

House _____ Amendment NO. _____

Offered By _____

1 AMEND Senate Substitute for Senate Committee Substitute for Senate Bill No. 594, Page 1, Section A, Line
2 2, by inserting after said section and line the following:
3

4 "84.344. 1. Notwithstanding any provisions of this chapter to the contrary, any city not within a
5 county may establish a municipal police force on or after July 1, 2013, according to the procedures and
6 requirements of this section. The purpose of these procedures and requirements is to provide for an orderly
7 and appropriate transition in the governance of the police force and provide for an equitable employment
8 transition for commissioned and civilian personnel.

9 2. Upon the establishment of a municipal police force by a city under sections 84.343 to 84.346, the
10 board of police commissioners shall convey, assign, and otherwise transfer to the city title and ownership of
11 all indebtedness and assets, including, but not limited to, all funds and real and personal property held in the
12 name of or controlled by the board of police commissioners created under sections 84.010 to 84.340. The
13 board of police commissioners shall execute all documents reasonably required to accomplish such transfer
14 of ownership and obligations.

15 3. If the city establishes a municipal police force and completes the transfer described in subsection
16 2 of this section, the city shall provide the necessary funds for the maintenance of the municipal police force.

17 4. Before a city not within a county may establish a municipal police force under this section, the
18 city shall adopt an ordinance accepting responsibility, ownership, and liability as successor-in-interest for
19 contractual obligations, indebtedness, and other lawful obligations of the board of police commissioners
20 subject to the provisions of subsection 2 of section 84.345.

21 5. A city not within a county that establishes a municipal police force shall initially employ, without
22 a reduction in rank, salary, or benefits, all commissioned and civilian personnel of the board of police
23 commissioners created under sections 84.010 to 84.340 that were employed by the board immediately prior to
24 the date the municipal police force was established. Such commissioned personnel who previously were
25 employed by the board may only be involuntarily terminated by the city not within a county for cause. The
26 city shall also recognize all accrued years of service that such commissioned and civilian personnel had with
27 the board of police commissioners. Such personnel shall be entitled to the same holidays, vacation, and sick
28 leave they were entitled to as employees of the board of police commissioners.

29 6. Commissioned and civilian personnel ~~[who were previously]~~ employed by the board shall
30 ~~[continue to]~~ not be subject, throughout their employment for the city not within a county, to a residency ~~[rule~~
31 ~~no more restrictive than a]~~ requirement of retaining a primary residence in a city not within a county ~~[for a~~
32 ~~total of seven years and of then allowing them to maintain a primary residence outside the city not within a~~
33 ~~county]~~ so long as the primary residence is located within a one-hour response time.

34 7. The commissioned and civilian personnel who retire from service with the board of police
35 commissioners before the establishment of a municipal police force under subsection 1 of this section shall
36 continue to be entitled to the same pension benefits provided under chapter 86 and the same benefits set forth
37 in subsection 5 of this section.

38 8. If the city not within a county elects to establish a municipal police force under this section, the
39 city shall establish a separate division for the operation of its municipal police force. The civil service
40 commission of the city may adopt rules and regulations appropriate for the unique operation of a police

Action Taken _____ Date _____

1 department. Such rules and regulations shall reserve exclusive authority over the disciplinary process and
2 procedures affecting commissioned officers to the civil service commission; however, until such time as the
3 city adopts such rules and regulations, the commissioned personnel shall continue to be governed by the
4 board of police commissioner's rules and regulations in effect immediately prior to the establishment of the
5 municipal police force, with the police chief acting in place of the board of police commissioners for
6 purposes of applying the rules and regulations. Unless otherwise provided for, existing civil service
7 commission rules and regulations governing the appeal of disciplinary decisions to the civil service
8 commission shall apply to all commissioned and civilian personnel. The civil service commission's rules and
9 regulations shall provide that records prepared for disciplinary purposes shall be confidential, closed records
10 available solely to the civil service commission and those who possess authority to conduct investigations
11 regarding disciplinary matters pursuant to the civil service commission's rules and regulations. A hearing
12 officer shall be appointed by the civil service commission to hear any such appeals that involve discipline
13 resulting in a suspension of greater than fifteen days, demotion, or termination, but the civil service
14 commission shall make the final findings of fact, conclusions of law, and decision which shall be subject to
15 any right of appeal under chapter 536.

