all other goods and services which might reasonably be expected to create a chilling
10 effect on the purchase or ownership of those items by law-abiding citizens;

11 (2) Any registering or tracking of firearms, firearm accessories, or ammunition which might
12 reasonably be expected to create a chilling effect on the purchase or ownership of those items by
13 law-abiding citizens;

14 (3) Any registering or tracking of the owners of firearms, firearm accessories, or
15 ammunition which might reasonably be expected to create a chilling effect on the purchase or
16 ownership of those items by law-abiding citizens;

17 (4) Any act forbidding the possession, ownership, or use or transfer of a firearm, firearm
18 accessory, or ammunition by law-abiding citizens; and

19 (5) Any act ordering the confiscation of firearms, firearm accessories, or ammunition from
20 law-abiding citizens..

21 1.323. All federal acts, laws, executive orders, administrative orders, court orders, rules, and
22 regulations, whether past, present, or future, which infringe on the people's right to keep and bear
23 arms as guaranteed by the Second Amendment to the United States Constitution and Article I,
24 Section 23 of the Missouri Constitution shall be invalid in this state, shall not be recognized by this
25 state, shall be specifically rejected by this state, and shall be considered null and void and of no
26 effect in this state.

27 1.324. It shall be the duty of the courts and law enforcement agencies of this state to protect
28 the rights of law-abiding citizens to keep and bear arms within the borders of this state and to protect
29 these rights from the infringements defined in section 1.322.

30 1.326. No public officer or employee of this state or subdivision of this state shall have
31 authority to enforce or attempt to enforce any federal acts, laws, executive orders, administrative
32 orders, court orders, rules, and regulations, statutes, or ordinances, infringing on the right to keep
33 and bear arms.

34 1.327. No public officer or employee of this state or subdivision of this state shall have
35 authority to enforce or attempt to enforce any federal acts, laws, executive orders, administrative
36 orders, court orders, rules, and regulations, statutes, or ordinances, infringing on the right to keep

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1 and bear arms defined in section 1.322.

2 1.328. 1. Any entity or person who knowingly, as defined in section 562.016, violates
 3 section 1.236 or 1.327 or otherwise knowingly deprives a citizen of Missouri of the rights or
 4 privileges ensured by the Second Amendment of the United States Constitution or section 23 of
 5 article I of the Missouri Constitution, while acting under the color of any state or federal law, shall be
 6 liable to the injured party in an action at law, suit in equity, or other proper proceeding for redress.

7 2. In such actions, the court may award the prevailing party, other than the state of Missouri
 8 or any political subdivision of the state, reasonable attorney's fees and costs.

9 3. Neither sovereign nor official or qualified immunity shall be an affirmative defense in
 10 such cases.

11 1.329. For the purposes of sections 1.320 through 1.329, the term "law-abiding citizen"
 12 shall mean a person who is not otherwise precluded under state law from possessing a firearm and
 13 shall not be construed to include anyone who is not legally present in the United States or the state of
 14 Missouri."; and

15
 16 Further amend said bill, Page 11, Section 571.030, Line 32, by removing all of said line and inserting
 17 in lieu thereof the following:

18 "the district school board; or

19 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is
 20 sufficient for a felony violation under 195.202."; and

21
 22 Further amend said section, Page 12, Line 85, by inserting after the word "endorsement" the words,
 23 "issued prior to August 28, 2013, or a valid concealed carry permit under section 571.111"; and

24
 25 Further amend said bill, Page 15, Section 571.070, Lines 1 through 11, by removing all of said
 26 section from the bill; and

27
 28 Further amend said bill, Page 17, Section 571.101, Line 68, by placing opening and closing brackets
 29 "[]" around the phrase "or 18 U.S.C. 922(g)"; and

30
 31 Further amend said bill, Page 33, Section 571.117, Lines 86-87, by deleting all of said lines and
 32 inserting in lieu thereof the following:

33 "[] Defendant is otherwise disqualified from possessing a firearm [pursuant to 18 U.S.C.
 34 922(g)] under section 571.070 because (specify reason):"; and

35
 36 Further amend said bill, Page 35, Section 590.200, Line 16, by inserting immediately after all of said
 37 section the following:

38 "590.205. 1. The POST commission shall establish minimum standards for school protection
 39 officer training instructors, training centers, and training programs.

40 2. The director shall develop and maintain a list of approved school protection officer
 41 training instructors, training centers, and training programs. The director shall not place any
 42 instructor, training center, or training program on its approved list unless such instructor, training
 43 center, or training program meets all of the POST commission requirements under this section and
 44 section 590.200. The director shall make this approved list available to every school district in the
 45 state. The required training to become a school protection officer shall be provided by those firearm
 46 instructors, private and public, who have successfully completed a department of public safety POST
 47 certified law enforcement firearms instructor school.

48 3. Each person seeking entrance into a school protection officer training center or training

1 program shall submit a fingerprint card and authorization for a criminal history background check to
 2 include the records of the Federal Bureau of Investigation to the training center or training program
 3 where such person is seeking entrance. The training center or training program shall cause a criminal
 4 history background check to be made and shall cause the resulting report to be forwarded to the
 5 school district where the elementary school teacher or administrator is seeking to be designated as a
 6 school protection officer.

7 4. No person shall be admitted to a school protection officer training center or training
 8 program unless such person submits proof to the training center or training program that he or she
 9 has a valid concealed carry endorsement or permit.

10 5. A certificate of school protection officer training program completion may be issued to any
 11 applicant by any approved school protection officer training instructor. On the certificate of program
 12 completion the approved school protection officer training instructor shall affirm that the individual
 13 receiving instruction has taken and passed a school protection officer training program that meets the
 14 requirements of this section and section 590.200 and [that] indicate whether the individual has a
 15 valid concealed carry endorsement or permit. The instructor shall also provide a copy of such
 16 certificate to the director of the department of public safety."; and
 17

18 Further amend said bill and page, Section 1, Lines 1 through 6, by deleting all of said lines and
 19 inserting in lieu thereof the following:

20 "Section 1. If any provision of sections 1.320, 1.322, 1.323, 1.324, 1.326, 1.327, 1.328,
 21 1.329, 21.750, 160.665, 571.012, 571.030, 571.101, 571.107, 571.117, 590.010, 590.200, 590.205
 22 or 590.207 of this act or the application thereof to anyone or to any circumstance is held invalid, the
 23 remainder of those sections and the application of such provisions to others or other circumstances
 24 shall not be affected thereby.

25 Section 2. Section 1 does not preclude the application of section 1.140 to portions of sections
 26 1.320, 1.322, 1.323, 1.324, 1.326, 1.327, 1.328, 1.329, 21.750, 160.665, 571.012, 571.030, 571.101,
 27 571.107, 571.117, 590.010, 590.200, 590.205, or 590.207.

28 [571.080. A person commits the crime of transfer of a concealable firearm if such person
 29 violates 18 U.S.C. Section 922(b) or 18 U.S.C. Section 922(x).]"; and
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31 Further amend said bill and page, Section B, Lines 1 through 7, by deleting all of said lines; and
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33 Further amend said bill by amending the title, enacting clause, and intersectional references
 34 accordingly.
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 36