

House _____ Amendment NO. _____

Offered By _____

1 AMEND House Committee Substitute for Senate Substitute for Senate Committee Substitute for Senate Bill
2 No. 704, Page 4, Section 256.447, Line 9, by inserting after all of said section and line the following:
3

4 "571.101. 1. All applicants for concealed carry permits issued pursuant to subsection 7 of this
5 section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can show
6 qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a concealed
7 carry permit authorizing the carrying of a concealed firearm on or about the applicant's person or within a
8 vehicle. A concealed carry permit shall be valid from the date of issuance or renewal until five years from
9 the last day of the month in which the permit was issued or renewed. The concealed carry permit is valid
10 throughout this state. Although the permit is considered valid in the state, a person who fails to renew his or
11 her permit within five years from the date of issuance or renewal shall not be eligible for an exception to a
12 National Instant Criminal Background Check under federal regulations currently codified under 27 CFR
13 478.102(d), relating to the transfer, sale, or delivery of firearms from licensed dealers. A concealed carry
14 endorsement issued prior to August 28, 2013, shall continue from the date of issuance or renewal until three
15 years from the last day of the month in which the endorsement was issued or renewed to authorize the
16 carrying of a concealed firearm on or about the applicant's person or within a vehicle in the same manner as a
17 concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.

18 2. A concealed carry permit issued pursuant to subsection 7 of this section shall be issued by the
19 sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

20 (1) Is at least nineteen years of age, is a citizen or permanent resident of the United States and either:

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

22 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of the
23 military;

24 (2) Is at least nineteen years of age, or is at least eighteen years of age and a member of the United
25 States Armed Forces or honorably discharged from the United States Armed Forces, and is a citizen of the
26 United States and either:

27 (a) Has assumed residency in this state;

28 (b) Is a member of the Armed Forces stationed in Missouri; or

29 (c) The spouse of such member of the military stationed in Missouri and nineteen years of age;

30 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime
31 punishable by imprisonment for a term exceeding one year under the laws of any state or of the United States
32 other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of
33 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer or gas
34 gun;

35 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or more
36 misdemeanor offenses involving crimes of violence within a five-year period immediately preceding
37 application for a concealed carry permit or if the applicant has not been convicted of two or more
38 misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the
39 possession or abuse of a controlled substance within a five-year period immediately preceding application for

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1 a concealed carry permit;

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

7 (6) Has not been discharged under dishonorable conditions from the United States Armed Forces;

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

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

14 (9) Submits a completed application for a permit as described in subsection 3 of this section;

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

17 (11) Is not the respondent of a valid full order of protection which is still in effect;

18 (12) Is not otherwise prohibited from possessing a firearm under section 571.070 or 18 U.S.C.
19 Section 922(g).

20 3. The application for a concealed carry permit issued by the sheriff of the county of the applicant's
21 residence shall contain only the following information:

22 (1) The applicant's name, address, telephone number, gender, date and place of birth, and, if the
23 applicant is not a United States citizen, the applicant's country of citizenship and any alien or admission
24 number issued by the Federal Bureau of Customs and Immigration Enforcement or any successor agency;

25 (2) An affirmation that the applicant has assumed residency in Missouri or is a member of the
26 Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a citizen or
27 permanent resident of the United States;

28 (3) An affirmation that the applicant is at least nineteen years of age or is eighteen years of age or
29 older and a member of the United States Armed Forces or honorably discharged from the United States
30 Armed Forces;

31 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime punishable
32 by imprisonment for a term exceeding one year under the laws of any state or of the United States other than
33 a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of
34 two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

35 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a plea of
36 nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period
37 immediately preceding application for a permit or if the applicant has not been convicted of two or more
38 misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the
39 possession or abuse of a controlled substance within a five-year period immediately preceding application for
40 a permit;

41 (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an
42 information or indictment with the commission of a crime punishable by imprisonment for a term exceeding
43 one year under the laws of any state or of the United States other than a crime classified as a misdemeanor
44 under the laws of any state and punishable by a term of imprisonment of two years or less that does not
45 involve an explosive weapon, firearm, firearm silencer or gas gun;

