

FIRST REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
HOUSE COMMITTEE SUBSTITUTE FOR

# HOUSE BILL NO. 301

102ND GENERAL ASSEMBLY

0695S.04C

KRISTINA MARTIN, Secretary

## AN ACT

To repeal sections 301.3175, 558.019, 571.030, 575.095, and 590.060, RSMo, and to enact in lieu thereof twelve new sections relating to public safety, with penalty provisions and an emergency clause for certain sections.

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

Section A. Sections 301.3175, 558.019, 571.030, 575.095,  
2 and 590.060, RSMo, are repealed and twelve new sections enacted  
3 in lieu thereof, to be known as sections 56.601, 217.830,  
4 301.3175, 544.453, 558.019, 571.030, 571.031, 575.095, 578.710,  
5 590.060, 590.1070, and 590.1075, to read as follows:

**56.601. 1. If the governor determines that a threat  
2 to public safety and health exists in a circuit or  
3 prosecuting attorney's jurisdiction after:**

**(1) Reviewing federal, state, or local crime  
4 statistics; and  
5**

**(2) Finding that the number of occurrences of homicide  
6 cases in the twelve months immediately preceding exceeds a  
7 rate of thirty-five cases per every one hundred thousand  
8 people within the circuit or prosecuting attorney's  
9 jurisdiction,  
10**

**the governor may appoint a special prosecutor who shall  
11 serve for a period of up to five years. The special  
12 prosecutor shall be employed at the will of the governor,  
13**

**EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

14 shall not be required to reside in the jurisdiction to which  
15 he or she was appointed to serve, and shall be an attorney.

16 2. (1) The special prosecutor shall have exclusive  
17 jurisdiction to initiate and prosecute the following felony  
18 offenses:

- 19 (a) First degree murder under section 565.020;
- 20 (b) Second degree murder under section 565.021;
- 21 (c) Assault in the first degree under section 565.050;
- 22 (d) Assault in the second degree under section 565.052;
- 23 (e) Robbery in the first degree under section 570.023;
- 24 (f) Robbery in the second degree under section 570.025;
- 25 (g) Vehicle hijacking under section 570.027; and
- 26 (h) Armed criminal action under section 571.015.

27 (2) For felony offenses listed under subdivision (1)  
28 of this subsection, the special prosecutor shall have all  
29 powers, duties, and responsibilities granted to the circuit  
30 or prosecuting attorney in the jurisdiction under sections  
31 56.087, 56.130, and 56.360. If an offense leads to criminal  
32 charges for which the special prosecutor has exclusive  
33 jurisdiction, the special prosecutor shall also have  
34 exclusive jurisdiction over all other charges stemming from  
35 the same criminal event. After the special prosecutor has  
36 filed criminal charges in a case over which he or she has  
37 exclusive jurisdiction, the special prosecutor shall  
38 continue to have exclusive jurisdiction over the entire  
39 criminal case regardless of whether the charges are later  
40 reduced. If the circuit or prosecuting attorney has  
41 commenced prosecution prior to the appointment of the  
42 special prosecutor for any offense which the special  
43 prosecutor has exclusive jurisdiction under this section,  
44 the circuit or prosecuting attorney shall immediately  
45 withdraw from the prosecution and the special prosecutor may

46 adopt or amend any complaint, information, or indictment  
47 filed by the circuit or prosecuting attorney.

48 3. (1) Moneys for the special prosecutor shall be  
49 provided by the state from the general revenue fund. The  
50 special prosecutor shall be paid the same salary as an  
51 associate circuit court judge and, upon his or her  
52 appointment, shall become a member of the prosecuting  
53 attorneys and circuit attorneys' retirement system as set  
54 forth under sections 56.800 to 56.840.

55 (2) The special prosecutor shall have a budget, which  
56 shall be provided by the state from the general revenue  
57 fund, to hire up to fifteen assistant special prosecuting  
58 attorneys and up to fifteen staff members including, but not  
59 limited to, assistants, clerks, reporters, grand jury  
60 reporters, legal investigators, and stenographers, as the  
61 special prosecutor deems necessary. The assistant special  
62 prosecuting attorneys and staff of the special prosecutor  
63 shall be subject to the same duties and responsibilities as  
64 those in the circuit or prosecuting attorney's office. The  
65 salaries of all employees hired by the special prosecutor  
66 shall be set and determined by the special prosecutor but  
67 shall be within the budget provided by the state.