16 9. A city not within a county that establishes and maintains a municipal police force under this
17 section:

18 (1) Shall provide or contract for life insurance coverage and for insurance benefits providing health,
19 medical, and disability coverage for commissioned and civilian personnel of the municipal police force to the
20 same extent as was provided by the board of police commissioners under section 84.160;

21 (2) Shall provide or contract for medical and life insurance coverage for any commissioned or
22 civilian personnel who retired from service with the board of police commissioners or who were employed by
23 the board of police commissioners and retire from the municipal police force of a city not within a county to
24 the same extent such medical and life insurance coverage was provided by the board of police commissioners
25 under section 84.160;

26 (3) Shall make available medical and life insurance coverage for purchase to the spouses or
27 dependents of commissioned and civilian personnel who retire from service with the board of police
28 commissioners or the municipal police force and deceased commissioned and civilian personnel who receive
29 pension benefits under sections 86.200 to 86.366 at the rate that such dependent's or spouse's coverage would
30 cost under the appropriate plan if the deceased were living; and

31 (4) May pay an additional shift differential compensation to commissioned and civilian personnel for
32 evening and night tours of duty in an amount not to exceed ten percent of the officer's base hourly rate.

33 10. A city not within a county that establishes a municipal police force under sections 84.343 to
34 84.346 shall establish a transition committee of five members for the purpose of: coordinating and
35 implementing the transition of authority, operations, assets, and obligations from the board of police
36 commissioners to the city; winding down the affairs of the board; making nonbinding recommendations for
37 the transition of the police force from the board to the city; and other related duties, if any, established by
38 executive order of the city's mayor. Once the ordinance referenced in this section is enacted, the city shall
39 provide written notice to the board of police commissioners and the governor of the state of Missouri. Within
40 thirty days of such notice, the mayor shall appoint three members to the committee, two of whom shall be
41 members of a statewide law enforcement association that represents at least five thousand law enforcement
42 officers. The remaining members of the committee shall include the police chief of the municipal police
43 force and a person who currently or previously served as a commissioner on the board of police
44 commissioners, who shall be appointed to the committee by the mayor of such city.

45 190.100. As used in sections 190.001 to 190.245, the following words and terms mean:

46 (1) "Advanced emergency medical technician" or "AEMT", a person who has successfully
47 completed a course of instruction in certain aspects of advanced life support care as prescribed by the
48 department and is licensed by the department in accordance with sections 190.001 to 190.245 and rules and
49 regulations adopted by the department pursuant to sections 190.001 to 190.245;

50 (2) "Advanced life support (ALS)", an advanced level of care as provided to the adult and pediatric
51 patient such as defined by national curricula, and any modifications to that curricula specified in rules
52 adopted by the department pursuant to sections 190.001 to 190.245;

53 (3) "Ambulance", any privately or publicly owned vehicle or craft that is specially designed,

1 constructed or modified, staffed or equipped for, and is intended or used, maintained or operated for the
 2 transportation of persons who are sick, injured, wounded or otherwise incapacitated or helpless, or who
 3 require the presence of medical equipment being used on such individuals, but the term does not include any
 4 motor vehicle specially designed, constructed or converted for the regular transportation of persons who are
 5 disabled, handicapped, normally using a wheelchair, or otherwise not acutely ill, or emergency vehicles used
 6 within airports;

7 (4) "Ambulance service", a person or entity that provides emergency or nonemergency ambulance
 8 transportation and services, or both, in compliance with sections 190.001 to 190.245, and the rules
 9 promulgated by the department pursuant to sections 190.001 to 190.245;

10 (5) "Ambulance service area", a specific geographic area in which an ambulance service has been
 11 authorized to operate;

