

FIRST REGULAR SESSION

[PERFECTED]

# HOUSE BILL NO. 70

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE DINKINS.

0764H.01P

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 43.539, 43.540, 160.665, 571.030, 571.107, 571.215, 590.010, and 590.205, RSMo, and to enact in lieu thereof eight new sections relating to school protection officers.

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

Section A. Sections 43.539, 43.540, 160.665, 571.030, 571.107, 571.215, 590.010, 2 and 590.205, RSMo, are repealed and eight new sections enacted in lieu thereof, to be known 3 as sections 43.539, 43.540, 160.665, 571.030, 571.107, 571.215, 590.010, and 590.205, to 4 read as follows:

- 43.539. 1. As used in this section, the following terms mean:
- 2 (1) "Applicant", a person who:
    - 3 (a) Is actively employed by or seeks employment with a qualified entity;
    - 4 (b) Is actively licensed or seeks licensure with a qualified entity;
    - 5 (c) Actively volunteers or seeks to volunteer with a qualified entity;
    - 6 (d) Is actively contracted with or seeks to contract with a qualified entity; or
    - 7 (e) Owns or operates a qualified entity;
  - 8 (2) "Care", the provision of care, treatment, education, training, instruction, 9 supervision, or recreation to children, the elderly, or disabled persons;
  - 10 (3) "Missouri criminal record review", a review of criminal history records and sex 11 offender registration records under sections 589.400 to 589.425 maintained by the Missouri 12 state highway patrol in the Missouri criminal records repository;

EXPLANATION — Matter enclosed in bold-faced brackets ~~thus~~ in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

13 (4) "Missouri Rap Back program", any type of automatic notification made by the  
14 Missouri state highway patrol to a qualified entity indicating that an applicant who is  
15 employed, licensed, or otherwise under the purview of that entity has been arrested for a  
16 reported criminal offense in Missouri as required under section 43.506;

17 (5) "National criminal record review", a review of the criminal history records  
18 maintained by the Federal Bureau of Investigation;

19 (6) "National Rap Back program", any type of automatic notification made by the  
20 Federal Bureau of Investigation through the Missouri state highway patrol to a qualified  
21 entity indicating that an applicant who is employed, licensed, or otherwise under the purview  
22 of that entity has been arrested for a reported criminal offense outside the state of Missouri  
23 and the fingerprints for that arrest were forwarded to the Federal Bureau of Investigation by  
24 the arresting agency;

25 (7) "Patient or resident", a person who by reason of age, illness, disease, or physical  
26 or mental infirmity receives or requires care or services furnished by an applicant, as defined  
27 in this section, or who resides or boards in, or is otherwise kept, cared for, treated, or  
28 accommodated in a facility as defined in section 198.006, for a period exceeding twenty-four  
29 consecutive hours;

30 (8) "Qualified entity", a person, business, or organization that provides care, care  
31 placement, or educational services for children, the elderly, or persons with disabilities as  
32 patients or residents, including a business or organization that licenses or certifies others to  
33 provide care or care placement services;

34 (9) "Youth services agency", any agency, school, or association that provides  
35 programs, care, or treatment for or exercises supervision over minors.

36 2. The central repository shall have the authority to submit applicant fingerprints to  
37 the National Rap Back program to be retained for the purpose of being searched against future  
38 submissions to the National Rap Back program, including latent fingerprint searches.  
39 Qualified entities may conduct Missouri and national criminal record reviews on applicants  
40 and participate in Missouri and National Rap Back programs for the purpose of determining  
41 suitability or fitness for a permit, license, or employment, and shall abide by the following  
42 requirements:

43 (1) The qualified entity shall register with the Missouri state highway patrol prior to  
44 submitting a request for screening under this section. As part of the registration, the qualified  
45 entity shall indicate if it chooses to enroll applicants in the Missouri and National Rap Back  
46 programs;

47 (2) Qualified entities shall notify applicants subject to a criminal record review under  
48 this section that the applicant's fingerprints shall be retained by the state central repository and

49 the Federal Bureau of Investigation and shall be searched against other fingerprints on file,  
50 including latent fingerprints;

51 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap  
52 Back program that the applicant's fingerprints, while retained, may continue to be compared  
53 against other fingerprints submitted or retained by the Federal Bureau of Investigation,  
54 including latent fingerprints;

55 (4) The criminal record review and Rap Back process described in this section shall  
56 be voluntary and conform to the requirements established in the National Child Protection  
57 Act of 1993, as amended, and other applicable state or federal law. As a part of the  
58 registration, the qualified entity shall agree to comply with state and federal law and shall  
59 indicate so by signing an agreement approved by the Missouri state highway patrol. The  
60 Missouri state highway patrol may periodically audit qualified entities to ensure compliance  
61 with federal law and this section;

62 (5) A qualified entity shall submit to the Missouri state highway patrol a request for  
63 screening on applicants covered under this section using a completed fingerprint card;

64 (6) Each request shall be accompanied by a reasonable fee, as provided in section  
65 43.530, plus the amount required, if any, by the Federal Bureau of Investigation for the  
66 national criminal record review and enrollment in the National Rap Back program in  
67 compliance with the National Child Protection Act of 1993, as amended, and other applicable  
68 state or federal laws;

69 (7) The Missouri state highway patrol shall provide, directly to the qualified entity,  
70 the applicant's state criminal history records that are not exempt from disclosure under  
71 chapter 610 or otherwise confidential under law;

72 (8) The national criminal history data shall be available to qualified entities to use  
73 only for the purpose of screening applicants as described under this section. The Missouri  
74 state highway patrol shall provide the applicant's national criminal history record information  
75 directly to the qualified entity;

