

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 580, Page 13, Section
2 190.100, Line 25, by inserting after the number "(7)" the following:

3
4 "Community paramedic", a person who is certified as an emergency medical technician-paramedic
5 and is certified by the department in accordance with standards prescribed in section 190.098;
6 (8)"; and
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8 Further amend said bill and section, Page 14, Line 63, by inserting after the word "technician"" the words "or
9 "EMT""; and
10

11 Further amend said bill, page, and section, Lines 66-76, by deleting said lines and inserting in lieu thereof the
12 following:
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14 ~~"[(18) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed~~
15 ~~a course of instruction in basic life support as prescribed by the department and is licensed by the department~~
16 ~~in accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department~~
17 ~~pursuant to sections 190.001 to 190.245;~~

18 ~~—— (19) "Emergency medical technician-community paramedic", "community paramedic", or "EMT-~~
19 ~~CP", a person who is certified as an emergency medical technician-paramedic and is certified by the~~
20 ~~department in accordance with standards prescribed in section 190.098;~~

21 ~~—— (20) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully~~
22 ~~completed a course of instruction in advanced life support care as prescribed by the department and is~~
23 ~~licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the~~
24 ~~department pursuant to sections 190.001 to 190.245;]"; and~~
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26 Further amend said bill and section, Page 15, Line 97, by inserting after the number "(28)" the following:
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28 "Paramedic", a person who has successfully completed a course of instruction in advanced
29 life support care as prescribed by the department and is licensed by the department in accordance with
30 sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;
31 (29)"; and
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33 Further amend said bill, page, and section, Line 113, by deleting said line and inserting in lieu thereof the
34 following:
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36 "representing volunteers, labor management, firefighters, [EMT-B's] EMTs, nurses, [EMT-P's]
37 paramedics, physicians,"; and
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39 Further amend said bill and section, Pages 12-17, by renumbering subdivisions accordingly; and
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Action Taken _____ Date _____

Further amend said bill, Page 19, Section 190.105, Line 85, by inserting after all of said line the following:

"190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, the department shall, within a reasonable time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant for an emergency medical technician's license.

(2) For applications submitted after the recognition of EMS personnel licensure interstate compact under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical technician in this state shall submit to a background check by the Missouri state highway patrol and the Federal Bureau of Investigation through a process approved by the department of health and senior services. Such processes may include the use of vendors or systems administered by the Missouri state highway patrol. The department may share the results of such a criminal background check with any emergency services licensing agency in any member state, as that term is defined under section 190.900, in recognition of the EMS personnel licensure interstate compact. The department shall not issue a license until the department receives the results of an applicant's criminal background check from the Missouri state highway patrol and the Federal Bureau of Investigation, but, notwithstanding this subsection, the department may issue a temporary license as provided under section 190.143. Any fees due for a criminal background check shall be paid by the applicant.

(3) The director may authorize investigations into criminal records in other states for any applicant.

2. The department shall issue a license to all levels of emergency medical technicians, for a period of five years, if the applicant meets the requirements established pursuant to sections 190.001 to 190.245 and the rules adopted by the department pursuant to sections 190.001 to 190.245. The department may promulgate rules relating to the requirements for an emergency medical technician including but not limited to:

(1) Age requirements;

(2) Emergency medical technician and paramedic education and training requirements based on respective National Emergency Medical Services Education Standards and any modification to such curricula specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

(3) Paramedic accreditation requirements. Paramedic training programs shall be accredited by the Commission on Accreditation of Allied Health Education Programs (CAAHEP) or hold a CAAHEP letter of review;

(4) Initial licensure testing requirements. Initial [EMT-P] paramedic licensure testing shall be through the national registry of EMTs;

(5) Continuing education and relicensure requirements; and

(6) Ability to speak, read and write the English language.

3. Application for all levels of emergency medical technician license shall be made upon such forms as prescribed by the department in rules adopted pursuant to sections 190.001 to 190.245. The application form shall contain such information as the department deems necessary to make a determination as to whether the emergency medical technician meets all the requirements of sections 190.001 to 190.245 and rules promulgated pursuant to sections 190.001 to 190.245.

4. All levels of emergency medical technicians may perform only that patient care which is:

(1) Consistent with the training, education and experience of the particular emergency medical technician; and

(2) Ordered by a physician or a physician assistant or set forth in protocols approved by the medical director.

5. No person shall hold themselves out as an emergency medical technician or provide the services of an emergency medical technician unless such person is licensed by the department.

6. Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2002, shall be invalid and void."; and

Further amend said bill, Page 53, Section 208.895, Line 89, by inserting after all of said section and line the following:

"285.040. No employee of a fire department of any city not within a county shall be required, as a condition of employment, to reside within the city limits."; and

Further amend said bill, Page 54, Section 302.205, Line 49, by inserting after said section and line the following:

"320.098. No county shall require attendance at a specific training academy by any candidate for a firefighter position but may require a specific certification from the office of the state fire marshal."; and

Further amend said bill, Page 72, Section 376.1590, Line 28, by inserting after said section and line the following:

"571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise provided by sections 571.101 to 571.121, 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 into any area where firearms are restricted under section 571.107; 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; or

(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; or

(11) Possesses a firearm while also knowingly in possession of a controlled substance that is sufficient for a felony violation of section 579.015.

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

1 such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace
 2 officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13
 3 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace
 4 while actually engaged in assisting such officer;

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

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

8 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial
 9 power of the state and those persons vested by Article III of the Constitution of the United States with the
 10 judicial power of the United States, the members of the federal judiciary;

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

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

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

17 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the
 18 regulations established by the department of public safety under section 590.750;

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

20 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney
 21 or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a
 22 special prosecutor who has completed the firearms safety training course required under subsection 2 of
 23 section 571.111;

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

28 (12) Upon the written approval of the governing body of a fire department or fire protection district,
 29 any [paid] fire department or fire protection district member who [~~is employed on a full-time basis and~~] has a
 30 valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry permit, when
 31 such uses are reasonably associated with or are necessary to the fulfillment of such person's official duties.

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

45 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any person who
 46 has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121, a valid concealed carry
 47 endorsement issued before August 28, 2013, or a valid permit or endorsement to carry concealed firearms
 48 issued by another state or political subdivision of another state.

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

51 6. Notwithstanding any provision of this section to the contrary, the state shall not prohibit any state
 52 employee from having a firearm in the employee's vehicle on the state's property provided that the vehicle is
 53 locked and the firearm is not visible. This subsection shall only apply to the state as an employer when the

1 state employee's vehicle is on property owned or leased by the state and the state employee is conducting
 2 activities within the scope of his or her employment. For the purposes of this subsection, "state employee"
 3 means an employee of the executive, legislative, or judicial branch of the government of the state of
 4 Missouri.

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

10 8. A person who commits the crime of unlawful use of weapons under:

11 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a class E felony;

12 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a class B
 13 misdemeanor, except when a concealed weapon is carried onto any private property whose owner has posted
 14 the premises as being off-limits to concealed firearms by means of one or more signs displayed in a
 15 conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters
 16 of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply;

17 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A misdemeanor if
 18 the firearm is unloaded and a class E felony if the firearm is loaded;

19 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if
 20 the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is
 21 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
 32 to 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
 35 violations by other persons.

36 11. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of
 37 a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such
 38 person has previously received a suspended imposition of sentence for any other firearms- or weapons-related
 39 felony 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,
 44 detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and
 45 had statutory powers of arrest;

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

1 and

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

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

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

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

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

15
16 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.