12 (6) "Basic life support (BLS)", a basic level of care, as provided to the adult and pediatric patient as
 13 defined by national curricula, and any modifications to that curricula specified in rules adopted by the
 14 department pursuant to sections 190.001 to 190.245;

15 (7) "Community paramedic", a person who is certified as an emergency medical technician-
 16 paramedic and is certified by the department in accordance with standards prescribed in section 190.098;

17 (8) "Council", the state advisory council on emergency medical services;

18 ~~[(8)]~~ (9) "Department", the department of health and senior services, state of Missouri;

19 ~~[(9)]~~ (10) "Director", the director of the department of health and senior services or the director's
 20 duly authorized representative;

21 ~~[(10)]~~ (11) "Dispatch agency", any person or organization that receives requests for emergency
 22 medical services from the public, by telephone or other means, and is responsible for dispatching emergency
 23 medical services;

24 ~~[(11)]~~ (12) "Emergency", the sudden and, at the time, unexpected onset of a health condition that
 25 manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an
 26 average knowledge of health and medicine, to believe that the absence of immediate medical care could result
 27 in:

28 (a) Placing the person's health, or with respect to a pregnant woman, the health of the woman or her
 29 unborn child, in significant jeopardy;

30 (b) Serious impairment to a bodily function;

31 (c) Serious dysfunction of any bodily organ or part;

32 (d) Inadequately controlled pain;

33 ~~[(12)]~~ (13) "Emergency medical dispatcher", a person who receives emergency calls from the public
 34 and has successfully completed an emergency medical dispatcher course, meeting or exceeding the national
 35 curriculum of the United States Department of Transportation and any modifications to such curricula
 36 specified by the department through rules adopted pursuant to sections 190.001 to 190.245;

37 ~~[(13)]~~ (14) "Emergency medical responder", a person who has successfully completed an emergency
 38 first response course meeting or exceeding the national curriculum of the U.S. Department of Transportation
 39 and any modifications to such curricula specified by the department through rules adopted under sections
 40 190.001 to 190.245 and who provides emergency medical care through employment by or in association with
 41 an emergency medical response agency;

42 ~~[(14)]~~ (15) "Emergency medical response agency", any person that regularly provides a level of care
 43 that includes first response, basic life support or advanced life support, exclusive of patient transportation;

44 ~~[(15)]~~ (16) "Emergency medical services for children (EMS-C) system", the arrangement of
 45 personnel, facilities and equipment for effective and coordinated delivery of pediatric emergency medical
 46 services required in prevention and management of incidents which occur as a result of a medical emergency
 47 or of an injury event, natural disaster or similar situation;

48 ~~[(16)]~~ (17) "Emergency medical services (EMS) system", the arrangement of personnel, facilities
 49 and equipment for the effective and coordinated delivery of emergency medical services required in
 50 prevention and management of incidents occurring as a result of an illness, injury, natural disaster or similar
 51 situation;

52 ~~[(17)]~~ (18) "Emergency medical technician or EMT", a person licensed in emergency medical care in
 53 accordance with standards prescribed by sections 190.001 to 190.245, and by rules adopted by the department

1 pursuant to sections 190.001 to 190.245;

2 ~~[(18) "Emergency medical technician-basic" or "EMT-B", a person who has successfully completed a~~
 3 ~~course of instruction in basic life support as prescribed by the department and is licensed by the department in~~
 4 ~~accordance with standards prescribed by sections 190.001 to 190.245 and rules adopted by the department~~
 5 ~~pursuant to sections 190.001 to 190.245;~~

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

9 ~~(20) "Emergency medical technician-paramedic" or "EMT-P", a person who has successfully~~
 10 ~~completed a course of instruction in advanced life support care as prescribed by the department and is~~
 11 ~~licensed by the department in accordance with sections 190.001 to 190.245 and rules adopted by the~~
 12 ~~department pursuant to sections 190.001 to 190.245;]~~

13 ~~[(21)-] (19) "Emergency services", health care items and services furnished or required to screen and~~
 14 ~~stabilize an emergency which may include, but shall not be limited to, health care services that are provided~~
 15 ~~in a licensed hospital's emergency facility by an appropriate provider or by an ambulance service or~~
 16 ~~emergency medical response agency;~~