76 (9) The determination whether the criminal history record shows that the applicant  
77 has been convicted of or has a pending charge for any crime that bears upon the fitness of the  
78 applicant to have responsibility for the safety and well-being of children, the elderly, or  
79 disabled persons shall be made solely by the qualified entity. This section shall not require  
80 the Missouri state highway patrol to make such a determination on behalf of any qualified  
81 entity;

82 (10) The qualified entity shall notify the applicant, in writing, of his or her right to  
83 obtain a copy of any criminal record review, including the criminal history records, if any,  
84 contained in the report and of the applicant's right to challenge the accuracy and completeness  
85 of any information contained in any such report and obtain a determination as to the validity

86 of such challenge before a final determination regarding the applicant is made by the qualified  
87 entity reviewing the criminal history information. A qualified entity that is required by law to  
88 apply screening criteria, including any right to contest or request an exemption from  
89 disqualification, shall apply such screening criteria to the state and national criminal history  
90 record information received from the Missouri state highway patrol for those applicants  
91 subject to the required screening; and

92 (11) Failure to obtain the information authorized under this section, with respect to an  
93 applicant, shall not be used as evidence in any negligence action against a qualified entity.  
94 The state, any political subdivision of the state, or any agency, officer, or employee of the  
95 state or a political subdivision shall not be liable for damages for providing the information  
96 requested under this section.

97 3. The criminal record review shall include the submission of fingerprints to the  
98 Missouri state highway patrol, who shall conduct a Missouri criminal record review,  
99 including closed record information under section 610.120. The Missouri state highway  
100 patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of  
101 Investigation for a national criminal record review.

102 4. The applicant subject to a criminal record review shall provide the following  
103 information to the qualified entity:

104 (1) Consent to obtain the applicant's fingerprints, conduct the criminal record review,  
105 and participate in the Missouri and National Rap Back programs;

106 (2) Consent to obtain the identifying information required to conduct the criminal  
107 record review, which may include, but not be limited to:

108 (a) Name;

109 (b) Date of birth;

110 (c) Height;

111 (d) Weight;

112 (e) Eye color;

113 (f) Hair color;

114 (g) Gender;

115 (h) Race;

116 (i) Place of birth;

117 (j) Social Security number; and

118 (k) The applicant's photo.

119 5. Any information received by an authorized state agency or a qualified entity under  
120 the provisions of this section shall be used solely for internal purposes in determining the  
121 suitability of an applicant. The dissemination of criminal history information from the  
122 Federal Bureau of Investigation beyond the authorized state agency or related governmental

123 entity is prohibited. All criminal record check information shall be confidential, and any  
124 person who discloses the information beyond the scope allowed is guilty of a class A  
125 misdemeanor.

126         6. A qualified entity enrolled in either the Missouri or National Rap Back program  
127 shall be notified by the Missouri state highway patrol that a new arrest has been reported on  
128 an applicant who is employed, licensed, or otherwise under the purview of the qualified  
129 entity. Upon receiving the Rap Back notification, if the qualified entity deems that the  
130 applicant is still serving in an active capacity, the entity may request and receive the  
131 individual's updated criminal history record. This process shall only occur if:

132             (1) The entity has abided by all procedures and rules promulgated by the Missouri  
133 state highway patrol and Federal Bureau of Investigation regarding the Missouri and National  
134 Rap Back programs;

135             (2) The individual upon whom the Rap Back notification is being made has  
136 previously had a Missouri and national criminal record review completed for the qualified  
137 entity under this section [~~within the previous six years~~]; and

138             (3) The individual upon whom the Rap Back notification is being made is a current  
139 employee, licensee, or otherwise still actively under the purview of the qualified entity.

140         7. The Missouri state highway patrol shall make available or approve the necessary  
141 forms, procedures, and agreements necessary to implement the provisions of this section.

43.540. 1. As used in this section, the following terms mean:

2             (1) "Applicant", a person who:

3                 (a) Is actively employed by or seeks employment with a qualified entity;

4                 (b) Is actively licensed or seeks licensure with a qualified entity;

5                 (c) Actively volunteers or seeks to volunteer with a qualified entity; or

6                 (d) Is actively contracted with or seeks to contract with a qualified entity;

7             (2) "Missouri criminal record review", a review of criminal history records and sex  
8 offender registration records pursuant to sections 589.400 to 589.425 maintained by the  
9 Missouri state highway patrol in the Missouri criminal records repository;

10             (3) "Missouri Rap Back program", shall include any type of automatic notification  
11 made by the Missouri state highway patrol to a qualified entity indicating that an applicant  
12 who is employed, licensed, or otherwise under the purview of that entity has been arrested for  
13 a reported criminal offense in Missouri as required under section 43.506;

14             (4) "National criminal record review", a review of the criminal history records  
15 maintained by the Federal Bureau of Investigation;

16             (5) "National Rap Back program", shall include any type of automatic notification  
17 made by the Federal Bureau of Investigation through the Missouri state highway patrol to a  
18 qualified entity indicating that an applicant who is employed, licensed, or otherwise under the

19 purview of that entity has been arrested for a reported criminal offense outside the state of  
20 Missouri and the fingerprints for that arrest were forwarded to the Federal Bureau of  
21 Investigation by the arresting agency;

22 (6) "Qualified entity", an entity that is:

23 (a) An office or division of state, county, or municipal government, including a  
24 political subdivision or a board or commission designated by statute or approved local  
25 ordinance, to issue or renew a license, permit, certification, or registration of authority;

26 (b) An office or division of state, county, or municipal government, including a  
27 political subdivision or a board or commission designated by statute or approved local  
28 ordinance, to make fitness determinations on applications for state, county, or municipal  
29 government employment; or

30 (c) Any entity that is authorized to obtain criminal history record information under  
31 28 CFR 20.33.

