

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 1108 & 1181, Page 19, Section 492.304, Line 42,  
2 by inserting after said section and line the following:

3  
4 "542.271. 1. A warrant may be issued to search for and seize, or photograph, copy or record any of  
5 the following:

6 (1) Property, article, material, or substance that constitutes evidence of the commission of a criminal  
7 offense; or

8 (2) Property which has been stolen or acquired in any other manner declared an offense by chapters  
9 569 and 570; or

10 (3) Property owned by any person furnishing public communications services to the general public  
11 subject to the regulations of the public service commission if such person has failed to remove the property  
12 within a reasonable time after receipt of a written notice from a peace officer stating that such property is  
13 being used as an instrumentality in the commission of an offense; or

14 (4) Property for which possession is an offense under the law of this state; or

15 (5) Property for which seizure is authorized or directed by any statute of this state; or

16 (6) Property which has been used by the owner or used with his acquiescence or consent as a raw  
17 material or as an instrument to manufacture or produce any thing for which possession is an offense under the  
18 laws of this state.

19 2. A warrant may be issued to search for and rescue a kidnapped person.

20 3. A warrant may be issued to search for any person for whom a valid felony arrest warrant is  
21 outstanding.

22 4. A warrant may be issued to search for and seize any deceased human fetus or corpse, or part  
23 thereof.

24 5. A warrant may be issued to search for and seize any firearm in the possession of a person subject  
25 to an extreme risk protection order or temporary extreme risk protection order if there is probable cause to  
26 believe the person is in possession of one or more firearms.

27 6. The provisions of sections 542.261 to 542.296 and section 542.301 shall prevail over any rules  
28 and regulations promulgated by any state governmental agency, commission or board, to the contrary  
29 notwithstanding."; and  
30

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 Further amend said bill, Page 32, Section 570.212, Line 11, by inserting after said section and line the  
2 following:

3  
4 "571.801. Sections 571.801 to 571.815 shall be known and may be cited as the "Firearm Violence  
5 Prevention Act".

6 571.802. As used in sections 571.801 to 571.815, the following terms mean:

7 (1) "Extreme risk protection order", either a temporary order or a continuing order granted under  
8 sections 571.801 to 571.815;

9 (2) "Family or household member", with respect to a respondent, any:

10 (a) Person related by blood, marriage, or adoption to the respondent;

11 (b) Person who has a child in common with the respondent, regardless of whether such person has  
12 been married to the respondent or has lived together with the respondent at any time;

13 (c) Person who regularly resides with the respondent or regularly resided with the respondent within  
14 the last six months;

15 (d) Domestic partner of the respondent;

16 (e) Person who has a biological or legal parent-child relationship with the respondent, including  
17 stepparents and stepchildren and grandparents and grandchildren;

18 (f) Dating partner of the respondent; or

19 (g) Person who is acting or has acted as the respondent's legal guardian;

20 (3) "Firearm", any handgun, rifle, shotgun, or other instrument or device capable or intended to be  
21 capable of discharging bullets, cartridges, or other explosive charges;

22 (4) "Petitioner", the person who petitions for an extreme risk protection order under sections 571.801  
23 to 571.815;

24 (5) "Respondent", the person who is identified as the respondent in a petition filed under sections  
25 571.801 to 571.815.

26 571.803. 1. A family or household member of the respondent or a law enforcement officer or  
27 agency may request a temporary extreme risk protection order without notice to the respondent by including  
28 in the petition for an extreme risk protection order an affidavit, signed under oath and penalty of perjury,  
29 supporting the issuance of a temporary extreme risk protection order that sets forth the facts to establish the  
30 grounds of the petition or the reason for believing the grounds exist. The petition shall comply with the  
31 requirements of subsection 3 of section 571.804. If a petition described under section 552.020 is also filed  
32 against the respondent, the court may hear that petition at the same time as the hearing for a temporary  
33 extreme risk protection order or the hearing for extending an extreme risk protection order.