46 (7) An affirmation that the applicant has not been discharged under dishonorable conditions from the
47 United States Armed Forces;

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

53 (9) An affirmation that the applicant has received firearms safety training that meets the standards of

1 applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

2 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the
3 respondent of a valid full order of protection which is still in effect;

4 (11) A conspicuous warning that false statements made by the applicant will result in prosecution
5 for perjury pursuant to the laws of the state of Missouri; and

6 (12) A government-issued photo identification. This photograph shall not be included on the permit
7 and shall only be used to verify the person's identity for permit renewal, or for the issuance of a new permit
8 due to change of address, or for a lost or destroyed permit.

9 4. An application for a concealed carry permit shall be made to the sheriff of the county or any city
10 not within a county in which the applicant resides. An application shall be filed in writing, signed under oath
11 and under the penalties of perjury, and shall state whether the applicant complies with each of the
12 requirements specified in subsection 2 of this section. In addition to the completed application, the applicant
13 for a concealed carry permit must also submit the following:

14 (1) A photocopy of a firearms safety training certificate of completion or other evidence of
15 completion of a firearms safety training course that meets the standards established in subsection 1 or 2 of
16 section 571.111; and

17 (2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

18 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall make only
19 such inquiries as he or she deems necessary into the accuracy of the statements made in the application. The
20 sheriff may require that the applicant display a Missouri driver's license or nondriver's license or military
21 identification and orders showing the person being stationed in Missouri. [In order to determine the
22 applicant's suitability for a concealed carry permit, the applicant shall be fingerprinted.] No [other] biometric
23 data shall be collected from the applicant. The sheriff shall conduct an inquiry of the National Instant
24 Criminal Background Check System within three working days after submission of the properly completed
25 application for a concealed carry permit. [If no disqualifying record is identified by these checks at the state
26 level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal
27 history record check.] Upon receipt of the completed report from the National Instant Criminal Background
28 Check System [and the response from the Federal Bureau of Investigation national criminal history record
29 check], the sheriff shall examine the results and, if no disqualifying information is identified, shall issue a
30 concealed carry permit within three working days.

31 (2) In the event the report from the National Instant Criminal Background Check System [and the
32 response from the Federal Bureau of Investigation national criminal history record check prescribed by
33 subdivision (1) of this subsection are] is not completed within forty-five calendar days and no disqualifying
34 information concerning the applicant has otherwise come to the sheriff's attention, the sheriff shall issue a
35 provisional permit, clearly designated on the certificate as such, which the applicant shall sign in the
36 presence of the sheriff or the sheriff's designee. This permit, when carried with a valid Missouri driver's or
37 nondriver's license or a valid military identification, shall permit the applicant to exercise the same rights in
38 accordance with the same conditions as pertain to a concealed carry permit issued under this section,
39 provided that it shall not serve as an alternative to an national instant criminal background check required by
40 18 U.S.C. Section 922(t). The provisional permit shall remain valid until such time as the sheriff either
41 issues or denies the certificate of qualification under subsection 6 or 7 of this section. The sheriff shall
42 revoke a provisional permit issued under this subsection within twenty-four hours of receipt of any report
43 that identifies a disqualifying record, and shall notify the concealed carry permit system established under
44 subsection 5 of section 650.350. The revocation of a provisional permit issued under this section shall be
45 proscribed in a manner consistent to the denial and review of an application under subsection 6 of this
46 section.

47 6. The sheriff may refuse to approve an application for a concealed carry permit if he or she
48 determines that any of the requirements specified in subsection 2 of this section have not been met, or if he
49 or she has a substantial and demonstrable reason to believe that the applicant has rendered a false statement
50 regarding any of the provisions of sections 571.101 to 571.121. If the applicant is found to be ineligible, the
51 sheriff is required to deny the application, and notify the applicant in writing, stating the grounds for denial
52 and informing the applicant of the right to submit, within thirty days, any additional documentation relating
53 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 concealed carry permit 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 concealed carry permit in the presence of the sheriff or his or her designee.

