

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Joint Resolution No. 131, Page 1, Section A, Line
2 1, by deleting the phrase "Article III" and inserting in lieu thereof the phrase "Article I"; and
3
4 Further amend said bill, Pages 1-2, Section 38(e), Lines 1-42, by deleting all of said section and
5 lines and inserting in lieu thereof the following:
6

7 "Section 23. [~~That the right of every citizen to keep and bear arms, ammunition, and~~
8 ~~accessories typical to the normal function of such arms, in defense of his home, person, family and~~
9 ~~property, or when lawfully summoned in aid of the civil power, shall not be questioned. The rights~~
10 ~~guaranteed by this section shall be unalienable. Any restriction on these rights shall be subject to~~
11 ~~strict scrutiny and the state of Missouri shall be obligated to uphold these rights and shall under no~~
12 ~~circumstances decline to protect against their infringement. Nothing in this section shall be~~
13 ~~construed to prevent the general assembly from enacting general laws which limit the rights of~~
14 ~~convicted violent felons or those adjudicated by a court to be a danger to self or others as result of a~~
15 ~~mental disorder or mental infirmity.] In compliance with the Second Amendment of the
16 Constitution of the United States and limited by decisions of the United States Supreme Court and
17 federal law, any county, the city of St. Louis, and the city of Kansas City may, by ordinance duly
18 enacted, regulate the possession, carrying, or transfer of firearms within the limits of the city or
19 county notwithstanding any other provision of law, subject to the following:~~

20 (1) An ordinance authorizing the issuance of a permit or certificate may provide for the city
21 or county to charge a fee that is sufficient to cover the costs of issuing permits or certificates but that
22 does not exceed the costs therefor. Any permits or certificates issued in accordance with such
23 ordinance shall not be valid for more than five years. The city or county may obtain background
24 check information from the federal National Instant Criminal Background Check System or any
25 other governmental agency providing such information service;

Action Taken _____ Date _____

1 (2) Any ordinance adopted in accordance with this section may apply to nonresidents as
2 well as residents of the city or county but shall recognize as valid any permit or certificate
3 authorizing the possession or carrying of firearms issued by the county of residence of the permit
4 holder or certificate holder. Any such ordinance shall also exempt any active duty or retired law
5 enforcement officer who is currently certified as compliant with the peace officer standards and
6 training required in this state, any full-time judge, and any person who is required to be armed as a
7 condition of employment during active employment as a licensed security guard or as a government
8 employee, including any member of the military; and

9 (3) Any ordinance adopted in accordance with this section may provide penalties for
10 violation, but such penalties shall not exceed a fine of one thousand dollars or imprisonment in the
11 county jail for a term exceeding one year, or both. Any such ordinance may also authorize a law
12 enforcement officer, upon probable cause, to seize any firearm in the possession of a person who is
13 ineligible by law to possess the firearm."; and

14
15 Further amend said bill, Pages 2-3, Section B, Lines 1-11, by deleting all of said section and lines;
16 and

17
18 Further amend said bill by amending the title, enacting clause, and intersectional references
19 accordingly.