68 (3) If, at the end of the first five-year term of the  
69 special prosecutor, the governor, after reviewing federal,  
70 state, or local crime statistics or finding that the number  
71 of occurrences of homicide cases in the twelve months  
72 immediately preceding exceeds a rate of thirty-five cases  
73 per every one hundred thousand people within the circuit or  
74 prosecuting attorney's jurisdiction, determines that a  
75 threat to public safety and health still exists, the  
76 governor may continue to appoint the special prosecutor for  
77 five-year terms as provided under this section.

217.830. The department of corrections shall develop a policy and procedures outlining for offenders how to apply for Medicaid and how to obtain a birth certificate, Social Security card, and state identification prior to release from a correctional center. The policy shall be made available to the offender population. If an offender does not have access to his or her birth certificate, Social Security card, or state identification upon release, the department shall assist such offender in obtaining the documents prior to release. Any educational or special training certificate shall be provided to the offender at the time he or she is released from custody.

301.3175. 1. Any vehicle owner may apply for "Back the Blue" license plates for any motor vehicle the person owns, either solely or jointly, other than an apportioned motor vehicle or a commercial motor vehicle licensed in excess of twenty-four thousand pounds gross weight. Upon making a ten dollar contribution to the Missouri Law Enforcement Memorial Foundation, the vehicle owner may apply for the "Back the Blue" plate. If the contribution is made directly to the Missouri Law Enforcement Memorial Foundation, the foundation shall issue the individual making the contribution a receipt, verifying the contribution, that may be used to apply for the "Back the Blue" license plate. If the contribution is made directly to the director of revenue pursuant to section 301.3031, the director shall note the contribution and the owner may then apply for the "Back the Blue" plate. The applicant for such plate shall pay a fifteen dollar fee in addition to the regular registration fees and present any other documentation required by law for each set of "Back the Blue" plates issued pursuant to this section. Notwithstanding the

21 provisions of section 301.144, no additional fee shall be  
22 charged for the personalization of license plates issued  
23 pursuant to this section. **Notwithstanding any provision of**  
24 **law to the contrary, the department of revenue shall issue**  
25 **the license plate or plates, as authorized in this section,**  
26 **for nonapportioned vehicles of any classification for which**  
27 **it issues a license plate or plates.**

28       2. The "Back the Blue" plate shall bear the emblem of  
29 a thin blue line encompassed in black as prescribed by the  
30 director of revenue and shall have the words "BACK THE  
31 BLUE". Such license plates shall be made with fully  
32 reflective material with a common color scheme and design,  
33 shall be clearly visible at night, and shall be  
34 aesthetically attractive, as prescribed by section 301.130.

35       [2.] 3. The director of revenue may promulgate rules  
36 and regulations for the administration of this section. Any  
37 rule or portion of a rule, as that term is defined in  
38 section 536.010, that is created under the authority  
39 delegated in this section shall become effective only if it  
40 complies with and is subject to all of the provisions of  
41 chapter 536 and, if applicable, section 536.028. This  
42 section and chapter 536 are nonseverable and if any of the  
43 powers vested with the general assembly pursuant to chapter  
44 536 to review, to delay the effective date, or to disapprove  
45 and annul a rule are subsequently held unconstitutional,  
46 then the grant of rulemaking authority and any rule proposed  
47 or adopted after August 28, 2019, shall be invalid and void.

**544.453. Notwithstanding any provision of the law or**  
2 **court rule to the contrary, a judge or judicial officer,**  
3 **when setting bail or conditions of release in all courts in**  
4 **Missouri for any offense charged, shall consider, in**  
5 **addition to any factor required by law, whether:**

6 (1) A defendant poses a danger to a victim of a crime,  
7 the community, any witness to the crime, or to any other  
8 person;

9 (2) A defendant is a flight risk;

10 (3) A defendant has committed a misdemeanor offense  
11 involving a crime of violence, sexual offense, or felony  
12 offense in this state or any other state in the last five  
13 years; and

14 (4) A defendant has failed to appear in court as a  
15 required condition of probation or parole for a misdemeanor  
16 involving a crime of violence or felony or a sexual offense  
17 within the last three years.

558.019. 1. This section shall not be construed to  
2 affect the powers of the governor under Article IV, Section  
3 7, of the Missouri Constitution. This statute shall not  
4 affect those provisions of section 565.020, section 566.125,  
5 or section 571.015, which set minimum terms of sentences, or  
6 the provisions of section 559.115, relating to probation.

