

House _____ Amendment NO. _____

Offered By

- 1 AMEND House Committee Substitute for House Bill No. 419, Page 1, Section 191.1720, Lines 1-2,
2 by deleting all of said section and lines from the bill; and
3
4 Further amend said bill, Pages 1-4, Section 191.1725, Lines 1-98, by deleting all of said section and
5 lines from the bill; and
6
7 Further amend said bill, Page 4, Section 191.1730, Lines 1-4, by deleting all of said section and
8 lines from the bill; and
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10 Further amend said bill and page, Section 191.1732, Lines 1-6, by deleting all of said section and
11 lines from the bill; and
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13 Further amend said bill and page, Section 191.1735, Lines 1-15, by deleting all of said section and
14 lines from the bill; and
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16 Further amend said bill, Pages 4-5, Section 191.1740, Lines 1-4, by deleting all of said section and
17 lines from the bill; and
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19 Further amend said bill, Pages 5-6, Section 191.1745, Lines 1-42, by deleting all of said section and
20 lines from the bill; and
21
22 Further amend said bill, Page 6, Section 376.1280, Lines 1-14, by deleting all of said section and
23 lines and inserting in lieu thereof the following:
24
25 571.030. 1. A person commits the offense of unlawful use of weapons, except as
26 otherwise provided by sections 571.101 to 571.121, if he or she knowingly:
27 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or any
28 other weapon readily capable of lethal use into any area where firearms are restricted under section
29 571.107; or
30 (2) Sets a spring gun; or
31 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft, or
32 motor vehicle as defined in section 302.010, or any building or structure used for the assembling of
33 people; or

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

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

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

9 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or across
10 a public highway or discharges or shoots a firearm into any outbuilding; or

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

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

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

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

23 (12) Carries upon or about his or her person a firearm if the person is under twenty-one
24 years of age.

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

32 (1) All state, county and municipal peace officers who have completed the training required
33 by the police officer standards and training commission pursuant to sections 590.030 to 590.050 and
34 who possess the duty and power of arrest for violation of the general criminal laws of the state or for
35 violation of ordinances of counties or municipalities of the state, whether such officers are on or off
36 duty, and whether such officers are within or outside of the law enforcement agency's jurisdiction, or
37 all qualified retired peace officers, as defined in subsection 12 of this section, and who carry the
38 identification defined in subsection 13 of this section, or any person summoned by such officers to
39 assist in making arrests or preserving the peace while actually engaged in assisting such officer;

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

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

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

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

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

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

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

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

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

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

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

30 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when the
31 actor is transporting such weapons in a nonfunctioning state or in an unloaded state when
32 ammunition is not readily accessible or when such weapons are not readily accessible. Subdivision
33 (1) of subsection 1 of this section does not apply to any person [~~nineteen~~] twenty-one years of age or
34 older, or eighteen years of age or older and a member of the United States Armed Forces^[s] or
35 honorably discharged from the United States Armed Forces, transporting a concealable firearm in
36 the passenger compartment of a motor vehicle, so long as such concealable firearm is otherwise
37 lawfully possessed, nor when the actor is also in possession of an exposed firearm or projectile
38 weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon premises over which
39 the actor has possession, authority or control, or is traveling in a continuous journey peaceably

1 through this state. Subdivision (10) of subsection 1 of this section does not apply if the firearm is
2 otherwise lawfully possessed by a person while traversing school premises for the purposes of
3 transporting a student to or from school, or possessed by an adult for the purposes of facilitation of a
4 school-sanctioned firearm-related event or club event. Subdivision (12) of subsection 1 of this
5 section does not apply to any person who is in the lawful pursuit of game; who is acting in his or her
6 capacity as a member of the United States Armed Forces or a law enforcement agency; who is in his
7 or her dwelling unit or upon premises over which the person has possession, authority, or control;
8 who is traveling in a continuous journey peaceably through this state; or who is eighteen years of
9 age or older and a member of the United States Armed Forces or honorably discharged from the
10 United States Armed Forces.

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

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

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

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

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

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

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

1 (3) Subdivision (5) ~~or~~, (10), or (12) of subsection 1 of this section shall be guilty of a class
2 A misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

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

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

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

9 (2) For any violation by a prior 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
11 possibility of parole, probation or conditional release for a term of ten years;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

15 571.101. 1. All applicants for concealed carry permits issued pursuant to subsection 7 of
16 this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can
17 show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue
18 a concealed carry permit authorizing the carrying of a concealed firearm on or about the applicant's
19 person or within a vehicle. A concealed carry permit shall be valid from the date of issuance or
20 renewal until five years from the last day of the month in which the permit was issued or renewed.
21 The concealed carry permit is valid throughout this state. Although the permit is considered valid in
22 the state, a person who fails to renew his or her permit within five years from the date of issuance or
23 renewal shall not be eligible for an exception to a National Instant Criminal Background Check
24 under federal regulations currently codified under 27 CFR 478.102(d), relating to the transfer, sale,
25 or delivery of firearms from licensed dealers. A concealed carry endorsement issued prior to August
26 28, 2013, shall continue from the date of issuance or renewal until three years from the last day of
27 the month in which the endorsement was issued or renewed to authorize the carrying of a concealed
28 firearm on or about the applicant's person or within a vehicle in the same manner as a concealed
29 carry permit issued under subsection 7 of this section on or after August 28, 2013.