34 2. In considering whether to issue a temporary extreme risk protection order under this section, the  
35 court shall consider all relevant evidence, including the evidence described under subsection 3 of section  
36 571.805.

37 3. If a court finds by a preponderance of the evidence that, based on the evidence presented under  
38 subsection 3 of section 571.805, the respondent poses a significant risk of causing personal injury to self or

1 others by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a  
2 firearm, the court shall issue a temporary extreme risk protection order.

3 4. The court shall hold a temporary extreme risk protection order hearing in person or by telephone  
4 on the day the petition is filed or on the court day immediately following the day the petition is filed.

5 5. (1) In accordance with subsection 1 of section 571.805, the court shall schedule a hearing within  
6 seven days after the issuance of a temporary extreme risk protection order to determine if a one-hundred-  
7 eighty-two-day extreme risk protection order should be issued. Notice of the hearing date shall be included  
8 with the temporary extreme risk protection order served on the respondent. The court shall provide notice of  
9 the hearing date to the petitioner. Either party may request a different date for the hearing that is beyond the  
10 initial seven days but no later than an additional seven days from the issuance of the temporary extreme risk  
11 protection order with good cause shown. If the court reschedules the hearing, the court shall provide notice  
12 of the new date to the petitioner and respondent, and the temporary extreme risk protection order shall stay in  
13 effect until the new hearing date.

14 (2) Any issued temporary extreme risk protection order shall expire on the date and time of the  
15 hearing on the extreme risk protection order petition or upon the withdrawal of the petition.

16 6. A temporary extreme risk protection order shall include:

17 (1) A statement of the grounds asserted for the order;

18 (2) The date and time the order is issued;

19 (3) The date and time the order expires;

20 (4) The address of the court in which any responsive pleading shall be filed;

21 (5) The date and time of the scheduled hearing;

22 (6) The requirements for surrender of firearms under section 571.809; and

23 (7) The following statement:

To the subject of this temporary extreme risk protection order:

This order is valid until the date and time noted above. You shall not have  
in your custody or control a firearm or purchase, possess, receive, or  
attempt to purchase or receive a firearm while this order is in effect. You  
must immediately surrender to the \_\_\_\_\_ (law enforcement agency in  
the jurisdiction where the respondent resides) all firearms in your custody,  
control, or possession, and any concealed carry permit issued to you. A  
hearing will be held on the date and at the time noted above to determine if  
a full extreme risk protection order should be issued. Failure to appear at  
that hearing may result in a court entering an order against you that is valid  
for one hundred eighty-two days. You may seek the advice of an attorney  
as to any matter connected with this order.

24 7. A law enforcement officer shall serve a temporary extreme risk protection order concurrently with  
25 the notice of hearing and petition in the same manner as under section 571.805 for service of the notice of  
26 hearing where the respondent resides or where the firearms of concern are located.

27 8. (1) If the court issues a temporary extreme risk protection order, the court shall state the particular  
28 reasons for the court's issuance.

1           (2) If the court declines to issue a temporary extreme risk protection order, the court shall state the  
2 particular reasons for the court's denial.

3           571.804. 1. A petition for an extreme risk protection order may be filed by a family or household  
4 member of the respondent or a law enforcement officer or agency. If the petition is filed by a law  
5 enforcement officer or agency, the officer or agency shall be represented in any judicial proceeding by a  
6 county or city attorney upon request. If the petition is filed by a family or household member, the petitioner,  
7 to the best of his or her ability, shall notify the law enforcement agency in the jurisdiction where the  
8 respondent resides or where the firearms are located of the petition and of the hearing date with enough  
9 advance notice to allow for participation or attendance.

10           2. A petition for an extreme risk protection order shall be filed with a court in the county where the  
11 respondent resides or where the firearms are located.