17 ~~[(22)-] (20) "Health care facility", a hospital, nursing home, physician's office or other fixed location~~
 18 ~~at which medical and health care services are performed;~~

19 ~~[(23)-] (21) "Hospital", an establishment as defined in the hospital licensing law, subsection 2 of~~
 20 ~~section 197.020, or a hospital operated by the state;~~

21 ~~[(24)-] (22) "Medical control", supervision provided by or under the direction of physicians, [or] their~~
 22 ~~designated registered nurse, or a physician assistant, including both online medical control, instructions by~~
 23 ~~radio, telephone, or other means of direct communications, and offline medical control through supervision~~
 24 ~~by treatment protocols, case review, training, and standing orders for treatment;~~

25 ~~[(25)-] (23) "Medical direction", medical guidance and supervision provided by a physician to an~~
 26 ~~emergency services provider or emergency medical services system;~~

27 ~~[(26)-] (24) "Medical director", a physician licensed pursuant to chapter 334 designated by the~~
 28 ~~ambulance service or emergency medical response agency and who meets criteria specified by the~~
 29 ~~department by rules pursuant to sections 190.001 to 190.245;~~

30 ~~[(27)-] (25) "Memorandum of understanding", an agreement between an emergency medical~~
 31 ~~response agency or dispatch agency and an ambulance service or services within whose territory the agency~~
 32 ~~operates, in order to coordinate emergency medical services;~~

33 ~~(26) "Paramedic", a person who has successfully completed a course of instruction in advanced~~
 34 ~~life support care as prescribed by the department and is licensed by the department in accordance with~~
 35 ~~sections 190.001 to 190.245 and rules adopted by the department pursuant to sections 190.001 to 190.245;~~

36 ~~[(28)-] (27) "Patient", an individual who is sick, injured, wounded, diseased, or otherwise~~
 37 ~~incapacitated or helpless, or dead, excluding deceased individuals being transported from or between private~~
 38 ~~or public institutions, homes or cemeteries, and individuals declared dead prior to the time an ambulance is~~
 39 ~~called for assistance;~~

40 ~~[(29)-] (28) "Person", as used in these definitions and elsewhere in sections 190.001 to 190.245, any~~
 41 ~~individual, firm, partnership, copartnership, joint venture, association, cooperative organization, corporation,~~
 42 ~~municipal or private, and whether organized for profit or not, state, county, political subdivision, state~~
 43 ~~department, commission, board, bureau or fraternal organization, estate, public trust, business or common law~~
 44 ~~trust, receiver, assignee for the benefit of creditors, trustee or trustee in bankruptcy, or any other service user~~
 45 ~~or provider;~~

46 ~~[(30)-] (29) "Physician", a person licensed as a physician pursuant to chapter 334;~~

47 ~~[(31)-] (30) "Political subdivision", any municipality, city, county, city not within a county,~~
 48 ~~ambulance district or fire protection district located in this state which provides or has authority to provide~~
 49 ~~ambulance service;~~

50 ~~[(32)-] (31) "Professional organization", any organized group or association with an ongoing interest~~
 51 ~~regarding emergency medical services. Such groups and associations could include those representing~~
 52 ~~volunteers, labor, management, firefighters, [EMT-B's] EMTs, nurses, [EMT-P's] paramedics, physicians,~~
 53 ~~communications specialists and instructors. Organizations could also represent the interests of ground~~

1 ambulance services, air ambulance services, fire service organizations, law enforcement, hospitals, trauma
2 centers, communication centers, pediatric services, labor unions and poison control services;

3 ~~[(33)-]~~ (32) "Proof of financial responsibility", proof of ability to respond to damages for liability, on
4 account of accidents occurring subsequent to the effective date of such proof, arising out of the ownership,
5 maintenance or use of a motor vehicle in the financial amount set in rules promulgated by the department, but
6 in no event less than the statutory minimum required for motor vehicles. Proof of financial responsibility
7 shall be used as proof of self-insurance;