30 2. A concealed carry permit issued pursuant to subsection 7 of this section shall be issued by
31 the sheriff or his or her designee of the county or city in which the applicant resides, if the applicant:

32 (1) Is a permanent resident of the United States, is at least ~~nineteen~~ twenty-one years of
33 age, ~~[is a citizen or permanent resident of the United States]~~ and either:

34 (a) Has assumed residency in this state; or

35 (b) Is a member of the United States Armed Forces stationed in Missouri~~;~~ or the spouse of
36 such member of the military;

37 (2) Is a citizen of the United States, is at least ~~nineteen~~ twenty-one years of age~~;~~ or ~~[is]~~ at
38 least eighteen years of age and a member of the United States Armed Forces or honorably
39 discharged from the United States Armed Forces, ~~[and is a citizen of the United States]~~ and either:

1 (a) Has assumed residency in this state; or
 2 (b) Is a member of the United States Armed Forces stationed in Missouri[;] or
 3 [~~e~~] the spouse of such member of the military [~~stationed in Missouri and nineteen years of~~
 4 ~~age~~];

5 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime
 6 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
 7 United States other than a crime classified as a misdemeanor under the laws of any state and
 8 punishable by a term of imprisonment of two years or less that does not involve an explosive
 9 weapon, firearm, firearm silencer or gas gun;

10 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or
 11 more misdemeanor offenses involving crimes of violence within a five-year period immediately
 12 preceding application for a concealed carry permit or if the applicant has not been convicted of two
 13 or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or
 14 drugs or the possession or abuse of a controlled substance within a five-year period immediately
 15 preceding application for a concealed carry permit;

16 (5) Is not a fugitive from justice or currently charged in an information or indictment with
 17 the commission of a crime punishable by imprisonment for a term exceeding one year under the
 18 laws of any state of the United States other than a crime classified as a misdemeanor under the laws
 19 of any state and punishable by a term of imprisonment of two years or less that does not involve an
 20 explosive weapon, firearm, firearm silencer, or gas gun;

21 (6) Has not been discharged under dishonorable conditions from the United States Armed
 22 Forces;

23 (7) Has not engaged in a pattern of behavior, documented in public or closed records, that
 24 causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or
 25 others;

26 (8) Is not adjudged mentally incompetent at the time of application or for five years prior to
 27 application, or has not been committed to a mental health facility, as defined in section 632.005, or a
 28 similar institution located in another state following a hearing at which the defendant was
 29 represented by counsel or a representative;

30 (9) Submits a completed application for a permit as described in subsection 3 of this section;

31 (10) Submits an affidavit attesting that the applicant complies with the concealed carry
 32 safety training requirement pursuant to subsections 1 and 2 of section 571.111;

33 (11) Is not the respondent of a valid full order of protection which is still in effect; and

34 (12) Is not otherwise prohibited from possessing a firearm under section 571.070 or 18
 35 U.S.C. Section 922(g).

36 3. The application for a concealed carry permit issued by the sheriff of the county of the
 37 applicant's residence shall contain only the following information:

38 (1) The applicant's name, address, telephone number, gender, date and place of birth, and, if
 39 the applicant is not a United States citizen, the applicant's country of citizenship and any alien or

1 admission number issued by the Federal Bureau of Customs and Immigration Enforcement or any
2 successor agency;

3 (2) An affirmation that the applicant has assumed residency in Missouri or is a member of
4 the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is
5 a citizen or permanent resident of the United States;

6 (3) An affirmation that the applicant is at least [~~nineteen~~] twenty-one years of age or is
7 eighteen years of age or older and a member of the United States Armed Forces or honorably
8 discharged from the United States Armed Forces;

9 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime
10 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
11 United States other than a crime classified as a misdemeanor under the laws of any state and
12 punishable by a term of imprisonment of two years or less that does not involve an explosive
13 weapon, firearm, firearm silencer, or gas gun;

14 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a
15 plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a
16 five-year period immediately preceding application for a permit or if the applicant has not been
17 convicted of two or more misdemeanor offenses involving driving while under the influence of
18 intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year
19 period immediately preceding application for a permit;