7 2. The provisions of subsections 2 to 5 of this  
8 section shall [only] be applicable to [the offenses  
9 contained in sections 565.021, 565.023, 565.024, 565.027,  
10 565.050, 565.052, 565.054, 565.072, 565.073, 565.074,  
11 565.090, 565.110, 565.115, 565.120, 565.153, 565.156,  
12 565.225, 565.300, 566.030, 566.031, 566.032, 566.034,  
13 566.060, 566.061, 566.062, 566.064, 566.067, 566.068,  
14 566.069, 566.071, 566.083, 566.086, 566.100, 566.101,  
15 566.103, 566.111, 566.115, 566.145, 566.151, 566.153,  
16 566.203, 566.206, 566.209, 566.210, 566.211, 566.215,  
17 568.030, 568.045, 568.060, 568.065, 568.175, 569.040,  
18 569.160, 570.023, 570.025, 570.030 when punished as a class  
19 A, B, or C felony, 570.145 when punished as a class A or B  
20 felony, 570.223 when punished as a class B or C felony,

21 571.020, 571.030, 571.070, 573.023, 573.025, 573.035,  
22 573.037, 573.200, 573.205, 574.070, 574.080, 574.115,  
23 575.030, 575.150, 575.153, 575.155, 575.157, 575.200 when  
24 punished as a class A felony, 575.210, 575.230 when punished  
25 as a class B felony, 575.240 when punished as a class B  
26 felony, 576.070, 576.080, 577.010, 577.013, 577.078,  
27 577.703, 577.706, 579.065, and 579.068 when punished as a  
28 class A or B felony] **all classes of felonies except those**  
29 **set forth in chapter 579, or in chapter 195 prior to January**  
30 **1, 2017, and those otherwise excluded in subsection 1 of**  
31 **this section.** For the purposes of this section, "prison  
32 commitment" means and is the receipt by the department of  
33 corrections of an offender after sentencing. For purposes  
34 of this section, prior prison commitments to the department  
35 of corrections shall not include an offender's first  
36 incarceration prior to release on probation under section  
37 217.362 or 559.115. Other provisions of the law to the  
38 contrary notwithstanding, any offender who has been found  
39 guilty of a felony other than a dangerous felony as defined  
40 in section 556.061 and is committed to the department of  
41 corrections shall be required to serve the following minimum  
42 prison terms:

43 (1) If the offender has one previous prison commitment  
44 to the department of corrections for a felony offense, the  
45 minimum prison term which the offender must serve shall be  
46 forty percent of his or her sentence or until the offender  
47 attains seventy years of age, and has served at least thirty  
48 percent of the sentence imposed, whichever occurs first;

49 (2) If the offender has two previous prison  
50 commitments to the department of corrections for felonies  
51 unrelated to the present offense, the minimum prison term  
52 which the offender must serve shall be fifty percent of his

53 or her sentence or until the offender attains seventy years  
54 of age, and has served at least forty percent of the  
55 sentence imposed, whichever occurs first;

56 (3) If the offender has three or more previous prison  
57 commitments to the department of corrections for felonies  
58 unrelated to the present offense, the minimum prison term  
59 which the offender must serve shall be eighty percent of his  
60 or her sentence or until the offender attains seventy years  
61 of age, and has served at least forty percent of the  
62 sentence imposed, whichever occurs first.

63 3. Other provisions of the law to the contrary  
64 notwithstanding, any offender who has been found guilty of a  
65 dangerous felony as defined in section 556.061 and is  
66 committed to the department of corrections shall be required  
67 to serve a minimum prison term of eighty-five percent of the  
68 sentence imposed by the court or until the offender attains  
69 seventy years of age, and has served at least forty percent  
70 of the sentence imposed, whichever occurs first.

71 4. For the purpose of determining the minimum prison  
72 term to be served, the following calculations shall apply:

73 (1) A sentence of life shall be calculated to be  
74 thirty years;

75 (2) Any sentence either alone or in the aggregate with  
76 other consecutive sentences for offenses committed at or  
77 near the same time which is over seventy-five years shall be  
78 calculated to be seventy-five years.

79 5. For purposes of this section, the term "minimum  
80 prison term" shall mean time required to be served by the  
81 offender before he or she is eligible for parole,  
82 conditional release or other early release by the department  
83 of corrections.



