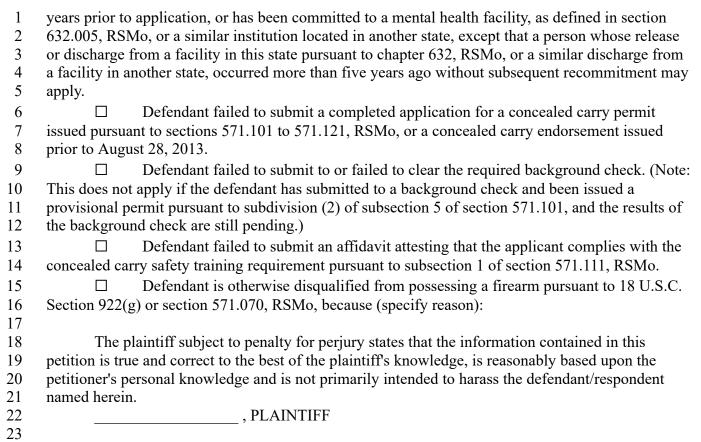
House Amendment NO
Offered By
AMEND House Bill No. 282, Page 17, Section 571.107, Lines 2 and 7, by deleting each occurrence of the phrase "or sections 571.205 to 571.230"; and
Further amend said bill and section, Pages 19-20, Lines 102-107, by deleting said lines and inserting in lieu thereof the following:
"(14) [Any church or other place of religious worship without the consent of the minister or
person or persons representing the religious organization that exercises control over the place of
religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal
offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
the premises;
(15)] Any private property whose owner has posted the premises as being off-limits to"; and
Further amend said bill and section, Page 20, Line 121, by deleting the number "(16)" and inserting in lieu thereof the numbers "[(16)] (15) "; and
Further amend said bill, page, and section, Lines 125 and 128, by deleting each occurence of the number "(17)" and inserting in lieu thereof the numbers "[(17)] (16)"; and
Further amend said bill, Page 24, Section 571.111, Line 117, by inserting after all of said section and line the following:
"571.117. 1. Any person who has knowledge that another person, who was issued a concealed carry permit pursuant to sections 571.101 to 571.121, or concealed carry endorsement prior to August 28, 2013, never was or no longer is eligible for such permit or endorsement under the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that person's concealed carry permit or endorsement. The petition shall be in a form substantially similar to the petition for revocation of concealed carry permit or endorsement provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:
SMALL CLAIMS COURT
In the Circuit Court of, Missouri
, PLAINTIFF
)
Action Taken Date

1	
2	vs. Case Number
3	
4	, DEFENDANT,
5	Carry Permit or Endorsement Holder
6	, DEFENDANT,
7	Sheriff of Issuance
8	PETITION FOR REVOCATION OF A
9	CONCEALED CARRY PERMIT OR CONCEALED CARRY ENDORSEMENT
10	Plaintiff states to the court that the defendant,, has a concealed carry permit issued
11	pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to
12	August 28, 2013, and that the defendant's concealed carry permit or concealed carry endorsement
13	should now be revoked because the defendant either never was or no longer is eligible for such a
14	permit or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo,
15	specifically plaintiff states that defendant,, never was or no longer is eligible for such permit
16 17	or endorsement for one or more of the following reasons:
17	(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)
18	Defendant is not at least [nineteen years of age or at least] eighteen years of age [and
19	a member of the United States Armed Forces or honorably discharged from the United States
20	Armed Forces].
21	Defendant is not a citizen or permanent resident of the United States.
22	Defendant had not resided in this state prior to issuance of the permit and does not
23	qualify as a military member or spouse of a military member stationed in Missouri.
24	Defendant has [pled guilty to or] been convicted of a crime punishable by
25	imprisonment for a term exceeding two years under the laws of any state or of the United States
26	other than a crime classified as a misdemeanor under the laws of any state and punishable by a term
27	of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm
28	silencer, or gas gun.
29	Defendant has been convicted of[, pled guilty to or entered a plea of nolo contendere
30	to] one or more misdemeanor offenses involving crimes of violence within a five-year period
31	immediately preceding application for a concealed carry permit issued pursuant to sections 571.101
32	to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013, or if the
33	applicant has been convicted of two or more misdemeanor offenses involving driving while under
34 35	the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year period immediately preceding application for a concealed carry permit issued
36	pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to
37	August 28, 2013.
38	☐ Defendant is a fugitive from justice or currently charged in an information or
39	indictment with the commission of a crime punishable by imprisonment for a term exceeding one
40	year under the laws of any state of the United States other than a crime classified as a misdemeanor
41	under the laws of any state of the Officed States office than a crime classified as a insademeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does
42	not involve an explosive weapon, firearm, firearm silencer, or gas gun.
43	Defendant has been discharged under dishonorable conditions from the United States
44	Armed Forces.
45	☐ Defendant is reasonably believed by the sheriff to be a danger to self or others based
46	on previous, documented pattern.
47	☐ Defendant is adjudged mentally incompetent at the time of application or for five



