

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Bill No. 1539, Page 1, in the Title, Line 3, by deleting all of said line and inserting in lieu
2 thereof the words, "public safety, with existing penalty provisions and an emergency clause for certain
3 sections."; and

4
5 Further amend said bill and page, ,Section A, Line 2, by inserting immediately after all of said line the
6 following:

7
8 "84.340. Except as provided under section 590.750, the police commissioner of the said cities shall
9 have power to regulate and license all private watchmen, private detectives and private policemen, serving or
10 acting as such in said cities, and no person shall act as such private watchman, private detective or private
11 policeman in said cities without first having obtained the written license of the president or acting president of
12 said police commissioners of the said cities, under pain of being guilty of a misdemeanor."; and

13
14 571.030. 1. A person commits the crime of unlawful use of weapons if he or she knowingly:

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

17 (2) Sets a spring gun; or

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

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

22 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or
23 she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or
24 unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or

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

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

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

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

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

39 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons
40 described in this subsection, regardless of whether such uses are reasonably associated with or are necessary

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1 to the fulfillment of such person's official duties except as otherwise provided in this subsection. Subdivisions
 2 (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the following
 3 persons, when such uses are reasonably associated with or are necessary to the fulfillment of such person's
 4 official duties, except as otherwise provided in this subsection:

5 (1) All state, county and municipal peace officers who have completed the training required by the
 6 police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess the
 7 duty and power of arrest for violation of the general criminal laws of the state or for violation of ordinances of
 8 counties or municipalities of the state, whether such officers are on or off duty, and whether such officers are
 9 within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace officers, as
 10 defined in subsection 11 of this section, and who carry the identification defined in subsection 12 of this
 11 section, or any person summoned by such officers to assist in making arrests or preserving the peace while
 12 actually engaged in assisting such officer;

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

15 (3) Members of the Armed Forces or National Guard while performing their official duty;

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

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

20 (6) Any federal probation officer or federal flight deck officer as defined under the federal flight deck
 21 officer program, 49 U.S.C. Section 44921 regardless of whether such officers are on duty, or within the law
 22 enforcement agency's jurisdiction;

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

25 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the
 26 regulations established by the [board of police commissioners under section 84.340] department of public
 27 safety under 590.750;"

28 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

29 (10) Any prosecuting attorney or assistant prosecuting attorney or any circuit attorney or assistant
 30 circuit attorney who has completed the firearms safety training course required under subsection 2 of section
 31 571.111;

32 (11) Any member of a fire department or fire protection district who is employed on a full-time basis
 33 as a fire investigator and who has a valid concealed carry endorsement issued prior to August 28, 2013, or a
 34 valid concealed carry permit under section 571.111 when such uses are reasonably associated with or are
 35 necessary to the fulfillment of such person's official duties; and

36 (12) Upon the written approval of the governing body of a fire department or fire protection district,
 37 any paid fire department or fire protection district chief who is employed on a full-time basis and who has a
 38 valid concealed carry endorsement, when such uses are reasonably associated with or are necessary to the
 39 fulfillment of such person's official duties.

40 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the actor is
 41 transporting such weapons in a nonfunctioning state or in an unloaded state when ammunition is not readily
 42 accessible or when such weapons are not readily accessible. Subdivision (1) of subsection 1 of this section
 43 does not apply to any person twenty-one years of age or older or eighteen years of age or older and a member
 44 of the United States Armed Forces, or honorably discharged from the United States Armed Forces,
 45 transporting a concealable firearm in the passenger compartment of a motor vehicle, so long as such
 46 concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession of an exposed
 47 firearm or projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises
 48 over which the actor has possession, authority or control, or is traveling in a continuous journey peaceably
 49 through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is otherwise
 50 lawfully possessed by a person while traversing school premises for the purposes of transporting a student to
 51 or from school, or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related
 52 event or club event.

53 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who has
 54 a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry

1 endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms
2 issued by another state or political subdivision of another state.

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

5 6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state
6 employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is
7 locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the
8 state employee's vehicle is on property owned or leased by the state and the state employee is conducting
9 activities within the scope of his or her employment. For the purposes of this subsection, "state employee"
10 means an employee of the executive, legislative, or judicial branch of the government of the state of Missouri.

11 7. Nothing in this section shall make it unlawful for a student to actually participate in
12 school-sanctioned gun safety courses, student military or ROTC courses, or other school-sponsored or
13 club-sponsored firearm-related events, provided the student does not carry a firearm or other weapon readily
14 capable of lethal use into any school, onto any school bus, or onto the premises of any other function or
15 activity sponsored or sanctioned by school officials or the district school board.

16 8. Unlawful use of weapons is a class D felony unless committed pursuant to subdivision (6), (7), or
17 (8) of subsection 1 of this section, in which cases it is a class B misdemeanor, or subdivision (5) or (10) of
18 subsection 1 of this section, in which case it is a class A misdemeanor if the firearm is unloaded and a class D
19 felony if the firearm is loaded, or subdivision (9) of subsection 1 of this section, in which case it is a class B
20 felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to
21 another person, it is a class A felony.

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

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

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

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

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

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

36 11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a
37 felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person
38 has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony
39 offense.

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

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

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

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

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

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

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

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

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

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

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

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

14
15 Further amend said bill, Page 4, Section 571.111, Line 86, by inserting after all of said line the following:

16
17 "590.750. 1. The department of public safety shall have the sole authority to regulate and license all
18 corporate security advisors. The authority and jurisdiction of a corporate security advisor shall be limited
19 only by the geographical limits of the state, unless the corporate security advisor's license is recognized by the
20 laws or regulations of another state or the federal government.

21 2. Acting as a corporate security advisor without a license from the department of public safety is a
22 class A misdemeanor.

23 3. The director may promulgate rules to implement the provisions of this section under chapter 536
24 and section 590.190.

25 4. Any corporate security advisor licensed as of February 1, 2014 shall not be required to apply for a
26 new license from the department until the advisor's license expires or is otherwise revoked."; and

27
28 Section B. Because of the need to provide for the regulation and licensure of corporate security
29 advisors, the repeal and reenactment of sections 84.340 and 571.030 and the enactment of section 590.750 of
30 this act is deemed necessary for the immediate preservation of the public health, welfare, peace and safety, and
31 is hereby declared to be an emergency act within the meaning of the constitution, and the repeal and
32 reenactment of sections 84.340 and 571.030 and the enactment of section 590.750 of this act shall be in full
33 force and effect upon its passage and approval."; and

34
35 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.