

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Bill No. 186, Page 11, Section 558.043, Line 16,
2 by inserting after all of said section and line the following:

3
4 "563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use
5 physical force upon another person when and to the extent he or she reasonably believes such force
6 to be necessary to defend himself or herself or a third person from what he or she reasonably
7 believes to be the use or imminent use of unlawful force by such other person, unless:

8 (1) The actor was the initial aggressor; except that in such case his or her use of force is
9 nevertheless justifiable provided:

10 (a) He or she has withdrawn from the encounter and effectively communicated such
11 withdrawal to such other person but the latter persists in continuing the incident by the use or
12 threatened use of unlawful force; or

13 (b) He or she is a law enforcement officer and as such is an aggressor pursuant to section
14 563.046; or

15 (c) The aggressor is justified under some other provision of this chapter or other provision
16 of law;

17 (2) Under the circumstances as the actor reasonably believes them to be, the person whom
18 he or she seeks to protect would not be justified in using such protective force;

19 (3) The actor was attempting to commit, committing, or escaping after the commission of a
20 forcible felony.

21 2. A person shall not use deadly force upon another person under the circumstances
22 specified in subsection 1 of this section unless:

23 (1) He or she reasonably believes that such deadly force is necessary to protect himself, or
24 herself or her unborn child, or another against death, serious physical injury, or any forcible felony;

25 (2) Such force is used against a person who unlawfully enters, remains after unlawfully
26 entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by such
27 person; or

28 (3) Such force is used against a person who unlawfully enters, remains after unlawfully
29 entering, or attempts to unlawfully enter private property that is owned or leased by an individual[;

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~~or is occupied by an individual who has been given specific authority by the property owner to occupy the property,~~ claiming a justification of using protective force under this section.

3. A person does not have a duty to retreat[;:

(4)] from a dwelling, residence, or vehicle where the person is not unlawfully entering or unlawfully remaining[;:

(2)] . A person does not have a duty to retreat from private property that is owned or leased by such individual[;:

(3) ~~If the person is in any other location such person has the right to be~~].

4. The justification afforded by this section extends to the use of physical restraint as protective force provided that the actor takes all reasonable measures to terminate the restraint as soon as it is reasonable to do so.

5. The defendant shall have the burden of injecting the issue of justification under this section. If a defendant asserts that his or her use of force is described under subdivision (2) of subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable doubt that the defendant did not reasonably believe that the use of such force was necessary to defend against what he or she reasonably believed was the use or imminent use of unlawful force."; and

Further amend said bill, Page 19, Section 570.030, Line 90, by inserting after all of said section and line the following:

"571.011. 1. In order to purchase a firearm in this state, a person shall first obtain a firearm purchase permit issued by the sheriff's department in the county in which the person resides. Permit applications shall be available in each county sheriff's department, and the secretary of state shall administer a website allowing for electronic submission of application materials. Firearm purchase permits issued under this section shall be valid for a period of ten years.

2. Applications shall require the following information:

(1) The applicant's name, social security number, and address of residence;

(2) The applicant's criminal history; and

(3) The number of persons and dependents living in the applicant's residence.

3. A sheriff may elect to require an applicant submit additional information regarding the applicant's psychiatric history or submit character references. The sheriff shall conduct an inquiry of the National Instant Criminal Background Check System within three working days after submission of the properly completed application for a concealed carry permit. If no disqualifying record is identified by these checks at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check and a check against the Violent Gang And Terrorist Organizations File. Upon receipt of the completed report from the National Instant Criminal Background Check System and the response from the Federal Bureau of Investigation regarding the national criminal history record check and the Violent Gang And

1 Terrorist Organizations File, the sheriff shall examine the results and, if no disqualifying information
 2 is identified, shall issue a firearm purchase permit within three working days.

3 4. Any person who moves from one county to another county within this state shall alert the
 4 sheriff's department of the county to which the person is moving that he or she has a firearm
 5 purchase permit.