32 2. The central repository shall have the authority to submit applicant fingerprints to  
33 the National Rap Back program to be retained for the purpose of being searched against future  
34 submissions to the National Rap Back program, including latent fingerprint searches.  
35 Qualified entities may conduct Missouri and national criminal record reviews on applicants  
36 and participate in Missouri and National Rap Back programs for the purpose of determining  
37 suitability or fitness for a permit, license, or employment, and shall abide by the following  
38 requirements:

39 (1) The qualified entity shall register with the Missouri state highway patrol prior to  
40 submitting a request for screening under this section. As part of such registration, the  
41 qualified entity shall indicate if it chooses to enroll their applicants in the Missouri and  
42 National Rap Back programs;

43 (2) Qualified entities shall notify applicants subject to a criminal record review under  
44 this section that the applicant's fingerprints shall be retained by the state central repository and  
45 the Federal Bureau of Investigation and shall be searched against other fingerprints on file,  
46 including latent fingerprints;

47 (3) Qualified entities shall notify applicants subject to enrollment in the National Rap  
48 Back program that the applicant's fingerprints, while retained, may continue to be compared  
49 against other fingerprints submitted or retained by the Federal Bureau of Investigation,  
50 including latent fingerprints;

51 (4) The criminal record review and Rap Back process described in this section shall  
52 be voluntary and conform to the requirements established in Pub. L. 92-544 and other  
53 applicable state or federal law. As a part of the registration, the qualified entity shall agree to  
54 comply with state and federal law and shall indicate so by signing an agreement approved by

55 the Missouri state highway patrol. The Missouri state highway patrol may periodically audit  
56 qualified entities to ensure compliance with federal law and this section;

57 (5) A qualified entity shall submit to the Missouri state highway patrol a request for  
58 screening on applicants covered under this section using a completed fingerprint card;

59 (6) Each request shall be accompanied by a reasonable fee, as provided in section  
60 43.530, plus the amount required, if any, by the Federal Bureau of Investigation for the  
61 national criminal record review and enrollment in the National Rap Back program in  
62 compliance with applicable state or federal laws;

63 (7) The Missouri state highway patrol shall provide, directly to the qualified entity,  
64 the applicant's state criminal history records that are not exempt from disclosure under  
65 chapter 610 or are otherwise confidential under law;

66 (8) The national criminal history data shall be available to qualified entities to use  
67 only for the purpose of screening applicants as described under this section. The Missouri  
68 state highway patrol shall provide the applicant's national criminal history record information  
69 directly to the qualified entity;

70 (9) This section shall not require the Missouri state highway patrol to make an  
71 eligibility determination on behalf of any qualified entity;

72 (10) The qualified entity shall notify the applicant, in writing, of his or her right to  
73 obtain a copy of any criminal record review, including the criminal history records, if any,  
74 contained in the report, and of the applicant's right to challenge the accuracy and  
75 completeness of any information contained in any such report and to obtain a determination  
76 as to the validity of such challenge before a final determination regarding the applicant is  
77 made by the qualified entity reviewing the criminal history information. A qualified entity  
78 that is required by law to apply screening criteria, including any right to contest or request an  
79 exemption from disqualification, shall apply such screening criteria to the state and national  
80 criminal history record information received from the Missouri state highway patrol for those  
81 applicants subject to the required screening; and

82 (11) Failure to obtain the information authorized under this section with respect to an  
83 applicant shall not be used as evidence in any negligence action against a qualified entity.  
84 The state, any political subdivision of the state, or any agency, officer, or employee of the  
85 state or a political subdivision shall not be liable for damages for providing the information  
86 requested under this section.

87 3. The criminal record review shall include the submission of fingerprints to the  
88 Missouri state highway patrol, who shall conduct a Missouri criminal record review,  
89 including closed record information under section 610.120. The Missouri state highway  
90 patrol shall also forward a copy of the applicant's fingerprints to the Federal Bureau of  
91 Investigation for a national criminal record review.

92           4. The applicant subject to a criminal record review shall provide the following  
93 information to the qualified entity:

94           (1) Consent to obtain the applicant's fingerprints, conduct the criminal record review,  
95 and participate in the Missouri and National Rap Back programs;

96           (2) Consent to obtain the identifying information required to conduct the criminal  
97 record review, which may include, but not be limited to:

98           (a) Name;

99           (b) Date of birth;

100           (c) Height;

101           (d) Weight;

102           (e) Eye color;

103           (f) Hair color;

104           (g) Gender;

105           (h) Race;

106           (i) Place of birth;

107           (j) Social Security number; and

108           (k) The applicant's photo.

109           5. Any information received by an authorized state agency or a qualified entity  
110 pursuant to the provisions of this section shall be used solely for internal purposes in  
111 determining the suitability of an applicant. The dissemination of criminal history information  
112 from the Federal Bureau of Investigation beyond the authorized state agency or related  
113 governmental entity is prohibited. All criminal record check information shall be confidential  
114 and any person who discloses the information beyond the scope allowed is guilty of a class A  
115 misdemeanor.