12           3. A petition shall:

13           (1) Allege that the respondent poses a significant risk of causing personal injury to self or others by  
14 having in his or her custody or control a firearm or by purchasing, possessing, or receiving a firearm. The  
15 allegation shall be accompanied by an affidavit, signed under oath and penalty of perjury, stating the specific  
16 statements, actions, or facts that give rise to a reasonable fear of future dangerous acts by the respondent;

17           (2) Identify the number, types, and locations of any firearms the petitioner believes to be in the  
18 respondent's current ownership, possession, custody, or control;

19           (3) Identify whether the respondent is a party to an existing domestic abuse protection order; and

20           (4) Identify any pending lawsuit, complaint, petition, or other action between the parties to the  
21 petition pursuant to Missouri law or federal law.

22           4. The court shall verify the terms of any existing order identified under subdivision (3) of  
23 subsection 3 of this section governing the parties. The court shall not delay granting relief because of the  
24 existence of a pending action between the parties or the necessity of verifying the terms of an existing order.  
25 A petition for an extreme risk protection order may be granted regardless of a pending action between the  
26 parties.

27           5. If the petitioner is a law enforcement officer or agency, the petitioner shall make a good faith  
28 effort to provide notice to a family or household member of the respondent and to any known third party who  
29 may be at risk of violence. The notice shall state that the petitioner intends to file, or has already so filed, a  
30 petition for an extreme risk protection order and shall include referrals to appropriate resources including, but  
31 not limited to, mental health, domestic violence, and counseling resources. The petitioner shall attest in the  
32 petition to having provided the notice or attest to the steps that will be taken to provide the notice.

33           6. If the petition states that disclosure of the petitioner's address would risk harm to the petitioner or  
34 any family or household member of the petitioner, the petitioner's address may be omitted from all documents  
35 filed with the court. If the petitioner has not disclosed an address pursuant to this subsection, the petitioner  
36 shall designate an alternative address at which the respondent may serve notice of any motions. If the  
37 petitioner is a law enforcement officer or agency, the address of record shall be that of the law enforcement  
38 agency.

1           7. A court or public agency shall not charge a fee for filing or service of process to a petitioner  
2 seeking relief under sections 571.801 to 571.815. A petitioner shall be provided the necessary number of  
3 certified copies, forms, and instructional brochures free of charge.

4           8. A person shall not be required to post a bond to obtain relief in any proceeding under this section.

5           9. The associate circuit court and circuit courts of the state of Missouri shall have jurisdiction over  
6 proceedings under sections 571.801 to 571.815.

7           571.805. 1. (1) Upon receipt of the petition, the court shall order a hearing and issue a notice to the  
8 respondent. The court shall provide the notice of the hearing no later than one court day after the date of the  
9 extreme risk protection order petition. The court may schedule a hearing by telephone to reasonably  
10 accommodate a disability or, in exceptional circumstances, to protect a petitioner from potential harm. The  
11 court shall require assurances of the petitioner's identity before conducting a telephonic hearing.

12           (2) On or before the next court day, the court clerk shall forward a copy of the notice of the hearing  
13 and petition to the law enforcement agency in the jurisdiction where the respondent resides or where the  
14 firearms are located for service upon the respondent.

15           (3) A copy of the notice of hearing and petition shall be served upon the respondent. Service issued  
16 under this section shall take precedence over the service of other documents unless the other documents are  
17 of a similar emergency nature.

18           (4) The court may, as provided under section 571.803, issue a temporary extreme risk protection  
19 order pending the hearing ordered under subdivision (1) of this section. The temporary extreme risk  
20 protection order shall be served concurrently with the notice of hearing and petition.

21           2. Upon hearing the matter, if the court finds by clear and convincing evidence, based on the  
22 evidence presented under subsection 3 of this section, that the respondent poses a significant risk of causing  
23 personal injury to self or others by having in his or her custody or control a firearm or by purchasing,  
24 possessing, or receiving a firearm, the court shall issue an extreme risk protection order for a period of one  
25 hundred eighty-two days.