20 (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an
21 information or indictment with the commission of a crime punishable by imprisonment for a term
22 exceeding one year under the laws of any state or of the United States other than a crime classified
23 as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two
24 years or less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

25 (7) An affirmation that the applicant has not been discharged under dishonorable conditions
26 from the United States Armed Forces;

27 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of
28 application or for five years prior to application, or has not been committed to a mental health
29 facility, as defined in section 632.005, or a similar institution located in another state, except that a
30 person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar
31 discharge from a facility in another state, occurred more than five years ago without subsequent
32 recommitment may apply;

33 (9) An affirmation that the applicant has received firearms safety training that meets the
34 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

35 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not
36 the respondent of a valid full order of protection which is still in effect;

37 (11) A conspicuous warning that false statements made by the applicant will result in
38 prosecution for perjury pursuant to the laws of the state of Missouri; and

1 (12) A government-issued photo identification. This photograph shall not be included on
2 the permit and shall only be used to verify the person's identity for permit renewal, or for the
3 issuance of a new permit due to change of address, or for a lost or destroyed permit.

4 4. An application for a concealed carry permit shall be made to the sheriff of the county or
5 any city not within a county in which the applicant resides. An application shall be filed in writing,
6 signed under oath and under the penalties of perjury, and shall state whether the applicant complies
7 with each of the requirements specified in subsection 2 of this section. In addition to the completed
8 application, the applicant for a concealed carry permit must also submit the following:

9 (1) A photocopy of a firearms safety training certificate of completion or other evidence of
10 completion of a firearms safety training course that meets the standards established in subsection 1
11 or 2 of section 571.111; and

12 (2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

13 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall make
14 only such inquiries as he or she deems necessary into the accuracy of the statements made in the
15 application. The sheriff may require that the applicant display a Missouri driver's license or
16 nondriver's license or military identification and orders showing the person being stationed in
17 Missouri. In order to determine the applicant's suitability for a concealed carry permit, the applicant
18 shall be fingerprinted. No other biometric data shall be collected from the applicant. The sheriff
19 shall conduct an inquiry of the National Instant Criminal Background Check System within three
20 working days after submission of the properly completed application for a concealed carry permit.
21 If no disqualifying record is identified by these checks at the state level, the fingerprints shall be
22 forwarded to the Federal Bureau of Investigation for a national criminal history record check. Upon
23 receipt of the completed report from the National Instant Criminal Background Check System and
24 the response from the Federal Bureau of Investigation national criminal history record check, the
25 sheriff shall examine the results and, if no disqualifying information is identified, shall issue a
26 concealed carry permit within three working days.

27 (2) In the event the report from the National Instant Criminal Background Check System
28 and the response from the Federal Bureau of Investigation national criminal history record check
29 prescribed by subdivision (1) of this subsection are not completed within forty-five calendar days
30 and no disqualifying information concerning the applicant has otherwise come to the sheriff's
31 attention, the sheriff shall issue a provisional permit, clearly designated on the certificate as such,
32 which the applicant shall sign in the presence of the sheriff or the sheriff's designee. This permit,
33 when carried with a valid Missouri driver's or nondriver's license or a valid military identification,
34 shall permit the applicant to exercise the same rights in accordance with the same conditions as
35 pertain to a concealed carry permit issued under this section, provided that it shall not serve as an
36 alternative to an national instant criminal background check required by 18 U.S.C. Section 922(t).
37 The provisional permit shall remain valid until such time as the sheriff either issues or denies the
38 certificate of qualification under subsection 6 or 7 of this section. The sheriff shall revoke a
39 provisional permit issued under this subsection within twenty-four hours of receipt of any report that

1 identifies a disqualifying record, and shall notify the concealed carry permit system established
2 under subsection 5 of section 650.350. The revocation of a provisional permit issued under this
3 section shall be proscribed in a manner consistent to the denial and review of an application under
4 subsection 6 of this section.

5 6. The sheriff may refuse to approve an application for a concealed carry permit if he or she
6 determines that any of the requirements specified in subsection 2 of this section have not been met,
7 or if he or she has a substantial and demonstrable reason to believe that the applicant has rendered a
8 false statement regarding any of the provisions of sections 571.101 to 571.121. If the applicant is
9 found to be ineligible, the sheriff is required to deny the application, and notify the applicant in
10 writing, stating the grounds for denial and informing the applicant of the right to submit, within
11 thirty days, any additional documentation relating to the grounds of the denial. Upon receiving any
12 additional documentation, the sheriff shall reconsider his or her decision and inform the applicant
13 within thirty days of the result of the reconsideration. The applicant shall further be informed in
14 writing of the right to appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.
15 After two additional reviews and denials by the sheriff, the person submitting the application shall
16 appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

17 7. If the application is approved, the sheriff shall issue a concealed carry permit to the
18 applicant within a period not to exceed three working days after his or her approval of the
19 application. The applicant shall sign the concealed carry permit in the presence of the sheriff or his
20 or her designee.