84           6. [An offender who was convicted of, or pled guilty  
85 to, a felony offense other than those offenses listed in  
86 subsection 2 of this section prior to August 28, 2019, shall  
87 no longer be subject to the minimum prison term provisions  
88 under subsection 2 of this section, and shall be eligible  
89 for parole, conditional release, or other early release by  
90 the department of corrections according to the rules and  
91 regulations of the department.

92           7.1 (1) A sentencing advisory commission is hereby  
93 created to consist of eleven members. One member shall be  
94 appointed by the speaker of the house. One member shall be  
95 appointed by the president pro tem of the senate. One  
96 member shall be the director of the department of  
97 corrections. Six members shall be appointed by and serve at  
98 the pleasure of the governor from among the following: the  
99 public defender commission; private citizens; a private  
100 member of the Missouri Bar; the board of probation and  
101 parole; and a prosecutor. Two members shall be appointed by  
102 the supreme court, one from a metropolitan area and one from  
103 a rural area. All members shall be appointed to a four-year  
104 term. All members of the sentencing commission appointed  
105 prior to August 28, 1994, shall continue to serve on the  
106 sentencing advisory commission at the pleasure of the  
107 governor.

108           (2) The commission shall study sentencing practices in  
109 the circuit courts throughout the state for the purpose of  
110 determining whether and to what extent disparities exist  
111 among the various circuit courts with respect to the length  
112 of sentences imposed and the use of probation for offenders  
113 convicted of the same or similar offenses and with similar  
114 criminal histories. The commission shall also study and  
115 examine whether and to what extent sentencing disparity

116 among economic and social classes exists in relation to the  
117 sentence of death and if so, the reasons therefor, if  
118 sentences are comparable to other states, if the length of  
119 the sentence is appropriate, and the rate of rehabilitation  
120 based on sentence. It shall compile statistics, examine  
121 cases, draw conclusions, and perform other duties relevant  
122 to the research and investigation of disparities in death  
123 penalty sentencing among economic and social classes.

124 (3) The commission shall study alternative sentences,  
125 prison work programs, work release, home-based  
126 incarceration, probation and parole options, and any other  
127 programs and report the feasibility of these options in  
128 Missouri.

129 (4) The governor shall select a chairperson who shall  
130 call meetings of the commission as required or permitted  
131 pursuant to the purpose of the sentencing commission.

132 (5) The members of the commission shall not receive  
133 compensation for their duties on the commission, but shall  
134 be reimbursed for actual and necessary expenses incurred in  
135 the performance of these duties and for which they are not  
136 reimbursed by reason of their other paid positions.

137 (6) The circuit and associate circuit courts of this  
138 state, the office of the state courts administrator, the  
139 department of public safety, and the department of  
140 corrections shall cooperate with the commission by providing  
141 information or access to information needed by the  
142 commission. The office of the state courts administrator  
143 will provide needed staffing resources.

144 [8.] 7. Courts shall retain discretion to lower or  
145 exceed the sentence recommended by the commission as  
146 otherwise allowable by law, and to order restorative justice  
147 methods, when applicable.

148 [9.] 8. If the imposition or execution of a sentence  
149 is suspended, the court may order any or all of the  
150 following restorative justice methods, or any other method  
151 that the court finds just or appropriate:

152 (1) Restitution to any victim or a statutorily created  
153 fund for costs incurred as a result of the offender's  
154 actions;

155 (2) Offender treatment programs;

156 (3) Mandatory community service;

157 (4) Work release programs in local facilities; and

158 (5) Community-based residential and nonresidential  
159 programs.

160 [10.] 9. Pursuant to subdivision (1) of subsection [9]  
161 8 of this section, the court may order the assessment and  
162 payment of a designated amount of restitution to a county  
163 law enforcement restitution fund established by the county  
164 commission pursuant to section 50.565. Such contribution  
165 shall not exceed three hundred dollars for any charged  
166 offense. Any restitution moneys deposited into the county  
167 law enforcement restitution fund pursuant to this section  
168 shall only be expended pursuant to the provisions of section  
169 50.565.

170 [11.] 10. A judge may order payment to a restitution  
171 fund only if such fund had been created by ordinance or  
172 resolution of a county of the state of Missouri prior to  
173 sentencing. A judge shall not have any direct supervisory  
174 authority or administrative control over any fund to which  
175 the judge is ordering a person to make payment.