6 5. The following persons shall not be issued a firearm purchase permit:

7 (1) Any person ineligible to own a firearm under the laws of this state;

8 (2) Any person who is under an order of protection due to domestic violence, stalking, or a
 9 sexual offense;

10 (3) Any person who has multiple charges for violent felonies or misdemeanors, at the
 11 discretion of the sheriff;

12 (4) Any person on the Federal Bureau of Investigation's terrorist screening database, also
 13 known as the watchlist;

14 (5) Any person listed by the Federal Bureau of Investigation as a member of a violent
 15 criminal gang;

16 (6) Any person who has not completed a certified firearm safety course;

17 (7) Any person having a persistent history of aggressive or self-destructive behavior as
 18 documented by a psychiatrist, psychologist, counselor, or social worker; or

19 (8) Any person who has not passed a federal background check.

20 6. A court shall order the surrender of any firearm purchase permit at the sentencing of a
 21 person for any offense that would make the person ineligible to receive a firearm purchase permit
 22 under subdivision (1), (2), or (3) of subsection 5 of this section."; and

23
 24 Further amend said bill, Page 20, Section 571.015, Line 31, by inserting after all of said section and
 25 line the following:

26
 27 "571.020. 1. A person commits an offense if such person knowingly possesses,
 28 manufactures, transports, repairs, or sells:

29 (1) An explosive weapon;

30 (2) An explosive, incendiary or poison substance or material with the purpose to possess,
 31 manufacture or sell an explosive weapon;

32 (3) A gas gun;

33 (4) A bullet or projectile which explodes or detonates upon impact because of an
 34 independent explosive charge after having been shot from a firearm; [Ø]

35 (5) Knuckles; or

36 (6) Any of the following in violation of federal law:

37 (a) A machine gun;

38 (b) A short-barreled rifle or shotgun;

39 (c) A firearm silencer; or

1 (d) A switchblade knife.

2 2. A person commits an offense if, with the purpose to manufacture or assemble a firearm or
 3 components that can be assembled into a firearm, the person manufactures, assembles, or purchases:

4 (1) A firearm frame or firearm receiver that is not imprinted with a serial number registered
 5 with a federally licensed manufacturer; or

6 (2) A kit or combination of parts from which a firearm without a serial number may be
 7 readily manufactured or otherwise assembled but that does not have the capacity to function as a
 8 firearm unless manufactured or otherwise assembled.

9 3. A person commits an offense if, with the intention to distribute over the Internet or
 10 otherwise, the person distributes digital instructions in the form of computer-aided design files or
 11 other code that can automatically program a three-dimensional printer or similar device to produce a
 12 firearm or to complete a firearm from an unfinished frame or receiver.

13 4. A person does not commit an offense pursuant to this section if his or her conduct
 14 involved any of the items in subdivisions (1) to (5) of subsection 1, the item was possessed in
 15 conformity with any applicable federal law, and the conduct:

16 (1) Was incident to the performance of official duty by the United States Armed Forces,
 17 National Guard, a governmental law enforcement agency, or a penal institution; or

18 (2) Was incident to engaging in a lawful commercial or business transaction with an
 19 organization enumerated in subdivision (1) of this ~~[section]~~ subsection; or

20 (3) Was incident to using an explosive weapon in a manner reasonably related to a lawful
 21 industrial or commercial enterprise; or

22 (4) Was incident to displaying the weapon in a public museum or exhibition; or

23 (5) Was incident to using the weapon in a manner reasonably related to a lawful dramatic
 24 performance.

25 ~~[3-]~~ 5. An offense pursuant to subdivision (1), (2), (3), or (6) of subsection 1 of this section;
 26 subsection 2 of this section; or subsection 3 of this section is a class D felony[; a crime]. An offense
 27 pursuant to subdivision (4) or (5) of subsection 1 of this section is a class A misdemeanor."; and
 28

29 Further amend said bill, Pages 20-25, Section 571.030, Lines 1-184, by deleting all of said section
 30 and lines and inserting in lieu thereof the following:

31
 32 "571.030. 1. A person commits the offense of unlawful use of weapons~~[, except as~~
 33 ~~otherwise provided by sections 571.101 to 571.121,]~~ if he or she knowingly:

34 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any
 35 other weapon readily capable of lethal use ~~[into any area where firearms are restricted under section~~
 36 ~~571.107]; or~~

37 (2) Sets a spring gun; or

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

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

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

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

12 (7) Discharges or shoots a firearm at a mark~~[,at]~~ or any object~~[,or at random,]~~ on, along, or
13 across a public highway or discharges or shoots a firearm into any outbuilding; or

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

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

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

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

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

33 (1) All state, county and municipal peace officers who have completed the training required
34 by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and
35 who possess the duty and power of arrest for violation of the general criminal laws of the state or for
36 violation of ordinances of counties or municipalities of the state, whether such officers are on or off
37 duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or
38 all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the

1 identification defined in subsection 13 of this section, or any person summoned by such officers to
 2 assist in making arrests or preserving the peace while actually engaged in assisting such officer;

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

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

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

9 (5) Any person whose bona fide duty is to execute process, civil or criminal, and who has a
 10 valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry
 11 permit under section 571.111 when such uses are reasonably associated with or are necessary to the
 12 fulfillment of such execution of process;

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

16 (7) Any state probation or parole officer, including supervisors and members of the parole
 17 board, who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid
 18 concealed carry permit under section 571.111 when such uses are reasonably associated with or are
 19 necessary to the fulfillment of such person's official duties;

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

22 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner who has
 23 a valid concealed carry endorsement issued prior to August 28, 2013, or a valid concealed carry
 24 permit under section 571.111 when such uses are reasonably associated with or are necessary to the
 25 fulfillment of such person's official duties;

26 (10) Any ~~[municipal or county]~~ prosecuting attorney or assistant prosecuting attorney~~;~~,
 27 circuit attorney or assistant circuit attorney~~;~~ ~~municipal, associate, or circuit judge;~~, or any person
 28 appointed by a court to be a special prosecutor who has completed the firearms safety training
 29 course required under subsection 2 of section 571.111;

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

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

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

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

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

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

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

[8.] 7. A person who commits the ~~[crime]~~ offense of unlawful use of weapons under:

(1) Subdivision ~~(1)~~, (2), (3), (4), ~~(10)~~, or (11) of subsection 1 of this section shall be guilty of a class ~~[E]~~ D felony;

(2) Subdivision ~~[(4)]~~ (6), (7), or (8) of subsection 1 of this section shall be guilty of a class ~~[B]~~ A misdemeanor~~[-except when a concealed weapon is carried onto any private property whose owner has posted the premises as being off-limits to concealed firearms by means of one or more~~

~~signs displayed in a conspicuous place of a minimum size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch, in which case the penalties of subsection 2 of section 571.107 shall apply] if the firearm is unloaded and a class D felony if the firearm is loaded;~~

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

(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony, except that if the violation of subdivision (9) of subsection 1 of this section results in injury or death to another person, it is a class A felony.

~~[9:]~~ 8. Violations of subdivision (9) of subsection 1 of this section shall be punished as follows:

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

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

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

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

~~[40:]~~ 9. Any person knowingly aiding or abetting any other person in the violation of subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that prescribed by this section for violations by other persons.

~~[41:]~~ 10. Notwithstanding any other provision of law, no person who pleads guilty to or is found guilty of a felony violation of subsection 1 of this section shall receive a suspended imposition of sentence if such person has previously received a suspended imposition of sentence for any other firearms- or weapons-related felony offense.

~~[42:]~~ 11. As used in this section "qualified retired peace officer" means an individual who:

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

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

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

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

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

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

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

~~[43.]~~ 12. The identification required by subdivision (1) of subsection 2 of this section is:

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

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

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

Further amend said bill, Page 26, Section 571.031, Line 29, by inserting after all of said section and line the following:

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

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

(3) Recklessly, as defined in section 562.016, sells, leases, loans, gives away or delivers a firearm or ammunition for a firearm to a person who is intoxicated; or

(4) Knowingly delivers any firearm, incidental to a sale, without withholding delivery of the firearm for at least seventy-two hours after application for its purchase was made.