8. The concealed carry permit shall specify only the following information:

(1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes, and signature of the permit holder;

(2) The signature of the sheriff issuing the permit;

(3) The date of issuance; and

(4) The expiration date.

The permit shall be no larger than two and one-eighth inches wide by three and three-eighths inches long and shall be of a uniform style prescribed by the department of public safety. The permit shall also be assigned a concealed carry permit system county code and shall be stored in sequential number.

9. (1) The sheriff shall keep a record of all applications for a concealed carry permit or a provisional permit and his or her action thereon. Any record of an application that is incomplete or denied for any reason shall be kept for a period not to exceed one year. Any record of an application that was approved shall be kept for a period of one year after the expiration and nonrenewal of the permit.

(2) The sheriff shall report the issuance of a concealed carry permit or provisional permit to the concealed carry permit system. All information on any such permit that is protected information on any driver's or nondriver's license shall have the same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a concealed carry permit, provisional permit, or a concealed carry endorsement issued prior to August 28, 2013, shall not be public information and shall be considered personal protected information. Information retained in the concealed carry permit system under this subsection shall not be distributed to any federal, state, or private entities and shall only be made available for a single entry query of an individual in the event the individual is a subject of interest in an active criminal investigation or is arrested for a crime. A sheriff may access the concealed carry permit system for administrative purposes to issue a permit, verify the accuracy of permit holder information, change the name or address of a permit holder, suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a certified death certificate for the permit holder. Any person who violates the provisions of this subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

10. Information regarding any holder of a concealed carry permit, or a concealed carry endorsement issued prior to August 28, 2013, is a closed record. No bulk download or batch data shall be distributed to any federal, state, or private entity, except to MoSMART or a designee thereof. Any state agency that has retained any documents or records, including fingerprint records provided by an applicant for a concealed carry endorsement prior to August 28, 2013, shall destroy such documents or records, upon successful issuance of a permit.

11. For processing an application for a concealed carry permit pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred dollars, ten dollars of which shall be paid to the statewide jail data exchange fund established under section 650.350 and the remainder of which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

12. For processing a renewal for a concealed carry permit 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.

13. 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.

14. For the purposes of this chapter, "concealed carry permit" shall include any concealed carry endorsement issued by the department of revenue before January 1, 2014, and any concealed carry document issued by any sheriff or under the authority of any sheriff after December 31, 2013.

1 571.104. 1. A concealed carry endorsement issued prior to August 28, 2013, shall be suspended or
2 revoked if the concealed carry endorsement holder becomes ineligible for such endorsement under the criteria
3 established in subdivisions (3), (4), (5), (8), and (11) of subsection 2 of section 571.101 or upon the issuance
4 of a valid full order of protection. The following procedures shall be followed:

5 (1) When a valid full order of protection, or any arrest warrant, discharge, or commitment for the
6 reasons listed in subdivision (3), (4), (5), (8), or (11) of subsection 2 of section 571.101, is issued against a
7 person holding a concealed carry endorsement issued prior to August 28, 2013, upon notification of said
8 order, warrant, discharge or commitment or upon an order of a court of competent jurisdiction in a criminal
9 proceeding, a commitment proceeding or a full order of protection proceeding ruling that a person holding a
10 concealed carry endorsement presents a risk of harm to themselves or others, then upon notification of such
11 order, the holder of the concealed carry endorsement shall surrender the driver's license or nondriver's license
12 containing the concealed carry endorsement to the court, officer, or other official serving the order, warrant,
13 discharge, or commitment. The official to whom the driver's license or nondriver's license containing the
14 concealed carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form,
15 approved by the director of revenue, that serves as a driver's license or a nondriver's license and clearly states
16 the concealed carry endorsement has been suspended. The official shall then transmit the driver's license or a
17 nondriver's license containing the concealed carry endorsement to the circuit court of the county issuing the
18 order, warrant, discharge, or commitment. The concealed carry endorsement issued prior to August 28,
19 2013, shall be suspended until the order is terminated or until the arrest results in a dismissal of all charges.
20 The official to whom the endorsement is surrendered shall administratively suspend the endorsement in the
21 concealed carry permit system established under subsection 5 of section 650.350 until such time as the order
22 is terminated or until the charges are dismissed. Upon dismissal, the court holding the driver's license or
23 nondriver's license containing the concealed carry endorsement shall return such license to the individual,
24 and the official to whom the endorsement was surrendered shall administratively return the endorsement to
25 good standing within the concealed carry permit system.