116           6. A qualified entity enrolled in either the Missouri or National Rap Back programs  
117 shall be notified by the Missouri state highway patrol that a new arrest has been reported on  
118 an applicant who is employed, licensed, or otherwise under the purview of the qualified  
119 entity. Upon receiving the Rap Back notification, if the qualified entity deems that the  
120 applicant is still serving in an active capacity, the entity may request and receive the  
121 individual's updated criminal history record. This process shall only occur if:

122           (1) The agency has abided by all procedures and rules promulgated by the Missouri  
123 state highway patrol and Federal Bureau of Investigation regarding the Missouri and National  
124 Rap Back programs;

125           (2) The individual upon whom the Rap Back notification is being made has  
126 previously had a Missouri and national criminal record review completed for the qualified  
127 entity under this section [~~within the previous six years~~]; and



128 (3) The individual upon whom the Rap Back notification is being made is a current  
129 employee, licensee, or otherwise still actively under the purview of the qualified entity.

130 7. The highway patrol shall make available or approve the necessary forms,  
131 procedures, and agreements necessary to implement the provisions of this section.

160.665. 1. Any school district within the state may designate one or more  
2 elementary or secondary school teachers ~~[or]~~, administrators, **or other designated school**  
3 **personnel** as a school protection officer. The responsibilities and duties of a school  
4 protection officer are voluntary and shall be in addition to the normal responsibilities and  
5 duties of the teacher ~~[or]~~, administrator, **or other designated school personnel**. Any  
6 compensation for additional duties relating to service as a school protection officer shall be  
7 funded by the local school district, with no state funds used for such purpose.

8 2. Any person designated by a school district as a school protection officer shall be  
9 authorized to carry concealed firearms or a self-defense spray device in any school in the  
10 district. A self-defense spray device shall mean any device that is capable of carrying, and  
11 that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat.  
12 The school protection officer shall not be permitted to allow any firearm or device out of ~~[his~~  
13 ~~or her]~~ **the officer's** personal control while that firearm or device is on school property. Any  
14 school protection officer who violates this subsection may be removed immediately ~~[from the~~  
15 ~~classroom]~~ and subject to employment termination proceedings.

16 3. A school protection officer has the same authority to detain or use force against any  
17 person on school property as provided to any other person under chapter 563.

18 4. Upon detention of a person under subsection 3 of this section, the school protection  
19 officer shall immediately notify a school administrator and a school resource officer, if such  
20 officer is present at the school. If the person detained is a student then the parents or  
21 guardians of the student shall also be immediately notified by a school administrator.

22 5. Any person detained by a school protection officer shall be turned over to a school  
23 administrator or law enforcement officer as soon as practically possible and shall not be  
24 detained by a school protection officer for more than one hour.

25 6. Any teacher ~~[or]~~, administrator, **or other designated school personnel** of an  
26 elementary or secondary school who seeks to be designated as a school protection officer  
27 shall request such designation in writing, and submit it to the superintendent of the school  
28 district ~~[which]~~ **that** employs ~~[him or her]~~ **such individual** as a teacher ~~[or]~~, administrator, **or**  
29 **other designated school personnel**. Along with this request, any teacher ~~[or]~~, administrator,  
30 **or other designated school personnel** seeking to carry a concealed firearm on school  
31 property shall also submit proof that ~~[he or she]~~ **such individual** has a valid concealed carry  
32 endorsement or permit, and all teachers ~~[and]~~, administrators, **and other designated school**  
33 **personnel** seeking the designation of school protection officer shall submit a certificate of

34 school protection officer training program completion from a training program approved by  
35 the director of the department of public safety which demonstrates that such person has  
36 successfully completed the training requirements established by the POST commission under  
37 chapter 590 for school protection officers.

38 7. No school district may designate a teacher ~~[or]~~, administrator, **or other designated**  
39 **school personnel** as a school protection officer unless such person has successfully  
40 completed a school protection officer training program, which has been approved by the  
41 director of the department of public safety. No school district shall allow a school protection  
42 officer to carry a concealed firearm on school property unless the school protection officer  
43 has a valid concealed carry endorsement or permit.

44 8. **(1)** Any school district that designates a teacher ~~[or]~~, administrator, **or other**  
45 **designated school personnel** as a school protection officer shall, within thirty days, notify, in  
46 writing, the director of the department of public safety of the designation, which shall include  
47 the following:

48 ~~(1)~~ **(a)** The full name, date of birth, and address of the officer;

49 ~~(2)~~ **(b)** The name of the school district; and

50 ~~(3)~~ **(c)** The date such person was designated as a school protection officer.

51 **(2)** Notwithstanding any other provisions of law to the contrary, any identifying  
52 information collected under the authority of this subsection shall not be considered public  
53 information and shall not be subject to a request for public records made under chapter 610.

54 9. A school district may revoke the designation of a person as a school protection  
55 officer for any reason and shall immediately notify the designated school protection officer in  
56 writing of the revocation. The school district shall also within thirty days of the revocation  
57 notify the director of the department of public safety in writing of the revocation of the  
58 designation of such person as a school protection officer. A person who has had the  
59 designation of school protection officer revoked has no right to appeal the revocation  
60 decision.

61 10. The director of the department of public safety shall maintain a listing of all  
62 persons designated by school districts as school protection officers and shall make this list  
63 available to all law enforcement agencies.

64 11. Before a school district may designate a teacher ~~[or]~~, administrator, **or other**  
65 **designated school personnel** as a school protection officer, the school board shall hold a  
66 public hearing on whether to allow such designation. Notice of the hearing shall be published  
67 at least fifteen days before the date of the hearing in a newspaper of general circulation within  
68 the city or county in which the school district is located. The board may determine at a closed  
69 meeting, as "closed meeting" is defined under section 610.010, whether to authorize the

70 designated school protection officer to carry a concealed firearm or a self-defense spray  
71 device.