21 8. The concealed carry permit shall specify only the following information:

- 22 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes, and
23 signature of the permit holder;
24 (2) The signature of the sheriff issuing the permit;
25 (3) The date of issuance; and
26 (4) The expiration date.

27
28 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths inches
29 long and shall be of a uniform style prescribed by the department of public safety. The permit shall
30 also be assigned a concealed carry permit system county code and shall be stored in sequential
31 number.

32 9. (1) The sheriff shall keep a record of all applications for a concealed carry permit or a
33 provisional permit and his or her action thereon. Any record of an application that is incomplete or
34 denied for any reason shall be kept for a period not to exceed one year. Any record of an application
35 that was approved shall be kept for a period of one year after the expiration and nonrenewal of the
36 permit.

37 (2) The sheriff shall report the issuance of a concealed carry permit or provisional permit to
38 the concealed carry permit system. All information on any such permit that is protected information
39 on any driver's or nondriver's license shall have the same personal protection for purposes of

1 sections 571.101 to 571.121. An applicant's status as a holder of a concealed carry permit,
2 provisional permit, or a concealed carry endorsement issued prior to August 28, 2013, shall not be
3 public information and shall be considered personal protected information. Information retained in
4 the concealed carry permit system under this subsection shall not be distributed to any federal, state,
5 or private entities and shall only be made available for a single entry query of an individual in the
6 event the individual is a subject of interest in an active criminal investigation or is arrested for a
7 crime. A sheriff may access the concealed carry permit system for administrative purposes to issue
8 a permit, verify the accuracy of permit holder information, change the name or address of a permit
9 holder, suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a
10 certified death certificate for the permit holder. Any person who violates the provisions of this
11 subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

12 10. Information regarding any holder of a concealed carry permit, or a concealed carry
13 endorsement issued prior to August 28, 2013, is a closed record. No bulk download or batch data
14 shall be distributed to any federal, state, or private entity, except to MoSMART or a designee
15 thereof. Any state agency that has retained any documents or records, including fingerprint records
16 provided by an applicant for a concealed carry endorsement prior to August 28, 2013, shall destroy
17 such documents or records, upon successful issuance of a permit.

18 11. For processing an application for a concealed carry permit pursuant to sections 571.101
19 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one hundred
20 dollars which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.
21 This fee shall include the cost to reimburse the Missouri state highway patrol for the costs of
22 fingerprinting and criminal background checks. An additional fee shall be added to each credit card,
23 debit card, or other electronic transaction equal to the charge paid by the state or the applicant for
24 the use of the credit card, debit card, or other electronic payment method by the applicant.

25 12. For processing a renewal for a concealed carry permit pursuant to sections 571.101 to
26 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars
27 which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

28 13. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the
29 sheriff of any county or city not within a county or his or her designee and in counties of the first
30 classification the sheriff may designate the chief of police of any city, town, or municipality within
31 such county.

32 14. For the purposes of this chapter, "concealed carry permit" shall include any concealed
33 carry endorsement issued by the department of revenue before January 1, 2014, and any concealed
34 carry document issued by any sheriff or under the authority of any sheriff after December 31, 2013.

35 571.117. 1. Any person who has knowledge that another person, who was issued a
36 concealed carry permit pursuant to sections 571.101 to 571.121, or concealed carry endorsement
37 prior to August 28, 2013, never was or no longer is eligible for such permit or endorsement under
38 the criteria established in sections 571.101 to 571.121 may file a petition with the clerk of the small
39 claims court to revoke that person's concealed carry permit or endorsement. The petition shall be in

- 1 a form substantially similar to the petition for revocation of concealed carry permit or endorsement
- 2 provided in this section. Appeal forms shall be provided by the clerk of the small claims court free
- 3 of charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of _____, Missouri

_____, PLAINTIFF

)

)

vs.