8 ~~[(34)-]~~ (33) "Protocol", a predetermined, written medical care guideline, which may include standing
9 orders;

10 ~~[(35)-]~~ (34) "Regional EMS advisory committee", a committee formed within an emergency medical
11 services (EMS) region to advise ambulance services, the state advisory council on EMS and the department;

12 ~~[(36)-]~~ (35) "Specialty care transportation", the transportation of a patient requiring the services of an
13 emergency medical technician-paramedic who has received additional training beyond the training prescribed
14 by the department. Specialty care transportation services shall be defined in writing in the appropriate local
15 protocols for ground and air ambulance services and approved by the local physician medical director. The
16 protocols shall be maintained by the local ambulance service and shall define the additional training required
17 of the emergency medical technician-paramedic;

18 ~~[(37)-]~~ (36) "Stabilize", with respect to an emergency, the provision of such medical treatment as
19 may be necessary to attempt to assure within reasonable medical probability that no material deterioration of
20 an individual's medical condition is likely to result from or occur during ambulance transportation unless the
21 likely benefits of such transportation outweigh the risks;

22 ~~[(38)-]~~ (37) "State advisory council on emergency medical services", a committee formed to advise
23 the department on policy affecting emergency medical service throughout the state;

24 ~~[(39)-]~~ (38) "State EMS medical directors advisory committee", a subcommittee of the state advisory
25 council on emergency medical services formed to advise the state advisory council on emergency medical
26 services and the department on medical issues;

27 ~~[(40)-]~~ (39) "STEMI" or "ST-elevation myocardial infarction", a type of heart attack in which
28 impaired blood flow to the patient's heart muscle is evidenced by ST-segment elevation in electrocardiogram
29 analysis, and as further defined in rules promulgated by the department under sections 190.001 to 190.250;

30 ~~[(41)-]~~ (40) "STEMI care", includes education and prevention, emergency transport, triage, and acute
31 care and rehabilitative services for STEMI that requires immediate medical or surgical intervention or
32 treatment;

33 ~~[(42)-]~~ (41) "STEMI center", a hospital that is currently designated as such by the department to care
34 for patients with ST-segment elevation myocardial infarctions;

35 ~~[(43)-]~~ (42) "Stroke", a condition of impaired blood flow to a patient's brain as defined by the
36 department;

37 ~~[(44)-]~~ (43) "Stroke care", includes emergency transport, triage, and acute intervention and other acute
38 care services for stroke that potentially require immediate medical or surgical intervention or treatment, and
39 may include education, primary prevention, acute intervention, acute and subacute management, prevention
40 of complications, secondary stroke prevention, and rehabilitative services;

41 ~~[(45)-]~~ (44) "Stroke center", a hospital that is currently designated as such by the department;

42 ~~[(46)-]~~ (45) "Trauma", an injury to human tissues and organs resulting from the transfer of energy
43 from the environment;

44 ~~[(47)-]~~ (46) "Trauma care" includes injury prevention, triage, acute care and rehabilitative services for
45 major single system or multisystem injuries that potentially require immediate medical or surgical
46 intervention or treatment;

47 ~~[(48)-]~~ (47) "Trauma center", a hospital that is currently designated as such by the department.

48 190.142. 1. (1) For applications submitted before the recognition of EMS personnel licensure
49 interstate compact under sections 190.900 to 190.939 takes effect, the department shall, within a reasonable
50 time after receipt of an application, cause such investigation as it deems necessary to be made of the applicant
51 for an emergency medical technician's license.

52 (2) For applications submitted after the recognition of EMS personnel licensure interstate compact
53 under sections 190.900 to 190.939 takes effect, an applicant for initial licensure as an emergency medical

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

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

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

16 (1) Age requirements;

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

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

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

25 (5) Continuing education and relicensure requirements; and

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

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

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

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

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

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

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

45 285.040. No employee of a fire department of any city not within a county shall be required, as a
 46 condition of employment, to reside within the city limits.