26           3. In determining whether grounds for an extreme risk protection order exist, the court may consider  
27 any relevant evidence including, but not limited to:

28           (1) A recent act or credible threat of violence by the respondent against self or others, regardless of  
29 whether such violence or credible threat of violence involved a firearm;

30           (2) A pattern of acts or credible threats of violence by the respondent within the past year including,  
31 but not limited to, acts or credible threats of violence by the respondent against self or others;

32           (3) Any relevant mental health issues of the respondent;

33           (4) A restraining order violation by the respondent;

34           (5) A previous or existing extreme risk protection order issued against the respondent and any  
35 violation of a previous or existing extreme risk protection order;

36           (6) A conviction of the respondent for a crime that includes an underlying factual basis of domestic  
37 violence as defined under section 455.010;

38           (7) The respondent's ownership, access to, or intent to possess a firearm;

39           (8) A credible threat of or the unlawful or reckless use of a firearm by the respondent;

1           (9) The history of use, attempted use, or threatened use of unlawful physical force by the respondent  
2 against another person, or the respondent's history of stalking under section 565.225 or 565.227;

3           (10) Any prior arrest of the respondent for a crime listed under chapter 565 or 566 or section  
4 578.012;

5           (11) Corroborated evidence of the abuse of controlled substances or alcohol by the respondent; and

6           (12) Evidence of recent acquisition of a firearm or ammunition by the respondent.

7           4. The court may:

8           (1) Examine under oath the petitioner, the respondent, and any witnesses they may produce or, in  
9 lieu of examination, consider sworn affidavits of the petitioner, the respondent, and any witnesses they may  
10 produce; and

11           (2) Request a probation officer to conduct a criminal history record check related to the respondent  
12 and provide the results to the court under seal.

13           5. The court shall allow the petitioner and respondent to present evidence, cross-examine witnesses,  
14 and be represented by an attorney at the hearing.

15           6. In a hearing under sections 571.801 to 571.815, the rules of evidence shall apply to the same  
16 extent as in a restraining order proceeding.

17           7. During the hearing, the court shall consider any available mental health evaluation or chemical  
18 dependency evaluation provided to the court.

19           8. An extreme risk protection order shall include:

20           (1) A statement of the grounds supporting the issuance of the order;

21           (2) The date and time the order is issued;

22           (3) The date and time the order expires;

23           (4) The address of the court in which any responsive pleading shall be filed;

24           (5) The requirements for relinquishment of firearms under section 571.809; and

25           (6) The following statement:

To the subject of this extreme risk protection order:

This order will last until the date and time noted above. If you have not done so already, you  
must immediately surrender any firearms in your custody, control, or possession and any  
concealed carry permit issued to you. You shall not have in your custody or control a firearm  
or purchase, possess, receive, or attempt to purchase or receive a firearm while this order is in  
effect. You have the right to request one hearing to terminate this order during the period that  
this order is in effect, starting from the date of this order and continuing through any renewals.  
You may seek the advice of an attorney as to any matter connected with this order.

26           9. If the court issues an extreme risk protection order, the court shall inform the respondent that he or  
27 she may request termination of the order in the manner prescribed under section 571.808. The court shall  
28 provide the respondent with a form to request a termination hearing.

29           10. (1) If the court issues an extreme risk protection order, the court shall state the particular reasons  
30 for the court's issuance.

31           (2) If the court denies the issuance of an extreme risk protection order, the court shall state the  
32 particular reasons for the court's denial.

1           571.806. 1. An extreme risk protection order issued under section 571.805 shall be served  
2 personally upon the respondent, except as otherwise provided under sections 571.801 to 571.815.

3           2. The law enforcement agency in the jurisdiction where the respondent resides or where the  
4 firearms are located shall serve the respondent personally.