)

Case Number _____

)

_____, DEFENDANT,

Carry Permit or Endorsement Holder

_____, DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF A

CONCEALED CARRY PERMIT OR CONCEALED CARRY ENDORSEMENT

Plaintiff states to the court that the defendant, _____, has a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013, and that the defendant's concealed carry permit or concealed carry endorsement should now be revoked because the defendant either never was or no longer is eligible for such a permit or endorsement pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that defendant, _____, never was or no longer is eligible for such permit or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- Defendant is not at least [~~nineteen~~] twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- Defendant is not a citizen or permanent resident of the United States.
- Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri.
- Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding two years under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by

a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

- Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under 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 pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013.
- Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
- Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
- Defendant failed to submit a completed application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013.
- Defendant failed to submit to or failed to clear the required background check. (Note: This does not apply if the defendant has submitted to a background check and been issued a provisional permit pursuant to subdivision (2) of subsection 5 of section 571.101, and the results of the background check are still pending.)
- Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.
- Defendant is otherwise disqualified from possessing a firearm pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo, because (specify reason):

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

_____, PLAINTIFF

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

7 3. The finder of fact, in any action brought against a permit or endorsement holder pursuant
8 to subsection 1 of this section, shall make findings of fact and the court shall make conclusions of
9 law addressing the issues at dispute. If it is determined that the plaintiff in such an action acted
10 without justification or with malice or primarily with an intent to harass the permit or endorsement
11 holder or that there was no reasonable basis to bring the action, the court shall order the plaintiff to
12 pay the defendant/respondent all reasonable costs incurred in defending the action including, but not
13 limited to, attorney's fees, deposition costs, and lost wages. Once the court determines that the
14 plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of fees and costs
15 to be awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any
16 other provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty
17 dollars per hour.

18 4. Any person aggrieved by any final judgment rendered by a small claims court in a
19 petition for revocation of a concealed carry permit or concealed carry endorsement may have a right
20 to trial de novo as provided in sections 512.180 to 512.320.

21 5. The office of the county sheriff or any employee or agent of the county sheriff shall not
22 be liable for damages in any civil action arising from alleged wrongful or improper granting,
23 renewing, or failure to revoke a concealed carry permit issued pursuant to sections 571.101 to
24 571.121, or a certificate of qualification for a concealed carry endorsement issued prior to August
25 28, 2013, so long as the sheriff acted in good faith.

26 571.205. 1. Upon request and payment of the required fee, the sheriff shall issue a
27 concealed carry permit that is valid through the state of Missouri for the lifetime of the permit
28 holder to a Missouri resident who meets the requirements of sections 571.205 to 571.230, known as
29 a Missouri lifetime concealed carry permit. A person may also request, and the sheriff shall issue
30 upon payment of the required fee, a concealed carry permit that is valid through the state of
31 Missouri for a period of either ten years or twenty-five years from the date of issuance or renewal to
32 a Missouri resident who meets the requirements of sections 571.205 to 571.230. Such permit shall
33 be known as a Missouri extended concealed carry permit. A person issued a Missouri lifetime or
34 extended concealed carry permit shall be required to comply with the provisions of sections 571.205

1 to 571.230. If the applicant can show qualification as provided by sections 571.205 to 571.230, the
2 sheriff shall issue a Missouri lifetime or extended concealed carry permit authorizing the carrying of
3 a concealed firearm on or about the applicant's person or within a vehicle.

4 2. A Missouri lifetime or extended concealed carry permit shall be suspended if the permit
5 holder becomes a resident of another state. The permit may be reactivated upon reestablishment of
6 Missouri residency if the applicant meets the requirements of sections 571.205 to 571.230, and upon
7 successful completion of a name-based inquiry of the National Instant Background Check System.

8 3. A Missouri lifetime or extended concealed carry permit shall be issued by the sheriff or
9 his or her designee of the county or city in which the applicant resides, if the applicant:

10 (1) Is at least [~~nineteen~~] twenty-one years of age, is a citizen or permanent resident of the
11 United States, and has assumed residency in this state, or the applicant is at least eighteen years of
12 age and a member of the United States Armed Forces or honorably discharged from the United
13 States Armed Forces, [~~and~~] is a citizen of the United States, and has assumed residency in this state;

14 (2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime
15 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
16 United States, other than a crime classified as a misdemeanor under the laws of any state and
17 punishable by a term of imprisonment of two years or less that does not involve an explosive
18 weapon, firearm, firearm silencer, or gas gun;

19 (3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or
20 more misdemeanor offenses involving crimes of violence within a five-year period immediately
21 preceding application for a Missouri lifetime or extended concealed carry permit or if the applicant
22 has not been convicted of two or more misdemeanor offenses involving driving while under the
23 influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within
24 a five-year period immediately preceding application for a Missouri lifetime or extended concealed
25 carry permit;

26 (4) Is not a fugitive from justice or currently charged in an information or indictment with
27 the commission of a crime punishable by imprisonment for a term exceeding one year under the
28 laws of any state of the United States, other than a crime classified as a misdemeanor under the laws
29 of any state and punishable by a term of imprisonment of two years or less that does not involve an
30 explosive weapon, firearm, firearm silencer, or gas gun;

31 (5) Has not been discharged under dishonorable conditions from the United States Armed
32 Forces;

33 (6) Has not engaged in a pattern of behavior, documented in public or closed records, that
34 causes the sheriff to have a reasonable belief that the applicant presents a danger to himself or
35 herself or others;

36 (7) Is not adjudged mentally incompetent at the time of application or for five years prior to
37 application, or has not been committed to a mental health facility, as defined in section 632.005, or a
38 similar institution located in another state following a hearing at which the defendant was
39 represented by counsel or a representative;

1 (8) Submits a completed application for a permit as described in subsection 4 of this section;
2 (9) Submits an affidavit attesting that the applicant complies with the concealed carry safety
3 training requirement under subsections 1 and 2 of section 571.111;

4 (10) Is not the respondent of a valid full order of protection which is still in effect;

5 (11) Is not otherwise prohibited from possessing a firearm under section 571.070 or 18
6 U.S.C. Section 922(g).

