

FIRST EXTRAORDINARY SESSION OF THE  
SECOND REGULAR SESSION  
[PERFECTED]  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 16**  
**100TH GENERAL ASSEMBLY**

5806H.02P

DANA RADEMAN MILLER, Chief Clerk

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**AN ACT**

To repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions and an emergency clause.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 571.060, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.060, to read as follows:

571.060. 1. A person commits the offense of unlawful transfer of weapons if he **or she**:

(1) Knowingly sells, leases, [~~loans~~] **lends**, gives away, or delivers a firearm or ammunition for a firearm to any person who, under the provisions of section 571.070, is not lawfully entitled to possess such;

(2) **Knowingly sells, leases, lends, gives away, or delivers a firearm to a person under eighteen years of age for the purpose of avoiding, interfering with, or preventing a lawful felony arrest, detention, or investigation of any alleged offense;**

(3) Knowingly sells, leases, [~~loans~~] **lends**, gives away, or delivers a blackjack to a person [~~less than~~] **under eighteen years [~~old~~] of age** without the consent of the [~~child's~~] **recipient's** custodial parent or guardian, [~~or~~] **provided that this does not prohibit the delivery of a blackjack to any peace officer or member of the Armed Forces or National Guard while performing his or her official duty; or**

(4) [~~Recklessly, as defined in section 562.016, sells, leases, loans, gives away or delivers any firearm to a person less than eighteen years old without the consent of the child's custodial~~]

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15 ~~parent or guardian, provided, that this does not prohibit the delivery of such weapons to any~~  
16 ~~peace officer or member of the Armed Forces or National Guard while performing his official~~  
17 ~~duty, or~~

18 ~~——(3)]~~ Recklessly, as defined in section 562.016, sells, leases, [~~loans~~] **lends**, gives away,  
19 or delivers a firearm or ammunition for a firearm to a person who is intoxicated.

20 2. Unlawful transfer of weapons under subdivision (1) **or (2)** of subsection 1 of this  
21 section is a class E felony; unlawful transfer of weapons under [~~subdivisions (2) and~~]  
22 **subdivision (3) or (4)** of subsection 1 of this section is a class A misdemeanor.

Section B. Because immediate action is necessary to further equip and enhance our  
2 criminal justice system to fight violent crime in Missouri and protect our citizens and residents  
3 from the recent unprecedented wave of violent crime across our nation and state, the repeal and  
4 reenactment of section 571.060 of section A of this act is deemed necessary for the immediate  
5 preservation of the public health, welfare, peace, and safety and is hereby declared to be an  
6 emergency act within the meaning of the constitution, and the repeal and reenactment of section  
7 571.060 of section A of this act shall be in full force and effect upon its passage and approval.

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