5           3. The court clerk shall forward a copy of the extreme risk protection order no later than the next  
6 court day to the law enforcement agency specified in the order for service. Service of an extreme risk  
7 protection order shall take precedence over the service of other documents unless the other documents are of  
8 a similar emergency nature.

9           4. If the law enforcement agency cannot complete service upon the respondent within five days, the  
10 law enforcement agency shall notify the petitioner. The petitioner shall then provide any additional  
11 information regarding the respondent's location to the law enforcement agency to effect service. The law  
12 enforcement agency may request additional time to allow for the proper and safe planning and execution of  
13 the court order.

14           5. If an extreme risk protection order entered by the court states that the respondent appeared in  
15 person before the court, the necessity for further service is waived, and proof of service of the order shall not  
16 be necessary.

17           6. Returns of service under sections 571.801 to 571.815 shall be made in accordance with the  
18 applicable court rules.

19           7. If notice of an extreme risk protection order hearing cannot be served and if the respondent fails to  
20 appear at the hearing, the court may issue an extreme risk protection order under section 571.805.

21           571.808. 1. The respondent may submit one written request for a hearing to terminate an extreme  
22 risk protection order for the period that the order is in effect. Upon receipt of the request for a hearing to  
23 terminate an extreme risk protection order, the court shall set a date for a hearing. Notice of the request shall  
24 be served on the petitioner. The hearing shall occur no sooner than fourteen days and no later than twenty-  
25 eight days after the date of service of the request upon the petitioner. The court shall terminate the extreme  
26 risk protection order if the respondent establishes by clear and convincing evidence that the respondent does  
27 not continue to pose a significant risk of personal injury to self or others by having in his or her custody or  
28 control a firearm or by purchasing, possessing, or receiving a firearm. The court may consider any relevant  
29 evidence, including evidence of the considerations listed under subsection 3 of section 571.805.

30           2. (1) The court shall notify the petitioner of the impending expiration of an extreme risk protection  
31 order sixty-three calendar days before the date that the order expires.

32           (2) A petitioner, a family or household member of a respondent, or a law enforcement officer or  
33 agency may, by motion, request a renewal of an extreme risk protection order at any time within sixty-three  
34 calendar days before the expiration of the order.

35           (3) Upon receipt of the motion to renew, the court shall order that a hearing be held no later than  
36 fourteen days after the filing of the motion to renew. The court may schedule a hearing by telephone in the  
37 manner prescribed under subdivision (1) of subsection 1 of section 571.805. The respondent shall be  
38 personally served in the same manner prescribed under subdivisions (2) to (3) of subsection 1 of section  
39 571.805.

1           (4) In determining whether to renew an extreme risk protection order, the court shall consider all  
2 relevant evidence and follow the same procedure as provided under section 571.805.

3           (5) If the court finds by clear and convincing evidence that, based on the evidence presented under  
4 subsection 3 of section 571.805, the respondent continues to pose a significant risk of personal injury to self  
5 or others by having in his or her custody or control a firearm or by purchasing, possessing, or receiving a  
6 firearm, the court shall renew the order for a period of time the court deems appropriate, not to exceed one  
7 hundred eighty-two days. In the order, the court shall set a return date to review the order no later than sixty-  
8 three days prior to the expiration of the order. However, if, after notice, the motion for renewal is uncontested  
9 and the petitioner seeks no modification of the order, the order may be renewed on the basis of the petitioner's  
10 motion or affidavit, signed under oath and penalty of perjury, stating that there has been no material change in  
11 relevant circumstances since the entry of the order and stating the reason for the requested renewal.

12           571.809. 1. (1) Upon issuance of an extreme risk protection order under sections 571.801 to  
13 571.815, including a temporary extreme risk protection order, the court shall order the respondent to  
14 surrender all firearms by either:

15           (a) Selling or transferring possession of a firearm to a federally licensed firearms dealer defined  
16 under 18 U.S.C. Section 921, as amended. However, this paragraph shall not be interpreted to require any  
17 federally licensed firearms dealer to purchase or accept possession of any firearm. If the respondent elects to  
18 sell his or her firearms, the respondent is entitled to the proceeds; or

19           (b) Arranging for the storage of a firearm by a law enforcement agency.