7 4. The application for a Missouri lifetime or extended concealed carry permit issued by the
8 sheriff of the county of the applicant's residence shall contain only the following information:

9 (1) The applicant's name, address, telephone number, gender, date and place of birth, and, if
10 the applicant is not a United States citizen, the applicant's country of citizenship and any alien or
11 admission number issued by the United States Immigration and Customs Enforcement or any
12 successor agency;

13 (2) An affirmation that the applicant has assumed residency in Missouri and is a citizen or
14 permanent resident of the United States;

15 (3) An affirmation that the applicant is at least [~~nineteen~~] twenty-one years of age or is
16 eighteen years of age or older and a member of the United States Armed Forces or honorably
17 discharged from the United States Armed Forces;

18 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime
19 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
20 United States other than a crime classified as a misdemeanor under the laws of any state and
21 punishable by a term of imprisonment of two years or less that does not involve an explosive
22 weapon, firearm, firearm silencer, or gas gun;

23 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a
24 plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a
25 five-year period immediately preceding application for a permit or that the applicant has not been
26 convicted of two or more misdemeanor offenses involving driving while under the influence of
27 intoxicating liquor or drugs or the possession or abuse of a controlled substance within a five-year
28 period immediately preceding application for a permit;

29 (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an
30 information or indictment with the commission of a crime punishable by imprisonment for a term
31 exceeding one year under the laws of any state or of the United States other than a crime classified
32 as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two
33 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

34 (7) An affirmation that the applicant has not been discharged under dishonorable conditions
35 from the United States Armed Forces;

36 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of
37 application or for five years prior to application, or has not been committed to a mental health
38 facility, as defined in section 632.005, or a similar institution located in another state, except that a
39 person whose release or discharge from a facility in this state under chapter 632, or a similar

1 discharge from a facility in another state, occurred more than five years ago without subsequent
2 recommitment may apply;

3 (9) An affirmation that the applicant has received firearms safety training that meets the
4 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

5 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not
6 the respondent of a valid full order of protection which is still in effect;

7 (11) A conspicuous warning that false statements made by the applicant will result in
8 prosecution for perjury under the laws of the state of Missouri; and

9 (12) A government-issued photo identification. This photograph shall not be included on
10 the permit and shall only be used to verify the person's identity for the issuance of a new permit,
11 issuance of a new permit due to change of name or address, renewal of an extended permit, or for a
12 lost or destroyed permit, or reactivation under subsection 2 of this section.

13 5. An application for a Missouri lifetime or extended concealed carry permit shall be made
14 to the sheriff of the county in which the applicant resides. An application shall be filed in writing,
15 signed under oath and under the penalties of perjury, and shall state whether the applicant complies
16 with each of the requirements specified in subsection 3 of this section. In addition to the completed
17 application, the applicant for a Missouri lifetime or extended concealed carry permit shall also
18 submit the following:

19 (1) A photocopy of a firearms safety training certificate of completion or other evidence of
20 completion of a firearms safety training course that meets the standards established in subsection 1
21 or 2 of section 571.111; and

22 (2) A nonrefundable permit fee as provided by subsection 12 of this section.

23 6. (1) Before an application for a Missouri lifetime or extended concealed carry permit is
24 approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy
25 of the statements made in the application. The sheriff may require that the applicant display a
26 Missouri driver's license or nondriver's license or military identification. No biometric data shall be
27 collected from the applicant. The sheriff shall conduct an inquiry of the National Instant Criminal
28 Background Check System within three working days after submission of the properly completed
29 application for a Missouri lifetime or extended concealed carry permit. Upon receipt of the
30 completed report from the National Instant Criminal Background Check System, the sheriff shall
31 examine the results and, if no disqualifying information is identified, shall issue a Missouri lifetime
32 or extended concealed carry permit within three working days.