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

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

6 (2) Sets a spring gun; or

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

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

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

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

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

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

24 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section  
25 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any  
26 building or habitable structure, unless the person was lawfully acting in self-defense; or

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

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

32 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the  
33 persons described in this subsection, regardless of whether such uses are reasonably  
34 associated with or are necessary to the fulfillment of such person's official duties except as  
35 otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1

36 of this section shall not apply to or affect any of the following persons, when such uses are  
37 reasonably associated with or are necessary to the fulfillment of such person's official duties,  
38 except as otherwise provided in this subsection:

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

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

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

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

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

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

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

62 (8) Any corporate security advisor meeting the definition and fulfilling the  
63 requirements of the regulations established by the department of public safety under section  
64 590.750;

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

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

70 (11) Any member of a fire department or fire protection district who is employed on a  
71 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued  
72 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such

73 uses are reasonably associated with or are necessary to the fulfillment of such person's official  
74 duties; and

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

80 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply  
81 when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state  
82 when ammunition is not readily accessible or when such weapons are not readily accessible.  
83 Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of  
84 age or older or eighteen years of age or older and a member of the United States Armed  
85 Forces, or honorably discharged from the United States Armed Forces, transporting a  
86 concealable firearm in the passenger compartment of a motor vehicle, so long as such  
87 concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession  
88 of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her  
89 dwelling unit or upon premises over which the actor has possession, authority or control, or is  
90 traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection  
91 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person  
92 while traversing school premises for the purposes of transporting a student to or from school,  
93 or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related  
94 event or club event.

95 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any  
96 person who has a valid concealed carry permit issued pursuant to sections 571.101 to  
97 571.121, a valid concealed carry endorsement issued before August 28, 2013, or a valid  
98 permit or endorsement to carry concealed firearms issued by another state or political  
99 subdivision of another state.

100 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section  
101 shall not apply to persons who are engaged in a lawful act of defense pursuant to section  
102 563.031.

103 6. Notwithstanding any provision of this section to the contrary, the state shall not  
104 prohibit any state employee from having a firearm in the employee's vehicle on the state's  
105 property provided that the vehicle is locked and the firearm is not visible. This subsection  
106 shall only apply to the state as an employer when the state employee's vehicle is on property  
107 owned or leased by the state and the state employee is conducting activities within the scope  
108 of his or her employment. For the purposes of this subsection, "state employee" means an

109 employee of the executive, legislative, or judicial branch of the government of the state of  
110 Missouri.

111       7. **(1) Subdivision (10) of subsection 1 of this section shall not apply to a person**  
112 **who is a school officer commissioned by the district school board under section 162.215**  
113 **or who is a school protection officer, as described under section 160.665.**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

180           (3) A certification issued by the state in which the individual resides that indicates  
181 that the individual has, not less recently than one year before the date the individual is  
182 carrying the concealed firearm, been tested or otherwise found by the state to meet the

183 standards established by the state for training and qualification for active peace officers to  
184 carry a firearm of the same type as the concealed firearm.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121,  
2 a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry  
3 endorsement or permit issued by another state or political subdivision of another state shall  
4 authorize the person in whose name the permit or endorsement is issued to carry concealed  
5 firearms on or about ~~his or her~~ **the individual's** person or vehicle throughout the state. No  
6 concealed carry permit issued pursuant to sections 571.101 to 571.121, valid concealed carry  
7 endorsement issued prior to August 28, 2013, or a concealed carry endorsement or permit  
8 issued by another state or political subdivision of another state shall authorize any person to  
9 carry concealed firearms into:

10 (1) Any police, sheriff, or highway patrol office or station without the consent of the  
11 chief law enforcement officer in charge of that office or station. Possession of a firearm in a  
12 vehicle on the premises of the office or station shall not be a criminal offense so long as the  
13 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

14 (2) Within twenty-five feet of any polling place on any election day. Possession of a  
15 firearm in a vehicle on the premises of the polling place shall not be a criminal offense so  
16 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
17 premises;

18 (3) The facility of any adult or juvenile detention or correctional institution, prison or  
19 jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or  
20 correctional institution, prison or jail shall not be a criminal offense so long as the firearm is  
21 not removed from the vehicle or brandished while the vehicle is on the premises;

22 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any  
23 courtrooms, administrative offices, libraries or other rooms of any such court whether or not  
24 such court solely occupies the building in question. This subdivision shall also include, but  
25 not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein  
26 any of the courts or offices listed in this subdivision are temporarily conducting any business  
27 within the jurisdiction of such courts or offices, and such other locations in such manner as  
28 may be specified by supreme court rule pursuant to subdivision (6) of this subsection.  
29 Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection  
30 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in  
31 subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who  
32 serve in a law enforcement capacity for a court as may be specified by supreme court rule  
33 pursuant to subdivision (6) of this subsection from carrying a concealed firearm within any of  
34 the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of



35 any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm  
36 is not removed from the vehicle or brandished while the vehicle is on the premises;