20           (2) The court shall order the respondent to surrender any concealed carry permit to the law  
21 enforcement officer serving the extreme risk protection order.

22           2. (1) The law enforcement agency serving an extreme risk protection order, including a temporary  
23 extreme risk protection order, in which the petitioner is not a law enforcement agency or officer, shall request  
24 that the respondent immediately surrender all firearms in his or her custody, control, or possession and any  
25 concealed carry permit issued to the respondent and shall conduct any search permitted by law for such  
26 firearms or permit. After the law enforcement agency or officer has custody of the firearms, the respondent  
27 may inform the law enforcement officer of his or her preference for sale, transfer, or storage of the firearms as  
28 specified under subsection 1 of this section. If the respondent elects to sell or transfer the firearms to a  
29 federally licensed firearms dealer described under 18 U.S.C. Section 923, as amended, the law enforcement  
30 officer or agency shall maintain custody of the firearms until they are sold or transferred. The law  
31 enforcement officer shall take possession of all firearms and any such permit belonging to the respondent that  
32 are surrendered, in plain sight, or discovered pursuant to a lawful search. Alternatively, if personal service by  
33 the law enforcement agency is not possible or not required because the respondent was present at the extreme  
34 risk protection order hearing, the respondent shall surrender the firearms and any concealed carry permit after  
35 being served with the order by alternate service or after the hearing at which the respondent was present.

36           (2) If the petitioner for an extreme risk protection order is a law enforcement agency or officer, the  
37 law enforcement officer serving the extreme risk protection order shall take custody of the respondent's  
38 firearms pursuant to the search warrant for firearms possessed by a dangerous person if a warrant is obtained.  
39 If the law enforcement agency obtains a search warrant for firearms possessed by a dangerous person, the law

1 enforcement officer shall request that the respondent immediately surrender all firearms in his or her custody,  
2 control, or possession and any concealed carry permit issued to the respondent and conduct any search  
3 permitted by law for such firearms or permit. After the law enforcement agency or officer has custody of the  
4 firearms, the respondent may inform the law enforcement officer of his or her preference for sale, transfer, or  
5 storage of the firearms. The law enforcement officer shall request that the respondent immediately surrender  
6 any concealed carry permit issued to the respondent and conduct any search permitted by law for the permit.

7 3. At the time of surrender or taking custody, a law enforcement officer taking possession of a  
8 firearm or a concealed carry permit shall issue a receipt identifying all firearms and any permit that is  
9 surrendered or seized and provide a copy of the receipt to the respondent. Within seventy-two hours after  
10 service of the order, the officer serving the order shall file the original receipt with the court and shall ensure  
11 that his or her law enforcement agency retains a copy of the receipt or, if the officer does not take custody of  
12 any firearms, shall file a statement to that effect with the court.

13 4. Upon the sworn statement or testimony of the petitioner or of any law enforcement officer  
14 alleging probable cause that the respondent has failed to comply with the surrender of firearms as required by  
15 an extreme risk protection order, the court shall determine whether probable cause exists to believe that the  
16 respondent failed to surrender all firearms in his or her custody, control, or possession. If probable cause  
17 exists, the court shall issue a search warrant that states with particularity the places to be searched and the  
18 items to be seized.

19 5. If a person other than the respondent claims title to any firearms surrendered or seized under this  
20 section and the law enforcement agency determines the person is the lawful owner of the firearm, the firearm  
21 shall be returned to the person if:

22 (1) The firearm is removed from the respondent's custody, control, or possession and the lawful  
23 owner agrees to store the firearm so that the respondent does not have access to or control of the firearm; and

24 (2) The firearm is not otherwise unlawfully possessed by the lawful owner.

