

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 1474, Page 1, in the Title, Line 3, by deleting the words "school protection
2 officers" and inserting in lieu thereof the word "firearms"; and

3
4 Further amend said bill, Page 3, Section 160.665, Line 54, by inserting after all of said line the
5 following:

6
7 "571.058. 1. No sale or transfer of a firearm shall occur in this state unless a national and
8 state criminal record review for the prospective purchaser or transferee has been conducted in
9 accordance with this section, and such review indicates no felony convictions for the prospective
10 purchaser or transferee. The person selling or transferring a firearm shall keep a written bill of sale
11 or written documentation of the transfer of such firearm for five years after the sale or transfer of the
12 firearm.

13 2. The department of public safety shall establish a procedure for accepting applications for
14 and conducting national and state criminal record reviews for persons selling or transferring a
15 firearm to another individual. Such procedure may be in accordance with section 43.540, but shall
16 include:

17 (1) An inquiry of the National Instant Criminal Background Check System;

18 (2) Notification of the requester of the results of the background check as to whether it
19 includes any felony convictions under the laws of this state or for a crime under the laws of any other
20 state or the United States which, if committed in this state, would be a felony; and

21 (3) Payment of a reasonable fee for conducting such national and state criminal record
22 review.

23 3. The department shall promulgate rules to implement the provisions of this section. Any
24 rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority
25 delegated in this section shall become effective only if it complies with and is subject to all of the
26 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are
27 nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to
28 review, to delay the effective date, or to disapprove and annul a rule are subsequently held
29 unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after
30 August 28, 2014, shall be invalid and void.

31 4. Any person who violates the provisions of this section is guilty of a class A misdemeanor

Action Taken _____ Date _____

1 and shall be civilly liable for any damages resulting from the use of any firearm sold or transferred in
2 violation of this section.

3 571.098. 1. Any owner of a firearm who knows or should have known that the owner's
4 firearm has been lost or stolen shall report the loss or theft of such firearm within seventy-two hours
5 of becoming aware, or when the owner should have become aware, of the loss or theft of such
6 firearm to the local law enforcement agency in the city, town, or village, or sheriff's office in the
7 county in which the loss or theft occurs.

8 2. Any owner of a firearm who violates the provisions of this section is guilty of an
9 infraction. Any second or subsequent violation of this section is a class A misdemeanor."; and

10
11 Further amend said bill by amending the title, enacting clause, and intersectional references
12 accordingly.