37 (5) Any meeting of the governing body of a unit of local government; or any meeting  
38 of the general assembly or a committee of the general assembly, except that nothing in this  
39 subdivision shall preclude a member of the body holding a valid concealed carry permit or  
40 endorsement from carrying a concealed firearm at a meeting of the body ~~of which [he or she]~~  
41 **such individual** is a member. Possession of a firearm in a vehicle on the premises shall not  
42 be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
43 while the vehicle is on the premises. Nothing in this subdivision shall preclude a member of  
44 the general assembly, a full-time employee of the general assembly employed under Section  
45 17, Article III, Constitution of Missouri, legislative employees of the general assembly as  
46 determined under section 21.155, or statewide elected officials and their employees, holding a  
47 valid concealed carry permit or endorsement, from carrying a concealed firearm in the state  
48 capitol building or at a meeting whether of the full body of a house of the general assembly or  
49 a committee thereof, that is held in the state capitol building;

50 (6) The general assembly, supreme court, county or municipality may by rule,  
51 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by  
52 permit or endorsement holders in that portion of a building owned, leased or controlled by  
53 that unit of government. Any portion of a building in which the carrying of concealed  
54 firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to  
55 the restricted area. The statute, rule or ordinance shall exempt any building used for public  
56 housing by private persons, highways or rest areas, firing ranges, and private dwellings  
57 owned, leased, or controlled by that unit of government from any restriction on the carrying  
58 or possession of a firearm. The statute, rule or ordinance shall not specify any criminal  
59 penalty for its violation but may specify that persons violating the statute, rule or ordinance  
60 may be denied entrance to the building, ordered to leave the building and if employees of the  
61 unit of government, be subjected to disciplinary measures for violation of the provisions of  
62 the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other  
63 unit of government;

64 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the  
65 premises, which portion is primarily devoted to that purpose, without the consent of the  
66 owner or manager. The provisions of this subdivision shall not apply to the licensee of said  
67 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant  
68 open to the general public having dining facilities for not less than fifty persons and that  
69 receives at least fifty-one percent of its gross annual income from the dining facilities by the  
70 sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the  
71 premises of the establishment and shall not be a criminal offense so long as the firearm is not

72 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this  
73 subdivision authorizes any individual who has been issued a concealed carry permit or  
74 endorsement to possess any firearm while intoxicated;

75 (8) Any area of an airport to which access is controlled by the inspection of persons  
76 and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a  
77 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
78 the vehicle is on the premises;

79 (9) Any place where the carrying of a firearm is prohibited by federal law;

80 (10) Any higher education institution or elementary or secondary school facility  
81 without the consent of the governing body of the higher education institution or a school  
82 official or the district school board, unless the person with the concealed carry endorsement or  
83 permit is a teacher ~~[or]~~, administrator, **or other designated school personnel** of an  
84 elementary or secondary school who has been designated by ~~[his or her]~~ **such individual's**  
85 school district as a school protection officer and is carrying a firearm in a school within that  
86 district, in which case no consent is required. Possession of a firearm in a vehicle on the  
87 premises of any higher education institution or elementary or secondary school facility shall  
88 not be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
89 while the vehicle is on the premises;

90 (11) Any portion of a building used as a child care facility without the consent of the  
91 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a  
92 family home from owning or possessing a firearm or a concealed carry permit or  
93 endorsement;

94 (12) Any riverboat gambling operation accessible by the public without the consent  
95 of the owner or manager pursuant to rules promulgated by the gaming commission.  
96 Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall  
97 not be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
98 while the vehicle is on the premises;

99 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on  
100 the premises of the amusement park shall not be a criminal offense so long as the firearm is  
101 not removed from the vehicle or brandished while the vehicle is on the premises;

102 (14) Any church or other place of religious worship without the consent of the  
103 minister or person or persons representing the religious organization that exercises control  
104 over the place of religious worship. Possession of a firearm in a vehicle on the premises shall  
105 not be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
106 while the vehicle is on the premises;

107 (15) Any private property whose owner has posted the premises as being off-limits to  
108 concealed firearms by means of one or more signs displayed in a conspicuous place of a

109 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not  
110 less than one inch. The owner, business or commercial lessee, manager of a private business  
111 enterprise, or any other organization, entity, or person may prohibit persons holding a  
112 concealed carry permit or endorsement from carrying concealed firearms on the premises and  
113 may prohibit employees, not authorized by the employer, holding a concealed carry permit or  
114 endorsement from carrying concealed firearms on the property of the employer. If the  
115 building or the premises are open to the public, the employer of the business enterprise shall  
116 post signs on or about the premises if carrying a concealed firearm is prohibited. Possession  
117 of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm  
118 is not removed from the vehicle or brandished while the vehicle is on the premises. An  
119 employer may prohibit employees or other persons holding a concealed carry permit or  
120 endorsement from carrying a concealed firearm in vehicles owned by the employer;

121 (16) Any sports arena or stadium with a seating capacity of five thousand or more.  
122 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as  
123 the firearm is not removed from the vehicle or brandished while the vehicle is on the  
124 premises;

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

128 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17)  
129 of subsection 1 of this section by any individual who holds a concealed carry permit issued  
130 pursuant to sections 571.101 to 571.121, or a concealed carry endorsement issued prior to  
131 August 28, 2013, shall not be a criminal act but may subject the person to denial to the  
132 premises or removal from the premises. If such person refuses to leave the premises and a  
133 peace officer is summoned, such person may be issued a citation for an amount not to exceed  
134 one hundred dollars for the first offense. If a second citation for a similar violation occurs  
135 within a six-month period, such person shall be fined an amount not to exceed two hundred  
136 dollars and ~~his or her~~ **such individual's** permit, and, if applicable, endorsement to carry  
137 concealed firearms shall be suspended for a period of one year. If a third citation for a similar  
138 violation is issued within one year of the first citation, such person shall be fined an amount  
139 not to exceed five hundred dollars and shall have ~~his or her~~ **such individual's** concealed  
140 carry permit, and, if applicable, endorsement revoked and such person shall not be eligible for  
141 a concealed carry permit for a period of three years. Upon conviction of charges arising from  
142 a citation issued pursuant to this subsection, the court shall notify the sheriff of the county  
143 which issued the concealed carry permit, or, if the person is a holder of a concealed carry  
144 endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the county  
145 which issued the certificate of qualification for a concealed carry endorsement and the