26 (2) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result
27 in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the driver's
28 license or nondriver's license with the concealed carry endorsement to the department of revenue. The
29 department of revenue shall notify the sheriff of the county which issued the certificate of qualification for a
30 concealed carry endorsement. The sheriff who issued the certificate of qualification prior to August 28,
31 2013, shall report the change in status of the endorsement to the concealed carry permit system established
32 under subsection 5 of section 650.350. The director of revenue shall immediately remove the endorsement
33 issued prior to August 28, 2013, from the individual's driving record within three days of the receipt of the
34 notice from the court. The director of revenue shall notify the licensee that he or she must apply for a new
35 license pursuant to chapter 302 which does not contain such endorsement. This requirement does not affect
36 the driving privileges of the licensee. The notice issued by the department of revenue shall be mailed to the
37 last known address shown on the individual's driving record. The notice is deemed received three days after
38 mailing.

39 2. A concealed carry permit issued pursuant to sections 571.101 to 571.121 after August 28, 2013,
40 shall be suspended or revoked if the concealed carry permit holder becomes ineligible for such permit or
41 endorsement under the criteria established in subdivisions (3), (4), (5), (8), and (11) of subsection 2 of
42 section 571.101 or upon the issuance of a valid full order of protection. The following procedures shall be
43 followed:

44 (1) When a valid full order of protection or any arrest warrant, discharge, or commitment for the
45 reasons listed in subdivision (3), (4), (5), (8), or (11) of subsection 2 of section 571.101 is issued against a
46 person holding a concealed carry permit, upon notification of said order, warrant, discharge, or commitment
47 or upon an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding, or
48 a full order of protection proceeding ruling that a person holding a concealed carry permit presents a risk of
49 harm to themselves or others, then upon notification of such order, the holder of the concealed carry permit
50 shall surrender the permit to the court, officer, or other official serving the order, warrant, discharge, or
51 commitment. The permit shall be suspended until the order is terminated or until the arrest results in a
52 dismissal of all charges. The official to whom the permit is surrendered shall administratively suspend the
53 permit in the concealed carry permit system until the order is terminated or the charges are dismissed. Upon

1 dismissal, the court holding the permit shall return such permit to the individual and the official to whom the
2 permit was surrendered shall administratively return the permit to good standing within the concealed carry
3 permit system;

4 (2) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall result
5 in a revocation. Upon conviction, the court shall forward a notice of conviction or action and the permit to
6 the issuing county sheriff. The sheriff who issued the concealed carry permit shall report the change in status
7 of the concealed carry permit to the concealed carry permit system.

8 3. A concealed carry permit shall be renewed for a qualified applicant upon receipt of the properly
9 completed renewal application and the required renewal fee by the sheriff of the county of the applicant's
10 residence. The renewal application shall contain the same required information as set forth in subsection 3 of
11 section 571.101, except that in lieu of the [fingerprint requirement of subsection 5 of section 571.101 and
12 the] firearms safety training, the applicant need only display his or her current concealed carry permit. A
13 name-based inquiry of the National Instant Criminal Background Check System shall be completed for each
14 renewal application. The sheriff shall review the results of the report from the National Instant Criminal
15 Background Check System, and when the sheriff has determined the applicant has successfully completed all
16 renewal requirements and is not disqualified under any provision of section 571.101, the sheriff shall issue a
17 new concealed carry permit which contains the date such permit was renewed. The process for renewing a
18 concealed carry endorsement issued prior to August 28, 2013, shall be the same as the process for renewing a
19 permit, except that in lieu of the [fingerprint requirement of subsection 5 of section 571.101 and the] firearms
20 safety training, the applicant need only display his or her current driver's license or nondriver's license
21 containing an endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue a
22 new concealed carry permit as provided under this subsection.