176 [12.] 11. A person who fails to make a payment to a  
177 county law enforcement restitution fund may not have his or  
178 her probation revoked solely for failing to make such  
179 payment unless the judge, after evidentiary hearing, makes a

180 finding supported by a preponderance of the evidence that  
181 the person either willfully refused to make the payment or  
182 that the person willfully, intentionally, and purposefully  
183 failed to make sufficient bona fide efforts to acquire the  
184 resources to pay.

185 [13.] 12. Nothing in this section shall be construed  
186 to allow the sentencing advisory commission to issue  
187 recommended sentences in specific cases pending in the  
188 courts of this state.

571.030. 1. A person commits the offense of unlawful  
2 use of weapons, except as otherwise provided by sections  
3 571.101 to 571.121, if he or she knowingly:

4 (1) Carries concealed upon or about his or her person  
5 a knife, a firearm, a blackjack or any other weapon readily  
6 capable of lethal use into any area where firearms are  
7 restricted under section 571.107; or

8 (2) Sets a spring gun; or

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

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

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

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

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

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

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

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

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

46           2. Subdivisions (1), (8), and (10) of subsection 1 of  
47 this section shall not apply to the persons described in  
48 this subsection, regardless of whether such uses are  
49 reasonably associated with or are necessary to the  
50 fulfillment of such person's official duties except as  
51 otherwise provided in this subsection. Subdivisions (3),  
52 (4), (6), (7), and (9) of subsection 1 of this section shall  
53 not apply to or affect any of the following persons, when  
54 such uses are reasonably associated with or are necessary to

55 the fulfillment of such person's official duties, except as  
56 otherwise provided in this subsection:

57 (1) All state, county and municipal peace officers who  
58 have completed the training required by the police officer  
59 standards and training commission pursuant to sections  
60 590.030 to 590.050 and who possess the duty and power of  
61 arrest for violation of the general criminal laws of the  
62 state or for violation of ordinances of counties or  
63 municipalities of the state, whether such officers are on or  
64 off duty, and whether such officers are within or outside of  
65 the law enforcement agency's jurisdiction, or all qualified  
66 retired peace officers, as defined in subsection 12 of this  
67 section, and who carry the identification defined in  
68 subsection 13 of this section, or any person summoned by  
69 such officers to assist in making arrests or preserving the  
70 peace while actually engaged in assisting such officer;

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

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

76 (4) Those persons vested by Article V, Section 1 of  
77 the Constitution of Missouri with the judicial power of the  
78 state and those persons vested by Article III of the  
79 Constitution of the United States with the judicial power of  
80 the United States, the members of the federal judiciary;

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

83 (6) Any federal probation officer or federal flight  
84 deck officer as defined under the federal flight deck  
85 officer program, 49 U.S.C. Section 44921, regardless of

86 whether such officers are on duty, or within the law  
87 enforcement agency's jurisdiction;

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

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

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

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

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

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

117           3. Subdivisions (1), (5), (8), and (10) of subsection  
118 1 of this section do not apply when the actor is  
119 transporting such weapons in a nonfunctioning state or in an  
120 unloaded state when ammunition is not readily accessible or  
121 when such weapons are not readily accessible. Subdivision  
122 (1) of subsection 1 of this section does not apply to any  
123 person nineteen years of age or older or eighteen years of  
124 age or older and a member of the United States Armed Forces,  
125 or honorably discharged from the United States Armed Forces,  
126 transporting a concealable firearm in the passenger  
127 compartment of a motor vehicle, so long as such concealable  
128 firearm is otherwise lawfully possessed, nor when the actor  
129 is also in possession of an exposed firearm or projectile  
130 weapon for the lawful pursuit of game, or is in his or her  
131 dwelling unit or upon premises over which the actor has  
132 possession, authority or control, or is traveling in a  
133 continuous journey peaceably through this state.  
134 Subdivision (10) of subsection 1 of this section does not  
135 apply if the firearm is otherwise lawfully possessed by a  
136 person while traversing school premises for the purposes of  
137 transporting a student to or from school, or possessed by an  
138 adult for the purposes of facilitation of a school-  
139 sanctioned firearm-related event or club event.

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

147           5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and  
148 (10) of subsection 1 of this section shall not apply to



149 persons who are engaged in a lawful act of defense pursuant  
150 to section 563.031.