33 (2) In the event the report from the National Instant Criminal Background Check System
34 and the response from the Federal Bureau of Investigation national criminal history record check
35 prescribed by subdivision (1) of this subsection are not completed within forty-five calendar days
36 and no disqualifying information concerning the applicant has otherwise come to the sheriff's
37 attention, the sheriff shall issue a provisional permit, clearly designated on the certificate as such,
38 which the applicant shall sign in the presence of the sheriff or the sheriff's designee. This permit,
39 when carried with a valid Missouri driver's or nondriver's license, shall permit the applicant to

1 exercise the same rights in accordance with the same conditions as pertain to a Missouri lifetime or
2 extended concealed carry permit issued under this section, provided that it shall not serve as an
3 alternative to a national instant criminal background check required by 18 U.S.C. Section 922(t).
4 The provisional permit shall remain valid until such time as the sheriff either issues or denies the
5 permit under subsection 7 or 8 of this section. The sheriff shall revoke a provisional permit issued
6 under this subsection within twenty-four hours of receipt of any report that identifies a disqualifying
7 record, and shall notify the concealed carry permit system established under subsection 5 of section
8 650.350. The revocation of a provisional permit issued under this section shall be prescribed in a
9 manner consistent to the denial and review of an application under subsection 7 of this section.

10 7. The sheriff may refuse to approve an application for a Missouri lifetime or extended
11 concealed carry permit if he or she determines that any of the requirements specified in subsection 3
12 of this section have not been met, or if he or she has a substantial and demonstrable reason to
13 believe that the applicant has rendered a false statement regarding any of the provisions of sections
14 571.205 to 571.230. If the applicant is found to be ineligible, the sheriff is required to deny the
15 application, and notify the applicant in writing, stating the grounds for denial and informing the
16 applicant of the right to submit, within thirty days, any additional documentation relating to the
17 grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his
18 or her decision and inform the applicant within thirty days of the result of the reconsideration. The
19 applicant shall further be informed in writing of the right to appeal the denial under section 571.220.
20 After two additional reviews and denials by the sheriff, the person submitting the application shall
21 appeal the denial under section 571.220.

22 8. If the application is approved, the sheriff shall issue a Missouri lifetime or extended
23 concealed carry permit to the applicant within a period not to exceed three working days after his or
24 her approval of the application. The applicant shall sign the Missouri lifetime or extended
25 concealed carry permit in the presence of the sheriff or his or her designee.

26 9. The Missouri lifetime or extended concealed carry permit shall specify only the following
27 information:

28 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes, and
29 signature of the permit holder;

30 (2) The signature of the sheriff issuing the permit;

31 (3) The date of issuance;

32 (4) A clear statement indicating that the permit is only valid within the state of Missouri;

33 and

34 (5) If the permit is a Missouri extended concealed carry permit, the expiration date.

35
36 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths inches
37 long and shall be of a uniform style prescribed by the department of public safety. The permit shall
38 also be assigned a concealed carry permit system county code and shall be stored in sequential
39 number.

1 10. (1) The sheriff shall keep a record of all applications for a Missouri lifetime or extended
2 concealed carry permit or a provisional permit and his or her action thereon. Any record of an
3 application that is incomplete or denied for any reason shall be kept for a period not to exceed one
4 year.

5 (2) The sheriff shall report the issuance of a Missouri lifetime or extended concealed carry
6 permit or provisional permit to the concealed carry permit system. All information on any such
7 permit that is protected information on any driver's or nondriver's license shall have the same
8 personal protection for purposes of sections 571.205 to 571.230. An applicant's status as a holder of
9 a Missouri lifetime or extended concealed carry permit or provisional permit shall not be public
10 information and shall be considered personal protected information. Information retained in the
11 concealed carry permit system under this subsection shall not be distributed to any federal, state, or
12 private entities and shall only be made available for a single entry query of an individual in the
13 event the individual is a subject of interest in an active criminal investigation or is arrested for a
14 crime. A sheriff may access the concealed carry permit system for administrative purposes to issue
15 a permit, verify the accuracy of permit holder information, change the name or address of a permit
16 holder, suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a
17 certified death certificate for the permit holder. Any person who violates the provisions of this
18 subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

19 11. Information regarding any holder of a Missouri lifetime or extended concealed carry
20 permit is a closed record. No bulk download or batch data shall be distributed to any federal, state,
21 or private entity, except to MoSMART or a designee thereof.

22 12. For processing an application, the sheriff in each county shall charge a nonrefundable
23 fee not to exceed:

24 (1) Two hundred dollars for a new Missouri extended concealed carry permit that is valid
25 for ten years from the date of issuance or renewal;

26 (2) Two hundred fifty dollars for a new Missouri extended concealed carry permit that is
27 valid for twenty-five years from the date of issuance or renewal;

28 (3) Fifty dollars for a renewal of a Missouri extended concealed carry permit;

29 (4) Five hundred dollars for a Missouri lifetime concealed carry permit,
30

31 which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

32 571.225. 1. Any person who has knowledge that another person, who was issued a Missouri
33 lifetime or extended concealed carry permit under sections 571.205 to 571.230, never was or no
34 longer is eligible for such permit under the criteria established in sections 571.205 to 571.230 may
35 file a petition with the clerk of the small claims court to revoke that person's Missouri lifetime or
36 extended concealed carry permit. The petition shall be in a form substantially similar to the petition
37 for revocation of a Missouri lifetime or extended concealed carry permit provided in this section.