25 6. (1) Within twenty-four hours of the issuance of an extreme risk protection order, a respondent  
26 shall either:

27 (a) File proof with the court that issued the order showing that the respondent has relinquished or  
28 removed all firearms previously in the respondent's custody, control, or possession and surrendered any  
29 concealed carry permit issued to the respondent. The respondent shall attest to the court that no firearms are  
30 currently in the respondent's custody, control, or possession and that the respondent does not currently have a  
31 concealed carry permit; or

32 (b) Attest to the court that:

33 a. At the time the order was issued, the respondent did not have any firearms in the respondent's  
34 custody, control, or possession and did not have a concealed carry permit; and

35 b. The respondent does not currently have any firearms in the respondent's custody, control, or  
36 possession and does not currently have a concealed carry permit.

37 (2) If the respondent does not comply with the requirements of subdivision (1) of this section within  
38 the twenty-four-hour period, the court clerk shall inform a law enforcement agency in the county in which the  
39 court is located that the respondent has not complied with subdivision (1) of this subsection. The law

1 enforcement agency shall make a good faith effort to determine whether the respondent has failed to  
2 relinquish any firearms in the respondent's custody, control, or possession or failed to surrender a concealed  
3 carry permit.

4 7. The POST commission, as defined under section 590.010, shall develop model policies and  
5 procedures by December 1, 2023, regarding the acceptance, storage, sale, and return of firearms required to  
6 be surrendered under sections 571.801 to 571.815 or seized under subsection 5 of section 542.271 and shall  
7 provide those model policies and procedures to all law enforcement agencies within the state. Each law  
8 enforcement agency shall adopt the model policies and procedures or adopt their own policies and procedures  
9 before January 1, 2024.

10 571.810. 1. If an extreme risk protection order or temporary extreme risk protection order is  
11 terminated or expires without renewal, any law enforcement agency holding a firearm surrendered or seized  
12 under section 571.809 or seized under subsection 5 of section 542.271 shall return the firearm requested by a  
13 respondent only after confirming, through a criminal history record check, that the respondent is currently  
14 eligible to own or possess a firearm under federal and state law and after confirming with the court that the  
15 extreme risk protection order has terminated or has expired without renewal.

16 2. Any firearm surrendered or seized under section 571.809 or seized under subsection 5 of section  
17 542.271 that remains unclaimed by the lawful owner for at least one year from the date the temporary  
18 extreme risk protection order or extreme risk protection order expired, whichever is later, shall be disposed in  
19 accordance with the law enforcement agency's policies and procedures for the disposal of firearms in police  
20 custody.

21 571.811. 1. The court clerk shall enter an extreme risk protection order or temporary extreme risk  
22 protection order into a statewide judicial information system on the same day the order is issued.

23 2. The court clerk shall forward a copy of an extreme risk protection order or temporary extreme risk  
24 protection order the same day the order is issued to the highway patrol and the law enforcement agency  
25 specified in the order. Upon receipt of the copy of the order, the highway patrol shall enter the order into the  
26 National Instant Criminal Background Check System (NICS), any other federal or state computer-based  
27 systems used by law enforcement agencies or others to identify prohibited purchasers of firearms, and the  
28 Missouri uniform law enforcement system (MULES). The order shall remain in each system for the period  
29 stated in the order, and the law enforcement agency shall only expunge orders from the systems that have  
30 expired or been terminated. Entry into the computer-based criminal intelligence information system shall be  
31 notice to all law enforcement agencies of the existence of the order. The order shall be fully enforceable  
32 anywhere in the state.