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

163         7. **(1) Subdivision (10) of subsection 1 of this**  
164 **section shall not apply to a person who is a school officer**  
165 **commissioned by the school board of any school district**  
166 **under section 162.215 or who is a school protection officer,**  
167 **as described under section 160.665.**

168         **(2)** Nothing in this section shall make it unlawful for  
169 a student to actually participate in school-sanctioned gun  
170 safety courses, student military or ROTC courses, or other  
171 school-sponsored or club-sponsored firearm-related events,  
172 provided the student does not carry a firearm or other  
173 weapon readily capable of lethal use into any school, onto  
174 any school bus, or onto the premises of any other function  
175 or activity sponsored or sanctioned by school officials or  
176 the district school board.

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

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

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

190           (3) Subdivision (5) or (10) of subsection 1 of this  
191 section shall be guilty of a class A misdemeanor if the  
192 firearm is unloaded and a class E felony if the firearm is  
193 loaded;

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

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

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

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

209           (3) For any violation by a persistent offender as  
210 defined in section 558.016, a person shall be sentenced to  
211 the maximum authorized term of imprisonment for a class B

212 felony without the possibility of parole, probation, or  
213 conditional release;

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

2 **571.031. 1. This section shall be known and may be  
cited as "Blair's Law".**

3           2. A person commits the offense of unlawful discharge  
4 of a firearm if, with criminal negligence, he or she  
5 discharges a firearm within or into the limits of any  
6 municipality.

7           3. This section shall not apply if the firearm is  
8 discharged:

9           (1) As allowed by a defense of justification under  
10 chapter 563;

11           (2) On a properly supervised shooting range;

12           (3) To lawfully take wildlife during an open season  
13 established by the department of conservation. Nothing in  
14 this subdivision shall prevent a municipality from adopting  
15 an ordinance restricting the discharge of a firearm within  
16 one-quarter mile of an occupied structure;

17           (4) For the control of nuisance wildlife as permitted  
18 by the department of conservation or the United States Fish  
19 and Wildlife Service;

20           (5) By special permit of the chief of police of the  
21 municipality;

22           (6) As required by an animal control officer in the  
23 performance of his or her duties;

24           (7) Using blanks;

25           (8) More than one mile from any occupied structure;

26           (9) In self-defense or defense of another person  
27 against an animal attack if a reasonable person would  
28 believe that deadly physical force against the animal is  
29 immediately necessary and reasonable under the circumstances  
30 to protect oneself or the other person; or

31           (10) By law enforcement personnel, as defined in  
32 section 590.1040, or a member of the United States Armed  
33 Forces if acting in an official capacity.

34           **4. A person who commits the offense of unlawful**  
35 **discharge of a firearm shall be guilty of:**

36           **(1) For a first offense, a class A misdemeanor;**

37           **(2) For a second offense, a class E felony; and**

38           **(3) For a third or subsequent offense, a class D**  
39 **felony.**

575.095. 1. A person commits the offense of tampering  
2 with a judicial officer if, with the purpose to harass,  
3 intimidate or influence a judicial officer in the  
4 performance of such officer's official duties, such person:

5           (1) Threatens or causes harm to such judicial officer  
6 or members of such judicial officer's family;

7           (2) Uses force, threats, or deception against or  
8 toward such judicial officer or members of such judicial  
9 officer's family;

10           (3) Offers, conveys or agrees to convey any benefit  
11 direct or indirect upon such judicial officer or such  
12 judicial officer's family;

13           (4) Engages in conduct reasonably calculated to harass  
14 or alarm such judicial officer or such judicial officer's  
15 family, including stalking pursuant to section 565.225 or  
16 565.227;

17           **(5) Disseminates through any means, including by**  
18 **posting on the internet, the judicial officer's or the**  
19 **judicial officer's family's personal information. For**  
20 **purposes of this section, "personal information" includes a**  
21 **home address, home or mobile telephone number, personal**  
22 **email address, Social Security number, federal tax**  
23 **identification number, checking or savings account number,**  
24 **marital status, and identity of a child under eighteen years**  
25 **of age.**

26           2. A judicial officer for purposes of this section  
27 shall be a judge **or commissioner of a state or federal**  
28 **court**, arbitrator, special master, juvenile officer, deputy  
29 juvenile officer, state prosecuting or circuit attorney,  
30 state assistant prosecuting or circuit attorney, juvenile  
31 court commissioner, state probation or parole officer, or  
32 referee.