38 ~~[Appeal]~~ Revocation petition forms shall be provided by the clerk of the small claims court free of
39 charge to any person:

SMALL CLAIMS COURT

In the Circuit Court of _____, Missouri

_____, PLAINTIFF

)

)

vs.

)

Case Number _____

)

)

_____, DEFENDANT,

Lifetime or Extended Carry Permit Holder

_____, DEFENDANT,

Sheriff of Issuance

PETITION FOR REVOCATION OF A

MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY PERMIT

Plaintiff states to the court that the defendant, _____, has a Missouri lifetime or extended concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo, and that the defendant's Missouri lifetime or extended concealed carry permit should now be revoked because the defendant either never was or no longer is eligible for such a permit pursuant to the provisions of sections 571.205 to 571.230, RSMo, specifically plaintiff states that defendant, _____, never was or no longer is eligible for such permit or endorsement for one or more of the following reasons:

(CHECK BELOW EACH REASON THAT APPLIES TO THIS DEFENDANT)

- Defendant is not at least [~~nineteen~~] twenty-one years of age or at least eighteen years of age and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces.
- Defendant is not a citizen or permanent resident of the United States.
- Defendant had not resided in this state prior to issuance of the permit or is not a current resident of this state.
- Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for a term exceeding two years under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

- Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a Missouri lifetime or extended concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo, or the defendant has been convicted of two or more misdemeanor offenses involving driving while under 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 pursuant to sections 571.205 to 571.230, RSMo.
- Defendant is a fugitive from justice or currently charged in an information or indictment with the commission of a crime punishable by imprisonment for a term exceeding one year under the laws of any state of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.
- Defendant has been discharged under dishonorable conditions from the United States Armed Forces.
- Defendant is reasonably believed by the sheriff to be a danger to self or others based on previous, documented pattern.
- Defendant is adjudged mentally incompetent at the time of application or for five years prior to application, or has been committed to a mental health facility, as defined in section 632.005, RSMo, or a similar institution located in another state, except that a person whose release or discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a facility in another state, occurred more than five years ago without subsequent recommitment may apply.
- Defendant failed to submit a completed application for a concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo.
- Defendant failed to submit to or failed to clear the required background check. (Note: This does not apply if the defendant has submitted to a background check and been issued a provisional permit pursuant to subdivision (2) of subsection 6 of section 571.205, RSMo, and the results of the background check are still pending.)
- Defendant failed to submit an affidavit attesting that the applicant complies with the concealed carry safety training requirement pursuant to subsections 1 and 2 of section 571.111, RSMo.
- Defendant is otherwise disqualified from possessing a firearm pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo, because _____ (specify reason):

The plaintiff subject to penalty for perjury states that the information contained in this petition is true and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal knowledge and is not primarily intended to harass the defendant/respondent named herein.

_____, PLAINTIFF

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

6 3. The finder of fact, in any action brought against a permit holder under subsection 1 of this
7 section, shall make findings of fact and the court shall make conclusions of law addressing the
8 issues at dispute. If it is determined that the plaintiff in such an action acted without justification or
9 with malice or primarily with an intent to harass the permit holder or that there was no reasonable
10 basis to bring the action, the court shall order the plaintiff to pay the defendant/respondent all
11 reasonable costs incurred in defending the action including, but not limited to, attorney's fees,
12 deposition costs, and lost wages. Once the court determines that the plaintiff is liable to the
13 defendant/respondent for costs and fees, the extent and type of fees and costs to be awarded should
14 be liberally calculated in defendant/respondent's favor. Notwithstanding any other provision of law,
15 reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

16 4. Any person aggrieved by any final judgment rendered by a small claims court in a
17 petition for revocation of a Missouri lifetime or extended concealed carry permit may have a right to
18 trial de novo as provided in sections 512.180 to 512.320.

19 5. The office of the county sheriff or any employee or agent of the county sheriff shall not
20 be liable for damages in any civil action arising from alleged wrongful or improper granting,
21 renewing, or failure to revoke a Missouri lifetime or extended concealed carry permit issued under
22 sections 571.205 to 571.230 so long as the sheriff acted in good faith."; and
23

24 Further amend said bill and page, Section B, Lines 1-9, by deleting all of said section and lines from
25 the bill; and
26

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