47 320.098. No county shall require attendance at a specific training academy by any candidate for a
 48 firefighter position but may require a specific certification from the office of the state fire marshal."; and

49 571.030. 1. A person commits the offense of unlawful use of weapons, except as otherwise provided
 50 by sections 571.101 to 571.121, if he or she knowingly:

51 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any other
 52 weapon readily capable of lethal use into any area where firearms are restricted under section 571.107; or

53 (2) Sets a spring gun; or

- 1 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or motor
2 vehicle as defined in section 302.010, or any building or structure used for the assembling of people; or
3 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of lethal use in an
4 angry or threatening manner; or
5 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person, while he or
6 she is intoxicated, and handles or otherwise uses such firearm or projectile weapon in either a negligent or
7 unlawful manner or discharges such firearm or projectile weapon unless acting in self-defense; or
8 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse, courthouse, or
9 church building; or
10 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across a public
11 highway or discharges or shoots a firearm into any outbuilding; or
12 (8) Carries a firearm or any other weapon readily capable of lethal use into any church or place
13 where people have assembled for worship, or into any election precinct on any election day, or into any
14 building owned or occupied by any agency of the federal government, state government, or political
15 subdivision thereof; or
16 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section 301.010,
17 discharges or shoots a firearm at any person, or at any other motor vehicle, or at any building or habitable
18 structure, unless the person was lawfully acting in self-defense; or
19 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable of lethal use
20 into any school, onto any school bus, or onto the premises of any function or activity sponsored or sanctioned
21 by school officials or the district school board; or
22 (11) Possesses a firearm while also knowingly in possession of a controlled substance that is
23 sufficient for a felony violation of section 579.015.

24 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the persons
25 described in this subsection, regardless of whether such uses are reasonably associated with or are necessary
26 to the fulfillment of such person's official duties except as otherwise provided in this subsection.
27 Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any of the
28 following persons, when such uses are reasonably associated with or are necessary to the fulfillment of such
29 person's official duties, except as otherwise provided in this subsection:

- 30 (1) All state, county and municipal peace officers who have completed the training required by the
31 police officer standards and training commission pursuant to sections 590.030 to 590.050 and who possess
32 the duty and power of arrest for violation of the general criminal laws of the state or for violation of
33 ordinances of counties or municipalities of the state, whether such officers are on or off duty, and whether
34 such officers are within or outside of the law enforcement agency's jurisdiction, or all qualified retired peace
35 officers, as defined in subsection 12 of this section, and who carry the identification defined in subsection 13
36 of this section, or any person summoned by such officers to assist in making arrests or preserving the peace
37 while actually engaged in assisting such officer;
38 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other institutions for
39 the detention of persons accused or convicted of crime;
40 (3) Members of the Armed Forces or National Guard while performing their official duty;
41 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with the judicial
42 power of the state and those persons vested by Article III of the Constitution of the United States with the
43 judicial power of the United States, the members of the federal judiciary;
44 (5) Any person whose bona fide duty is to execute process, civil or criminal;
45 (6) Any federal probation officer or federal flight deck officer as defined under the federal flight
46 deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers are on duty, or within the
47 law enforcement agency's jurisdiction;
48 (7) Any state probation or parole officer, including supervisors and members of the board of
49 probation and parole;
50 (8) Any corporate security advisor meeting the definition and fulfilling the requirements of the
51 regulations established by the department of public safety under section 590.750;
52 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;
53 (10) Any municipal or county prosecuting attorney or assistant prosecuting attorney; circuit attorney

1 or assistant circuit attorney; municipal, associate, or circuit judge; or any person appointed by a court to be a
2 special prosecutor who has completed the firearms safety training course required under subsection 2 of
3 section 571.111;

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

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

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

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

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

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

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

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

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

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

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

53 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if

1 the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is
2 a class A felony.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

45 (3) A certification issued by the state in which the individual resides that indicates that the individual
46 has, not less recently than one year before the date the individual is carrying the concealed firearm, been
47 tested or otherwise found by the state to meet the standards established by the state for training and
48 qualification for active peace officers to carry a firearm of the same type as the concealed firearm."; and
49

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