2. If at the hearing the plaintiff shows that the defendant was not eligible for the concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28, 2013, at the time of issuance or renewal or is no longer eligible for a concealed carry permit or the concealed carry endorsement, the court shall issue an appropriate order to cause the revocation of the concealed carry permit and, if applicable, the concealed carry endorsement. Costs shall not be assessed against the sheriff.

- 3. The finder of fact, in any action brought against a permit or endorsement holder pursuant to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the permit or endorsement holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.
- 4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a concealed carry permit or concealed carry endorsement may have a right to trial de novo as provided in sections 512.180 to 512.320.
- 5. The office of the county sheriff or any employee or agent of the county sheriff shall not be liable for damages in any civil action arising from alleged wrongful or improper granting, renewing, or failure to revoke a concealed carry permit issued pursuant to sections 571.101 to 571.121, or a certificate of qualification for a concealed carry endorsement issued prior to August 28, 2013, so long as the sheriff acted in good faith."; and

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Further amend said bill, Page 30, Section 571.205, Line 211, by inserting after all of said section and line the following:

- "571.215. 1. A Missouri lifetime or extended concealed carry permit issued under sections 571.205 to 571.230 shall authorize the person in whose name the permit is issued to carry concealed firearms on or about his or her person or vehicle throughout the state. No Missouri lifetime or extended concealed carry permit shall authorize any person to carry concealed firearms into:
- (1) Any police, sheriff, or highway patrol office or station without the consent of the chief law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the premises of the office or station shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (2) Within twenty-five feet of any polling place on any election day. Possession of a firearm in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (3) The facility of any adult or juvenile detention or correctional institution, prison or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any courtrooms, administrative offices, libraries, or other rooms of any such court whether or not such court solely occupies the building in question. This subdivision shall also include, but not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or offices listed in this subdivision are temporarily conducting any business within the jurisdiction of such courts or offices, and such other locations in such manner as may be specified by supreme court rule under subdivision (6) of this subsection. Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who serve in a law enforcement capacity for a court as may be specified by supreme court rule under subdivision (6) of this subsection from carrying a concealed firearm within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (5) Any meeting of the governing body of a unit of local government, or any meeting of the general assembly or a committee of the general assembly, except that nothing in this subdivision shall preclude a member of the body holding a valid Missouri lifetime or extended concealed carry permit from carrying a concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing

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in this subdivision shall preclude a member of the general assembly, a full-time employee of the general assembly employed under Section 17, Article III, Constitution of Missouri, legislative employees of the general assembly as determined under section 21.155, or statewide elected officials and their employees, holding a valid Missouri lifetime or extended concealed carry permit, from carrying a concealed firearm in the state capitol building or at a meeting whether of the full body of a house of the general assembly or a committee thereof, that is held in the state capitol building;