2. Unlawful transfer of weapons under subdivision (1) of subsection 1 of this section is a class E felony~~;~~. Unlawful transfer of weapons under subdivisions (2) and (3) of subsection 1 of this section is a class A misdemeanor. Unlawful transfer of weapons under subdivision (4) of

subsection 1 of this section punishable with a fine in an amount of two thousand dollars for a first violation, four thousand dollars for a second violation, and ten thousand dollars for a third or subsequent violation."; and

Further amend said bill and page, Section 571.070, Line 15, by inserting after all of said section and line the following:

"571.111. 1. An applicant for a concealed carry permit shall demonstrate knowledge of firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed carry permit:

(1) Submits a photocopy of a certificate of firearms safety training course completion, as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as defined in subsection 6 of this section; or

(2) Submits a photocopy of a certificate that shows the applicant completed a firearms safety course given by or under the supervision of any state, county, municipal, or federal law enforcement agency; or

(3) Is a qualified firearms safety instructor as defined in subsection 6 of this section; or

(4) Submits proof that the applicant currently holds any type of valid peace officer license issued under the requirements of chapter 590; or

(5) Submits proof that the applicant is currently allowed to carry firearms in accordance with the certification requirements of section 217.710; or

(6) Submits proof that the applicant is currently certified as any class of corrections officer by the Missouri department of corrections and has passed at least one eight-hour firearms training course, approved by the director of the Missouri department of corrections under the authority granted to him or her, that includes instruction on the justifiable use of force as prescribed in chapter 563; or

(7) Submits a photocopy of a certificate of firearms safety training course completion that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of subsection 2 of this section that were in effect on the date it was issued.

2. A certificate of firearms safety training course completion may be issued to any applicant by any qualified firearms safety instructor. On the certificate of course completion the qualified firearms safety instructor shall affirm that the individual receiving instruction has taken and passed a firearms safety course of at least eight hours in length taught by the instructor that included:

(1) Handgun safety in the classroom, at home, on the firing range and while carrying the firearm;

(2) A physical demonstration performed by the applicant that demonstrated his or her ability to safely load and unload either a revolver or a semiautomatic pistol and demonstrated his or her marksmanship with either firearm;

(3) The basic principles of marksmanship;

- 1 (4) Care and cleaning of concealable firearms;
- 2 (5) Safe storage of firearms at home;
- 3 (6) The requirements of this state for obtaining a concealed carry permit from the sheriff of
- 4 the individual's county of residence;
- 5 (7) The laws relating to firearms as prescribed in this chapter;
- 6 (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
- 7 (9) A live firing exercise of sufficient duration for each applicant to fire either a revolver or
- 8 a semiautomatic pistol, from a standing position or its equivalent, a minimum of twenty rounds from
- 9 the handgun at a distance of seven yards from a B-27 silhouette target or an equivalent target;
- 10 (10) A live-fire test administered to the applicant while the instructor was present of twenty
- 11 rounds from either a revolver or a semiautomatic pistol from a standing position or its equivalent at
- 12 a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

13 ~~3. [A certificate of firearms safety training course completion may also be issued to an~~
14 ~~applicant who presents proof to a qualified firearms safety instructor that the applicant has passed a~~
15 ~~regular or online course on firearm safety conducted by an instructor certified by the National Rifle~~
16 ~~Association that is at least one hour in length and who also passes the requirements of subdivisions~~
17 ~~(1), (2), (6), (7), (8), (9), and (10) of subsection 2 of this section in a course, not restricted by a~~
18 ~~period of hours, that is taught by a qualified firearms safety instructor.~~

19 4.] A qualified firearms safety instructor shall not give a grade of passing to an applicant for
20 a concealed carry permit who:

- 21 (1) Does not follow the orders of the qualified firearms instructor or cognizant range officer;
- 22 or
- 23 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety
- 24 instructor, poses a danger to the applicant or to others; or
- 25 (3) During the live-fire testing portion of the course fails to hit the silhouette portion of the
- 26 targets with at least fifteen rounds.