33           3. A judicial officer's family for purposes of this  
34 section shall be:

35           (1) Such officer's spouse; or

36           (2) Such officer or such officer's spouse's ancestor  
37 or descendant by blood or adoption; or

38           (3) Such officer's stepchild, while the marriage  
39 creating that relationship exists.

40           4. The offense of tampering with a judicial officer is  
41 a class D felony.

42           5. **If a violation of this section results in death or**  
43 **bodily injury to a judicial officer or a member of the**  
44 **judicial officer's family, the offense is a class B felony.**

          578.710. 1. For purposes of this section, the  
2 following terms mean:

3           (1) "Elected official", any elected member of state  
4 government or any political subdivision thereof;

5           (2) "Personal information", the same meaning as  
6 defined in section 407.1500.

7           2. A person commits the offense of unlawful disclosure  
8 of personally identifiable information if he or she  
9 knowingly releases, publicizes, or otherwise publicly  
10 discloses the name, home address, Social Security number,  
11 telephone number, or other personal information of an  
12 elected official or a family member of the elected official  
13 with the purpose to harass, intimidate, or cause death or

14 **bodily injury to the elected official or a family member of**  
15 **the elected official.**

16 **3. The offense of unlawful disclosure of personally**  
17 **identifiable information is a class A misdemeanor. However,**  
18 **if a violation of this section is done with the purpose to**  
19 **influence an elected official in the performance of such**  
20 **official's official duties, the offense is a class D felony.**

590.060. 1. The POST commission shall establish  
2 minimum standards for training instructors and training  
3 centers, and the director shall establish minimum  
4 qualifications for admittance into a basic training course.

5 2. The director shall license training instructors,  
6 centers, and curricula, and may probate, suspend and revoke  
7 such licenses upon written notice stating the reasons for  
8 such action. Any person aggrieved by a decision pursuant to  
9 this subsection may appeal as provided in chapter 536.

10 3. Each person seeking entrance into a basic training  
11 program shall submit a fingerprint card and authorization  
12 for a criminal history background check to include the  
13 records of the Federal Bureau of Investigation to the  
14 training center where such person is seeking entrance. The  
15 training center shall cause a criminal history background  
16 check to be made and shall cause the resulting report to be  
17 forwarded to the director. The person seeking entrance may  
18 be charged a fee for the cost of this procedure.

19 **4. Instructors at Missouri police academies shall be**  
20 **approved by the POST commission.**

590.1070. 1. There is hereby established within the  
2 department of public safety the "Peace Officer Basic  
3 Training Tuition Reimbursement Program". Any moneys  
4 appropriated by the general assembly for this program shall  
5 be used to provide tuition reimbursement for:



6           (1) Qualifying Missouri residents who have paid  
7 tuition at a state licensed basic law enforcement training  
8 center for the basic law enforcement training required for a  
9 peace officer license in this state and who have been  
10 employed as full-time peace officers in this state for a  
11 specified period; and

12           (2) Qualifying government entities that have paid  
13 tuition for an employee to receive the basic law enforcement  
14 training required for a peace officer license in this state  
15 at a licensed basic law enforcement training center when  
16 such employee has been employed as a full-time peace officer  
17 for a specified period.

18           2. The POST commission shall be the administrative  
19 agency for the implementation of the tuition reimbursement  
20 program established under this section, and shall:

21           (1) Prescribe the form and the time and method of  
22 awarding tuition reimbursement under this section and shall  
23 supervise the processing thereof; and

24           (2) Select qualifying recipients to receive  
25 reimbursement under this section and determine the manner  
26 and method of payment to the recipient.

27           3. To be eligible to receive tuition reimbursement  
28 under subdivision (1) of subsection 1 of this section, a  
29 person shall:

30           (1) Be initially employed as a peace officer on or  
31 after September 1, 2023;

32           (2) Submit to the commission an initial application  
33 for tuition reimbursement, and annually thereafter for each  
34 year of qualifying employment, in the manner and on a form  
35 prescribed by the commission that requires:

36           (a) Employer verification of the person's employment  
37 as a full-time peace officer in this state for at least one

38 year and the person's current employment as a peace officer  
39 in this state as of the date of the application;

40 (b) A transcript containing the person's basic police  
41 training coursework and his or her date of graduation; and

42 (c) A statement of the total amount of tuition the  
43 applicant paid to the basic training center for his or her  
44 basic training;

45 (3) Be currently employed, and have completed at least  
46 one year of employment, as a full-time peace officer in this  
47 state; and

48 (4) Comply with any other requirements adopted by the  
49 commission under this section.