- (6) The general assembly, supreme court, county, or municipality may by rule, administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by permit holders in that portion of a building owned, leased, or controlled by that unit of government. Any portion of a building in which the carrying of concealed firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted area. The statute, rule, or ordinance shall exempt any building used for public housing by private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or controlled by that unit of government from any restriction on the carrying or possession of a firearm. The statute, rule, or ordinance shall not specify any criminal penalty for its violation but may specify that persons violating the statute, rule, or ordinance may be denied entrance to the building, ordered to leave the building and if employees of the unit of government, be subjected to disciplinary measures for violation of the provisions of the statute, rule, or ordinance. The provisions of this subdivision shall not apply to any other unit of government;
- (7) Any establishment licensed to dispense intoxicating liquor for consumption on the premises, which portion is primarily devoted to that purpose, without the consent of the owner or manager. The provisions of this subdivision shall not apply to the licensee of said establishment. The provisions of this subdivision shall not apply to any bona fide restaurant open to the general public having dining facilities for not less than fifty persons and that receives at least fifty-one percent of its gross annual income from the dining facilities by the sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has been issued a Missouri lifetime or extended concealed carry permit to possess any firearm while intoxicated;
- (8) Any area of an airport to which access is controlled by the inspection of persons and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
 - (9) Any place where the carrying of a firearm is prohibited by federal law;
- (10) Any higher education institution or elementary or secondary school facility without the consent of the governing body of the higher education institution or a school official or the district school board, unless the person with the Missouri lifetime or extended concealed carry permit is a

Page 5 of 10

teacher or administrator of an elementary or secondary school who has been designated by his or her school district as a school protection officer and is carrying a firearm in a school within that district, in which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher education institution or elementary or secondary school facility shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

- (11) Any portion of a building used as a child care facility without the consent of the manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family home from owning or possessing a firearm or a Missouri lifetime or extended concealed carry permit;
- (12) Any riverboat gambling operation accessible by the public without the consent of the owner or manager under rules promulgated by the gaming commission. Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the premises of the amusement park shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (14) [Any church or other place of religious worship without the consent of the minister or person or persons representing the religious organization that exercises control over the place of religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;
- (15)] 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. The owner, business or commercial lessee, manager of a private business enterprise, or any other organization, entity, or person may prohibit persons holding a Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the premises and may prohibit employees, not authorized by the employer, holding a Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the property of the employer. If the building or the premises are open to the public, the employer of the business enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An employer may prohibit employees or other persons holding a Missouri lifetime or extended concealed carry permit from carrying a concealed firearm in vehicles owned by the employer;
- [(16)] (15) Any sports arena or stadium with a seating capacity of five thousand or more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

[(17)] (16) Any hospital accessible by the public. Possession of a firearm in a vehicle on the premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the premises.

2. Carrying of a concealed firearm in a location specified in subdivisions (1) to [(17)] (16) of subsection 1 of this section by any individual who holds a Missouri lifetime or extended concealed carry permit shall not be a criminal act but may subject the person to denial to the premises or removal from the premises. If such person refuses to leave the premises and a peace officer is summoned, such person may be issued a citation for an amount not to exceed one hundred dollars for the first offense. If a second citation for a similar violation occurs within a six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or her permit to carry concealed firearms shall be suspended for a period of one year. If a third citation for a similar violation is issued within one year of the first citation, such person shall be fined an amount not to exceed five hundred dollars and shall have his or her Missouri lifetime or extended concealed carry permit revoked and such person shall not be eligible for a Missouri lifetime or extended concealed carry permit or a concealed carry permit issued under sections 571.101 to 571.121 for a period of three years. Upon conviction of charges arising from a citation issued under this subsection, the court shall notify the sheriff of the county which issued the Missouri lifetime or extended concealed carry permit. The sheriff shall suspend or revoke the Missouri lifetime or extended concealed carry permit.

571.225. 1. Any person who has knowledge that another person, who was issued a Missouri lifetime or extended concealed carry permit under sections 571.205 to 571.230, never was or no longer is eligible for such permit under the criteria established in sections 571.205 to 571.230 may file a petition with the clerk of the small claims court to revoke that person's Missouri lifetime or extended concealed carry permit. The petition shall be in a form substantially similar to the petition for revocation of a Missouri lifetime or extended concealed carry permit provided in this section. Appeal forms shall be provided by the clerk of the small claims court free of charge to any person:

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           SMALL CLAIMS COURT
           In the Circuit Court of _____, Missouri
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                , PLAINTIFF
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                 )
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                       Case Number
           VS.
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36
                , DEFENDANT,
           Lifetime or Extended Carry Permit Holder
37
38
           , DEFENDANT,
39
           Sheriff of Issuance
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1	PETITION FOR REVOCATION OF A
2	MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY PERMIT
3	Plaintiff states to the court that the defendant,, has a Missouri lifetime or extended
4	concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo, and that the
5	defendant's Missouri lifetime or extended concealed carry permit should now be revoked because
6	the defendant either never was or no longer is eligible for such a permit pursuant to the provisions of
7	sections 571.205 to 571.230, RSMo, specifically plaintiff states that defendant,, never was
8	or no longer is eligible for such permit or endorsement for one or more of the following reasons:
9	(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)
10	☐ Defendant is not at least [nineteen years of age or at least] eighteen years of age [and
11	a member of the United States Armed Forces or honorably discharged from the United States
12	Armed Forces].
13	☐ Defendant is not a citizen or permanent resident of the United States.
14	☐ Defendant had not resided in this state prior to issuance of the permit or is not a
15	current resident of this state.
16	☐ Defendant has [pled guilty to or] been convicted of a crime punishable by
17	imprisonment for a term exceeding two years under the laws of any state or of the United States
18	other than a crime classified as a misdemeanor under the laws of any state and punishable by a term
19	of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm
20	silencer, or gas gun.
21	☐ Defendant has been convicted of[, pled guilty to or entered a plea of nolo contendere
22	to] one or more misdemeanor offenses involving crimes of violence within a five-year period
23	immediately preceding application for a Missouri lifetime or extended concealed carry permit issued
24	pursuant to sections 571.205 to 571.230, RSMo, or the defendant has been convicted of two or more
25	misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or
26	the possession or abuse of a controlled substance within a five-year period immediately preceding
27	application for a concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo.
28	☐ Defendant is a fugitive from justice or currently charged in an information or
29	indictment with the commission of a crime punishable by imprisonment for a term exceeding one
30	year under the laws of any state of the United States other than a crime classified as a misdemeanor
31	under the laws of any state and punishable by a term of imprisonment of two years or less that does
32	not involve an explosive weapon, firearm, firearm silencer, or gas gun.
33	Defendant has been discharged under dishonorable conditions from the United States
34	Armed Forces.
35	Defendant is reasonably believed by the sheriff to be a danger to self or others based
36	on previous, documented pattern.
37	Defendant is adjudged mentally incompetent at the time of application or for five
38	years prior to application, or has been committed to a mental health facility, as defined in section
39	632.005, RSMo, or a similar institution located in another state, except that a person whose release

1	or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from
2	a facility in another state, occurred more than five years ago without subsequent recommitment may
3	apply.
4	☐ Defendant failed to submit a completed application for a concealed carry permit
5	issued pursuant to sections 571.205 to 571.230, RSMo.
6	☐ Defendant failed to submit to or failed to clear the required background check.
7	(Note: This does not apply if the defendant has submitted to a background check and been issued a
8	provisional permit pursuant to subdivision (2) of subsection 6 of section 571.205, RSMo, and the
9	results of the background check are still pending.)
10	☐ Defendant failed to submit an affidavit attesting that the applicant complies with the
11	concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111,
12	RSMo.
13	☐ Defendant is otherwise disqualified from possessing a firearm pursuant to 18 U.S.C.
14	Section 922(g) or section 571.070, RSMo, because (specify reason):
15	The plaintiff subject to penalty for perjury states that the information contained in this
16	petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the
17	petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent
18	named herein.
19	, PLAINTIFF
20	
21	2. If at the hearing the plaintiff shows that the defendant was not eligible for the Missouri

2. If at the hearing the plaintiff shows that the defendant was not eligible for the Missouri lifetime or extended concealed carry permit issued under sections 571.205 to 571.230 at the time of issuance or renewal or is no longer eligible for a Missouri lifetime or extended concealed carry permit the court shall issue an appropriate order to cause the revocation of the Missouri lifetime or extended concealed carry permit. Costs shall not be assessed against the sheriff.

- 3. The finder of fact, in any action brought against a permit holder under subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without justification or with malice or primarily with an intent to harass the permit holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in defending the action including, but not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.
- 4. Any person aggrieved by any final judgment rendered by a small claims court in a petition for revocation of a Missouri lifetime or extended concealed carry permit may have a right to trial de novo as provided in sections 512.180 to 512.320.

5. The office of the county sheriff or any employee or agent of the county sheriff shall not
be liable for damages in any civil action arising from alleged wrongful or improper granting,
renewing, or failure to revoke a Missouri lifetime or extended concealed carry permit issued under
sections 571.205 to 571.230 so long as the sheriff acted in good faith."; and

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