27 [5.] 4. Qualified firearms safety instructors who provide firearms safety instruction to any
28 person who applies for a concealed carry permit shall:

- 29 (1) Make the applicant's course records available upon request to the sheriff of the county in
- 30 which the applicant resides;
- 31 (2) Maintain all course records on students for a period of no less than four years from
- 32 course completion date; and
- 33 (3) Not have more than forty students per certified instructor in the classroom portion of the
- 34 course or more than five students per range officer engaged in range firing.

35 [6.] 5. A firearms safety instructor shall be considered to be a qualified firearms safety
36 instructor by any sheriff issuing a concealed carry permit pursuant to sections 571.101 to 571.121 if
37 the instructor:

- 38 (1) Is a valid firearms safety instructor certified by the National Rifle Association holding a
- 39 rating as a personal protection instructor or pistol marksmanship instructor; or

1 (2) Submits a photocopy of a notarized certificate from a firearms safety instructor's course
2 offered by a local, state, or federal governmental agency; or

3 (3) Submits a photocopy of a notarized certificate from a firearms safety instructor course
4 approved by the department of public safety; or

5 (4) Has successfully completed a firearms safety instructor course given by or under the
6 supervision of any state, county, municipal, or federal law enforcement agency; or

7 (5) Is a certified police officer firearms safety instructor.

8 [7:] 6. Any firearms safety instructor qualified under subsection [6] 5 of this section may
9 submit a copy of a training instructor certificate, course outline bearing the notarized signature of
10 the instructor, and a recent photograph of the instructor to the sheriff of the county in which the
11 instructor resides. The sheriff shall review the training instructor certificate along with the course
12 outline and verify the firearms safety instructor is qualified and the course meets the requirements
13 provided under this section. If the sheriff verifies the firearms safety instructor is qualified and the
14 course meets the requirements provided under this section, the sheriff shall collect an annual
15 registration fee of ten dollars from each qualified instructor who chooses to submit such information
16 and submit the registration to the Missouri sheriff methamphetamine relief taskforce. The Missouri
17 sheriff methamphetamine relief taskforce, or its designated agent, shall create and maintain a
18 statewide database of qualified instructors. This information shall be a closed record except for
19 access by any sheriff. Firearms safety instructors may register annually and the registration is only
20 effective for the calendar year in which the instructor registered. Any sheriff may access the
21 statewide database maintained by the Missouri sheriff methamphetamine relief taskforce to verify
22 the firearms safety instructor is qualified and the course offered by the instructor meets the
23 requirements provided under this section. Unless a sheriff has reason to believe otherwise, a sheriff
24 shall presume a firearms safety instructor is qualified to provide firearms safety instruction in
25 counties throughout the state under this section if the instructor is registered on the statewide
26 database of qualified instructors.

27 [8:] 7. Any firearms safety instructor who knowingly provides any sheriff with any false
28 information concerning an applicant's performance on any portion of the required training and
29 qualification shall be guilty of a class C misdemeanor. A violation of the provisions of this section
30 shall result in the person being prohibited from instructing concealed carry permit classes and
31 issuing certificates."; and

32
33 Further amend said bill, Page 28, Section 579.022, Line 10, by inserting after all of said section and
34 line the following:

35
36 "590.210. Notwithstanding any other provision of law, any law enforcement agency in this
37 state may supplement such agency's workforce as necessary with qualified retired peace officers as
38 defined in subsection [42] 11 of section 571.030 when a disaster or emergency has been proclaimed
39 by the governor or when there is a national emergency. Retirees assisting law enforcement agencies

1 under the provisions of this section shall be in compliance with the annual firearms training and
2 qualification standards for retired law enforcement officers carrying concealed firearms established
3 by the department of public safety under section 650.030. Any compensation awarded to retirees
4 for service under this section shall be paid by the law enforcement agency."; and
5
6 Further amend said bill by amending the title, enacting clause, and intersectional references
7 accordingly.