23 4. A person who has been issued a concealed carry permit, or a certificate of qualification for a
24 concealed carry endorsement prior to August 28, 2013, who fails to file a renewal application for a concealed
25 carry permit on or before its expiration date must pay an additional late fee of ten dollars per month for each
26 month it is expired for up to six months. After six months, the sheriff who issued the expired concealed
27 carry permit or certificate of qualification shall notify the concealed carry permit system that such permit is
28 expired and cancelled. If the person has a concealed carry endorsement issued prior to August 28, 2013, the
29 sheriff who issued the certificate of qualification for the endorsement shall notify the director of revenue that
30 such certificate is expired regardless of whether the endorsement holder has applied for a concealed carry
31 permit under subsection 3 of this section. The director of revenue shall immediately remove such
32 endorsement from the individual's driving record and notify the individual that his or her driver's license or
33 nondriver's license has expired. The notice shall be conducted in the same manner as described in subsection
34 1 of this section. Any person who has been issued a concealed carry permit pursuant to sections 571.101 to
35 571.121, or a concealed carry endorsement issued prior to August 28, 2013, who fails to renew his or her
36 application within the six-month period must reapply for a new concealed carry permit and pay the fee for a
37 new application.

38 5. Any person issued a concealed carry permit pursuant to sections 571.101 to 571.121, or a
39 concealed carry endorsement issued prior to August 28, 2013, shall notify the sheriff of the new jurisdiction
40 of the permit or endorsement holder's change of residence within thirty days after the changing of a
41 permanent residence to a location outside the county of permit issuance. The permit or endorsement holder
42 shall furnish proof to the sheriff in the new jurisdiction that the permit or endorsement holder has changed
43 his or her residence. The sheriff in the new jurisdiction shall notify the sheriff in the old jurisdiction of the
44 permit holder's change of address and the sheriff in the old jurisdiction shall transfer any information on file
45 for the permit holder to the sheriff in the new jurisdiction within thirty days. The sheriff of the new
46 jurisdiction may charge a processing fee of not more than ten dollars for any costs associated with
47 notification of a change in residence. The sheriff shall report the residence change to the concealed carry
48 permit system, take possession and destroy the old permit, and then issue a new permit to the permit holder.
49 The new address shall be accessible by the concealed carry permit system within three days of receipt of the
50 information. If the person has a concealed carry endorsement issued prior to August 28, 2013, the
51 endorsement holder shall also furnish proof to the department of revenue of his or her residence change. In
52 such cases, the change of residence shall be made by the department of revenue onto the individual's driving
53 record.

6. Any person issued a concealed carry permit pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, shall notify the sheriff or his or her designee of the permit or endorsement holder's county or city of residence within seven days after actual knowledge of the loss or destruction of his or her permit or driver's license or nondriver's license containing a concealed carry endorsement. The permit or endorsement holder shall furnish a statement to the sheriff that the permit or driver's license or nondriver's license containing the concealed carry endorsement has been lost or destroyed. After notification of the loss or destruction of a permit or driver's license or nondriver's license containing a concealed carry endorsement, the sheriff may charge a processing fee of ten dollars for costs associated with replacing a lost or destroyed permit or driver's license or nondriver's license containing a concealed carry endorsement and shall reissue a new concealed carry permit within three working days of being notified by the concealed carry permit or endorsement holder of its loss or destruction. The new concealed carry permit shall contain the same personal information, including expiration date, as the original concealed carry permit.