146 department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if  
147 applicable, the certificate of qualification for a concealed carry endorsement. If the person  
148 holds an endorsement, the department of revenue shall issue a notice of such suspension or  
149 revocation of the concealed carry endorsement and take action to remove the concealed carry  
150 endorsement from the individual's driving record. The director of revenue shall notify the  
151 licensee that ~~he or she~~ **the licensee** must apply for a new license pursuant to chapter 302  
152 which does not contain such endorsement. The notice issued by the department of revenue  
153 shall be mailed to the last known address shown on the individual's driving record. The  
154 notice is deemed received three days after mailing.

571.215. 1. A Missouri lifetime or extended concealed carry permit issued under  
2 sections 571.205 to 571.230 shall authorize the person in whose name the permit is issued to  
3 carry concealed firearms on or about ~~his or her~~ **the individual's** person or vehicle  
4 throughout the state. No Missouri lifetime or extended concealed carry permit shall authorize  
5 any person to carry concealed firearms into:

6 (1) Any police, sheriff, or highway patrol office or station without the consent of the  
7 chief law enforcement officer in charge of that office or station. Possession of a firearm in a  
8 vehicle on the premises of the office or station shall not be a criminal offense so long as the  
9 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

10 (2) Within twenty-five feet of any polling place on any election day. Possession of a  
11 firearm in a vehicle on the premises of the polling place shall not be a criminal offense so  
12 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the  
13 premises;

14 (3) The facility of any adult or juvenile detention or correctional institution, prison or  
15 jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or  
16 correctional institution, prison or jail shall not be a criminal offense so long as the firearm is  
17 not removed from the vehicle or brandished while the vehicle is on the premises;

18 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any  
19 courtrooms, administrative offices, libraries, or other rooms of any such court whether or not  
20 such court solely occupies the building in question. This subdivision shall also include, but  
21 not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein  
22 any of the courts or offices listed in this subdivision are temporarily conducting any business  
23 within the jurisdiction of such courts or offices, and such other locations in such manner as  
24 may be specified by supreme court rule under subdivision (6) of this subsection. Nothing in  
25 this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of  
26 section 571.030 while within their jurisdiction and on duty, those persons listed in  
27 subdivisions (2), (4), and (10) of subsection 2 of section 571.030, or such other persons who  
28 serve in a law enforcement capacity for a court as may be specified by supreme court rule

29 under subdivision (6) of this subsection from carrying a concealed firearm within any of the  
30 areas described in this subdivision. Possession of a firearm in a vehicle on the premises of  
31 any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm  
32 is not removed from the vehicle or brandished while the vehicle is on the premises;

33 (5) Any meeting of the governing body of a unit of local government, or any meeting  
34 of the general assembly or a committee of the general assembly, except that nothing in this  
35 subdivision shall preclude a member of the body holding a valid Missouri lifetime or  
36 extended concealed carry permit from carrying a concealed firearm at a meeting of the body  
37 of which ~~he or she~~ **such individual** is a member. Possession of a firearm in a vehicle on the  
38 premises shall not be a criminal offense so long as the firearm is not removed from the vehicle  
39 or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude  
40 a member of the general assembly, a full-time employee of the general assembly employed  
41 under Section 17, Article III, Constitution of Missouri, legislative employees of the general  
42 assembly as determined under section 21.155, or statewide elected officials and their  
43 employees, holding a valid Missouri lifetime or extended concealed carry permit, from  
44 carrying a concealed firearm in the state capitol building or at a meeting whether of the full  
45 body of a house of the general assembly or a committee thereof, that is held in the state  
46 capitol building;

47 (6) The general assembly, supreme court, county, or municipality may by rule,  
48 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by  
49 permit holders in that portion of a building owned, leased, or controlled by that unit of  
50 government. Any portion of a building in which the carrying of concealed firearms is  
51 prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted  
52 area. The statute, rule, or ordinance shall exempt any building used for public housing by  
53 private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or  
54 controlled by that unit of government from any restriction on the carrying or possession of a  
55 firearm. The statute, rule, or ordinance shall not specify any criminal penalty for its violation  
56 but may specify that persons violating the statute, rule, or ordinance may be denied entrance  
57 to the building, ordered to leave the building and if employees of the unit of government, be  
58 subjected to disciplinary measures for violation of the provisions of the statute, rule, or  
59 ordinance. The provisions of this subdivision shall not apply to any other unit of government;

60 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the  
61 premises, which portion is primarily devoted to that purpose, without the consent of the  
62 owner or manager. The provisions of this subdivision shall not apply to the licensee of said  
63 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant  
64 open to the general public having dining facilities for not less than fifty persons and that  
65 receives at least fifty-one percent of its gross annual income from the dining facilities by the

66 sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the  
67 premises of the establishment and shall not be a criminal offense so long as the firearm is not  
68 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this  
69 subdivision authorizes any individual who has been issued a Missouri lifetime or extended  
70 concealed carry permit to possess any firearm while intoxicated;

71 (8) Any area of an airport to which access is controlled by the inspection of persons  
72 and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a  
73 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
74 the vehicle is on the premises;