33 3. The issuing court shall, within three court days after issuance of an extreme risk protection order  
34 or a temporary extreme risk protection order, forward all identifying information the court has regarding the  
35 respondent, along with the date the order is issued, to the county sheriff in the jurisdiction where the  
36 respondent resides. Upon receipt of the information, the county sheriff shall determine if the respondent has  
37 a concealed carry permit. If the respondent does have a concealed carry permit, the issuing county sheriff  
38 shall immediately revoke the permit. The respondent may reapply for a concealed carry permit after the  
39 temporary extreme risk protection order and extreme risk protection order, if ordered, are no longer in effect.

1           4. If an extreme risk protection order is terminated before its expiration date, the court clerk shall  
2 forward, on the same day as the termination order, a copy of the termination order to the highway patrol and  
3 the law enforcement agency specified in the termination order. Upon receipt of the order, the highway patrol  
4 and the law enforcement agency shall promptly remove the order from any computer-based system in which  
5 it was entered under subsection 2 of this section.

6           571.812. Any person who has in his or her custody or control a firearm or purchases, possesses, or  
7 receives a firearm with knowledge that he or she is prohibited from doing so by an extreme risk protection  
8 order or temporary extreme risk protection order shall be guilty of a class B misdemeanor. However, such  
9 person shall be guilty of a class E felony if the person has two or more previous convictions for violating an  
10 extreme risk protection order.

11           571.813. Sections 571.801 to 571.815 shall not affect the ability of a law enforcement officer to  
12 remove a firearm or concealed carry permit from a person or conduct a search and seizure for any firearm  
13 pursuant to other lawful authority.

14           571.814. Except as provided under section 571.812, sections 571.801 to 571.815 shall not impose  
15 criminal or civil liability on any person or entity for acts or omissions made in good faith related to obtaining  
16 an extreme risk protection order or a temporary extreme risk protection order including, but not limited to,  
17 reporting, declining to report, investigating, declining to investigate, filing, or declining to file a petition  
18 under sections 571.801 to 571.815.

19           571.815. 1. (1) The office of state courts administrator shall develop standard petitions, extreme  
20 risk protection order forms, and temporary extreme risk protection order forms in more than one language  
21 consistent with state judicial department practices. The standard petition and order forms shall be used after  
22 December 31, 2023, for all extreme risk protection order petitions and extreme risk protection orders. The  
23 office of state courts administrator may consult with interested parties in developing the petitions and forms.  
24 The materials shall be available online consistent with state judicial branch practices.

25           (2) The extreme risk protection order form shall include, in a conspicuous location, notice of  
26 criminal penalties resulting from violation of the order and the following statement:

You have the sole responsibility to avoid or refrain from violating this extreme risk protection  
order's provisions. Only the court can change the order and only upon written motion.

27           2. A court clerk for each judicial district shall create a community resource list that includes, but is  
28 not limited to, crisis intervention, mental health, substance abuse, interpreter, counseling, and other relevant  
29 resources serving the county in which the court is located. The court shall make the community resource list  
30 available as part of or in addition to the materials described under subdivision (1) of subsection 1 of this  
31 section.

32           3. The office of state courts administrator shall distribute a master copy of the standard petition and  
33 extreme risk protection order forms to all circuit courts.

34           4. Before March first of each year, the office of state courts administrator shall issue to the speaker  
35 of the house of representatives, president pro tempore of the senate, chief justice of the supreme court, and  
36 governor statistics related to extreme risk protection orders in the preceding calendar year. The statistics shall  
37 include, but not be limited to:

- 1           (1) The number of petitions filed for temporary extreme risk protection orders;
- 2           (2) The number of petitions filed for extreme risk protection orders;
- 3           (3) The number of temporary extreme risk protection orders issued and denied;
- 4           (4) The number of extreme risk protection orders issued and denied;
- 5           (5) The number of temporary extreme risk protection orders terminated;
- 6           (6) The number of extreme risk protection orders terminated; and
- 7           (7) The number of extreme risk protection orders renewed."; and

8  
9 Further amend said bill by amending the title, enacting clause, and intersectional references accordingly.