7. If a person issued a concealed carry permit, or endorsement issued prior to August 28, 2013, changes his or her name, the person to whom the permit or endorsement was issued shall obtain a corrected or new concealed carry permit with a change of name from the sheriff who issued the original concealed carry permit or the original certificate of qualification for an endorsement upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not more than ten dollars for any costs associated with obtaining a corrected or new concealed carry permit. The permit or endorsement holder shall furnish proof of the name change to the sheriff within thirty days of changing his or her name and display his or her concealed carry permit or current driver's license or nondriver's license containing a concealed carry endorsement. The sheriff shall report the name change to the concealed carry permit system, and the new name shall be accessible by the concealed carry permit system within three days of receipt of the information.

8. The person with a concealed carry permit, or endorsement issued prior to August 28, 2013, shall notify the sheriff of a name or address change within thirty days of the change. A concealed carry permit and, if applicable, endorsement shall be automatically invalid after one hundred eighty days if the permit or endorsement holder has changed his or her name or changed his or her residence and not notified the sheriff as required in subsections 5 and 7 of this section. The sheriff shall assess a late penalty of ten dollars per month for each month, up to six months and not to exceed sixty dollars, for the failure to notify the sheriff of the change of name or address within thirty days."; and

Further amend said bill, Page 11, Section 644.021, Line 41, by inserting after all of said line the following:

"650.350. 1. There is hereby created within the department of public safety the "Missouri Sheriff Methamphetamine Relief Taskforce" (MoSMART). MoSMART shall be composed of five sitting sheriffs. Every two years, the Missouri Sheriffs' Association board of directors will submit twenty names of sitting sheriffs to the governor. The governor shall appoint five members from the list of twenty names, having no more than three from any one political party, to serve a term of two years on MoSMART. The members shall elect a chair from among their membership. Members shall receive no compensation for the performance of their duties pursuant to this section, but each member shall be reimbursed from the MoSMART fund for actual and necessary expenses incurred in carrying out duties pursuant to this section.

2. MoSMART shall meet no less than twice each calendar year with additional meetings called by the chair upon the request of at least two members. A majority of the appointed members shall constitute a quorum.

3. A special fund is hereby created in the state treasury to be known as the "MoSMART Fund". The state treasurer shall invest the moneys in such fund in the manner authorized by law. All moneys received for MoSMART from interest, state, and federal moneys shall be deposited to the credit of the fund. The director of the department of public safety shall distribute at least fifty percent but not more than one hundred percent of the fund annually in the form of grants approved by MoSMART.

4. Except for money deposited into the deputy sheriff salary supplementation fund created under section 57.278 [or], money deposited into the concealed carry permit fund created under subsection 5 of this section, or money deposited into the statewide jail data exchange fund created under subsection 6 of this section, all moneys appropriated to or received by MoSMART shall be deposited and credited to the

MoSMART fund. The department of public safety shall only be reimbursed for actual and necessary expenses for the administration of MoSMART, which shall be no less than one percent and which shall not exceed two percent of all moneys appropriated to the fund, except that the department shall not receive any amount of the money deposited into the deputy sheriff salary supplementation fund for administrative purposes. The provisions of section 33.080 to the contrary notwithstanding, moneys in the MoSMART fund shall not lapse to general revenue at the end of the biennium.