50 4. To be eligible to receive tuition reimbursement  
51 under subdivision (2) of subsection 1 of this section, a  
52 government entity shall:

53 (1) Be the employer of a peace officer who was  
54 initially employed on or after September 1, 2023;

55 (2) Submit to the commission an initial application  
56 for tuition reimbursement, and annually thereafter for each  
57 year of the employee's qualifying employment, up to four  
58 years, in the manner and on a form prescribed by the  
59 commission that requires:

60 (a) Verification of the employee's full-time  
61 employment as a peace officer in this state for at least one  
62 year and the employee's current employment as a peace  
63 officer in this state as of the date of the application;

64 (b) A transcript containing the employee's basic  
65 police training coursework and his or her date of  
66 graduation; and

67 (c) A statement of the total amount of tuition and  
68 fees the employer paid to the basic training center for the  
69 employee's basic training;

70           (3) Certify that the employee is currently employed,  
71 and has completed at least one year of employment, as a full-  
72 time peace officer in this state; and

73           (4) Comply with any other requirements adopted by the  
74 commission under this section.

75           5. Tuition reimbursement granted under this section,  
76 subject to the availability of funds, shall be reimbursed as  
77 follows:

78           (1) At the end of one year of continuous employment as  
79 a full-time peace officer, an applicant or his or her  
80 employer, whichever applies, shall be eligible to receive  
81 reimbursement for twenty-five percent of the total tuition  
82 paid to a licensed basic training center;

83           (2) At the end of two, three, and four years of  
84 continuous qualifying employment as a full-time peace  
85 officer, and submission of documents verifying continued  
86 full-time employment as a peace officer, an applicant or his  
87 or her employer, whichever applies, shall be eligible to  
88 receive reimbursement each year for twenty-five percent of  
89 the total tuition paid to a licensed basic training center.  
90 A government entity may qualify for tuition reimbursement  
91 under this subdivision for tuition paid for an employee even  
92 if such person is no longer employed by the government  
93 entity as long as the person for whom tuition was paid is  
94 still continuously employed as a full-time peace officer.

95           6. Notwithstanding any provision of this section to  
96 the contrary, the total amount of tuition reimbursement  
97 provided under this section to an eligible person, or to a  
98 government entity with respect to an employee, shall not  
99 exceed six thousand dollars per person or employee.

100           7. The department of public safety shall promulgate  
101 all necessary rules and regulations for the administration

102 of the program. Any rule or portion of a rule, as that term  
103 is defined in section 536.010, that is created under the  
104 authority delegated in this section shall become effective  
105 only if it complies with and is subject to all of the  
106 provisions of chapter 536 and, if applicable, section  
107 536.028. This section and chapter 536 are nonseverable and  
108 if any of the powers vested with the general assembly  
109 pursuant to chapter 536 to review, to delay the effective  
110 date, or to disapprove and annul a rule are subsequently  
111 held unconstitutional, then the grant of rulemaking  
112 authority and any rule proposed or adopted after August 28,  
113 2023, shall be invalid and void.

590.1075. There is hereby created in the state  
2 treasury the "Peace Officer Basic Training Tuition  
3 Reimbursement Fund", which shall consist of moneys  
4 appropriated annually by the general assembly from general  
5 revenue and any gifts, bequests, or donations. The state  
6 treasurer shall be custodian of the fund. In accordance  
7 with sections 30.170 and 30.180, the state treasurer may  
8 approve disbursements. The fund shall be a dedicated fund  
9 and, upon appropriation, moneys in the fund shall be used  
10 solely for the administration of section 590.1070.  
11 Notwithstanding the provisions of section 33.080 to the  
12 contrary, any moneys remaining in the fund at the end of the  
13 biennium shall not revert to the credit of the general  
14 revenue fund. The state treasurer shall invest moneys in  
15 the fund in the same manner as other funds are invested.  
16 Any interest and moneys earned on such investments shall be  
17 credited to the fund.

Section B. Because immediate action is necessary to  
2 reduce crime, the enactment of section 56.601 of section A  
3 of this act is deemed necessary for the immediate

4 preservation of the public health, welfare, peace, and  
5 safety, and is hereby declared to be an emergency act within  
6 the meaning of the constitution, and the enactment of  
7 section 56.601 of section A of this act shall be in full  
8 force and effect upon its passage and approval.

✓