75 (9) Any place where the carrying of a firearm is prohibited by federal law;

76 (10) Any higher education institution or elementary or secondary school facility  
77 without the consent of the governing body of the higher education institution or a school  
78 official or the district school board, unless the person with the Missouri lifetime or extended  
79 concealed carry permit is a teacher ~~[or]~~, administrator, **or other designated school personnel**  
80 of an elementary or secondary school who has been designated by ~~[his or her]~~ **such**  
81 **individual's** school district as a school protection officer and is carrying a firearm in a school  
82 within that district, in which case no consent is required. Possession of a firearm in a vehicle  
83 on the premises of any higher education institution or elementary or secondary school facility  
84 shall not be a criminal offense so long as the firearm is not removed from the vehicle or  
85 brandished while the vehicle is on the premises;

86 (11) Any portion of a building used as a child care facility without the consent of the  
87 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a  
88 family home from owning or possessing a firearm or a Missouri lifetime or extended  
89 concealed carry permit;

90 (12) Any riverboat gambling operation accessible by the public without the consent  
91 of the owner or manager under rules promulgated by the gaming commission. Possession of  
92 a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a  
93 criminal offense so long as the firearm is not removed from the vehicle or brandished while  
94 the vehicle is on the premises;

95 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on  
96 the premises of the amusement park shall not be a criminal offense so long as the firearm is  
97 not removed from the vehicle or brandished while the vehicle is on the premises;

98 (14) Any church or other place of religious worship without the consent of the  
99 minister or person or persons representing the religious organization that exercises control  
100 over the place of religious worship. Possession of a firearm in a vehicle on the premises shall  
101 not be a criminal offense so long as the firearm is not removed from the vehicle or brandished  
102 while the vehicle is on the premises;

103 (15) Any private property whose owner has posted the premises as being off-limits to  
104 concealed firearms by means of one or more signs displayed in a conspicuous place of a  
105 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not  
106 less than one inch. The owner, business or commercial lessee, manager of a private business  
107 enterprise, or any other organization, entity, or person may prohibit persons holding a  
108 Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the  
109 premises and may prohibit employees, not authorized by the employer, holding a Missouri  
110 lifetime or extended concealed carry permit from carrying concealed firearms on the property  
111 of the employer. If the building or the premises are open to the public, the employer of the  
112 business enterprise shall post signs on or about the premises if carrying a concealed firearm is  
113 prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal  
114 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle  
115 is on the premises. An employer may prohibit employees or other persons holding a Missouri  
116 lifetime or extended concealed carry permit from carrying a concealed firearm in vehicles  
117 owned by the employer;

118 (16) Any sports arena or stadium with a seating capacity of five thousand or more.  
119 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as  
120 the firearm is not removed from the vehicle or brandished while the vehicle is on the  
121 premises;

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

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

140 lifetime or extended concealed carry permit. The sheriff shall suspend or revoke the Missouri  
141 lifetime or extended concealed carry permit.

590.010. As used in this chapter, the following terms mean:

- 2 (1) "Commission", when not obviously referring to the POST commission, means a  
3 grant of authority to act as a peace officer;
- 4 (2) "Director", the director of the Missouri department of public safety or ~~[his or her]~~  
5 **the director's** designated agent or representative;
- 6 (3) "Peace officer", a law enforcement officer of the state or any political subdivision  
7 of the state with the power of arrest for a violation of the criminal code or declared or deemed  
8 to be a peace officer by state statute;
- 9 (4) "POST commission", the peace officer standards and training commission;
- 10 (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours  
11 per week;
- 12 (6) "School protection officer", an elementary or secondary school teacher ~~[or]~~,  
13 administrator, **or other designated school personnel** who has been designated as a school  
14 protection officer by a school district.

590.205. 1. The POST commission shall establish minimum standards for school  
2 protection officer training instructors, training centers, and training programs.

3 2. The director shall develop and maintain a list of approved school protection officer  
4 training instructors, training centers, and training programs. The director shall not place any  
5 instructor, training center, or training program on its approved list unless such instructor,  
6 training center, or training program meets all of the POST commission requirements under  
7 this section and section 590.200. The director shall make this approved list available to every  
8 school district in the state. The required training to become a school protection officer shall  
9 be provided by those firearm instructors, private and public, who have successfully completed  
10 a department of public safety POST certified law enforcement firearms instructor school.

11 3. Each person seeking entrance into a school protection officer training center or  
12 training program shall submit a fingerprint card and authorization for a criminal history  
13 background check to include the records of the Federal Bureau of Investigation to the training  
14 center or training program where such person is seeking entrance. The training center or  
15 training program shall cause a criminal history background check to be made and shall cause  
16 the resulting report to be forwarded to the school district where the elementary **or secondary**  
17 school teacher ~~[or]~~, administrator, **or other designated school personnel** is seeking to be  
18 designated as a school protection officer.

19 4. No person shall be admitted to a school protection officer training center or  
20 training program unless such person submits proof to the training center or training program  
21 that ~~[he or she]~~ **such individual** has a valid concealed carry endorsement or permit.



22           5. A certificate of school protection officer training program completion may be  
23 issued to any applicant by any approved school protection officer training instructor. On the  
24 certificate of program completion the approved school protection officer training instructor  
25 shall affirm that the individual receiving instruction has taken and passed a school protection  
26 officer training program that meets the requirements of this section and section 590.200 and  
27 indicate whether the individual has a valid concealed carry endorsement or permit. The  
28 instructor shall also provide a copy of such certificate to the director of the department of  
29 public safety.

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