5. A special fund is hereby created in the state treasury to be known as the "Concealed Carry Permit Fund". The state treasurer shall invest the moneys in such fund in the manner authorized by law. All moneys appropriated by the general assembly to the fund shall be deposited to the credit of the fund. The director of the department of public safety shall annually distribute all moneys in the fund in the form of grants approved by MoSMART. The department of public safety shall administer all MoSMART grant deposits under this section. Grant funds deposited into the fund created under this section shall be spent first to ensure county law enforcement agencies' ability to comply with the issuance of concealed carry permits including, but not limited to, equipment, records management hardware and software, personnel, supplies, and other services. MoSMART shall provide grants as authorized by the general assembly to sheriffs, and any designee that is created and authorized to support sheriffs in the creation, maintenance, and operation of a statewide concealed carry permit system for Missouri sheriffs and law enforcement purposes. The concealed carry permit system shall consist of a server network accessible by all Missouri sheriffs and law enforcement agencies for purposes that do not conflict with this chapter. All equipment, software, and services necessary to create, maintain, and operate the concealed carry permit system shall be the property of the sheriffs and MoSMART's designee. A designee of MoSMART and the sheriffs may administer and operate the concealed carry permit system utilizing policies and procedures established by MoSMART by way of a memorandum of understanding and MoSMART protocol. Any equipment, software, or services provided to a sheriff as part of the concealed carry permit system shall become property of MoSMART's designee and the sheriff's office and MoSMART shall not be responsible for the maintenance or replacement of such equipment, software, or services. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

6. A special fund is hereby created in the state treasury to be known as the "Statewide Jail Data Exchange Fund". The state treasurer shall invest the moneys in such fund in the manner authorized by law. All moneys appropriated by the general assembly to the fund shall be deposited to the credit of the fund. The director of the department of public safety shall annually distribute all moneys in the fund in the form of grants approved by MoSMART. The department of public safety shall administer all MoSMART grant deposits under this section. Grant funds deposited into the fund created under this section shall be spent to develop, maintain, operate, and manage a statewide jail information management system. MoSMART shall provide grants as authorized by the general assembly to sheriffs, and any designee that is created and authorized to support sheriffs in the development, maintenance, operation, and management of a statewide jail information management system for Missouri sheriffs and law enforcement purposes. The jail information management system shall consist of a server network accessible by all Missouri sheriffs and law enforcement agencies for purposes that do not conflict with this chapter. All equipment, software, and services necessary to develop, maintain, operate, manage the jail information management system shall be the property of the sheriffs and MoSMART's designee. A designee of MoSMART and the sheriffs may administer and operate the jail information management system utilizing policies and procedures established by MoSMART by way of a memorandum of understanding and MoSMART protocol, provided that the administrative costs provided to the designee shall not exceed six percent of the total available funds. Any equipment, software, or services provided to a sheriff as part of the statewide jail information management system shall become property of MoSMART's designee and the sheriff's office and MoSMART shall not be responsible for the maintenance or replacement of such equipment, software, or services. Notwithstanding the provisions of section 33.080 to the contrary, any moneys remaining in the fund at the end of the biennium shall not revert to the credit of the general revenue fund. The state treasurer shall invest moneys in the fund in the same manner as other funds are invested. Any interest and moneys earned on such investments shall be credited to the fund.

1 7. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
2 authority delegated in this section shall become effective only if it complies with and is subject to all of the
3 provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable
4 and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the
5 effective date or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of
6 rulemaking authority and any rule proposed or adopted after August 28, 2003, shall be invalid and void.

7 [7.] 8. Any county law enforcement entity or established task force with a memorandum of
8 understanding and protocol may apply for grants from the MoSMART fund on an application to be
9 developed by the department of public safety with the approval of MoSMART. All applications shall be
10 evaluated by MoSMART and approved or denied based upon the level of funding designated for
11 methamphetamine enforcement before 1997 and upon current need and circumstances. No applicant shall
12 receive a MoSMART grant in excess of one hundred thousand dollars per year. The department of public
13 safety shall monitor all MoSMART grants.

14 [8.] 9. MoSMART's anti-methamphetamine funding priorities are as follows:

15 (1) Sheriffs who are participating in coordinated multijurisdictional task forces and have their task
16 forces apply for funding;

17 (2) Sheriffs whose county has been designated HIDTA counties, yet have received no HIDTA or
18 narcotics assistance program funding; and

19 (3) Sheriffs without HIDTA designations or task forces, whose application justifies the need for
20 MoSMART funds to eliminate methamphetamine labs.

21 [9.] 10. MoSMART shall administer the deputy sheriff salary supplementation fund as provided
22 under section 57.278."; and

23
24 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.
25
26
27