

HCS HBs 548 & 898 -- FIREARMS SUPPRESSORS

SPONSOR: Costlow

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 8 to 4.

The following is a summary of the House Committee Substitute for HBs 548 & 898.

Currently, a person commits a criminal offense if he or she knowingly possesses, manufactures, transports, repairs, or sells a firearm silencer in violation of Federal law.

This bill includes the phrase "firearm suppressor" to the existing definition of "firearm silencer".

Beginning August 28, 2025, possession, manufacture, transportation, repair, or sale of a firearm suppressor will no longer be a criminal offense. If a criminal action for this offense is still pending on August 28, 2025, the action must be dismissed on that date. Final convictions for this offense that existed prior to August 28, 2025, will not be affected.

Beginning August 28, 2025, a firearm suppressor that is manufactured in Missouri and remains in Missouri will not be subject to Federal law or regulation, including registration, under the US Congress's authority to regulate interstate commerce. A firearm suppressor must be deemed to have been manufactured in Missouri if the item is:

(1) Made from basic materials; and

(2) Does not include parts imported from another state, other than generic and insignificant parts.

This bill defines a "generic and insignificant part" as an item that has manufacturing or consumer product applications, other than inclusion in a firearm suppressor, such as a spring, screw, nut, or pin. A firearm suppressor manufactured in Missouri that is subsequently attached to a firearm that was imported from another state will still be considered to have been manufactured in Missouri.

Basic materials, such as unmachined steel, used in the manufacturing process of firearm suppressors must not be deemed to be a firearm suppressor, and will not be subject to federal regulation under the US Congress's authority to regulate interstate commerce, as if it actually were a firearm suppressor. A firearm

suppressor manufactured and sold in Missouri must have the words "Made in Missouri" clearly stamped on it.

If a US citizen residing in Missouri makes a written notification to the Attorney General of his or her intent to manufacture a firearm suppressor, the Attorney General will seek a declaratory judgment from a Federal district court in this State that the manufacturing process described in this bill is consistent with the US Constitution.

The bill prohibits any Missouri state or local government entity, as specified in the bill, from adopting a rule, order, ordinance, or policy under which a state or local government entity attempts to enforce a Federal statute, order, rule, or regulation that regulates a firearm suppressor if the statute, order, rule, or regulation seeks to impose a prohibition, restriction, or other regulation that does not exist under the laws of Missouri. Nor will any Missouri state or local government entity enforce, or attempt to enforce, any Federal statute, order, rule, or regulation that seeks to regulate firearm suppressors.

If any Missouri state or local government entity adopts a rule, order, ordinance, or policy that seeks to enforce a Federal law related to firearm suppressors, or allows the enforcement of such a Federal law, will not receive state grant funds. Such state grant funds must be denied to the Missouri state or local entity for the fiscal year following a final judicial determination that the provisions of this bill have been violated.

Any citizen residing in the jurisdiction of an entity described above can file a complaint with the Attorney General if the citizen offers evidence that the entity has adopted a rule, order, ordinance, or policy under which the entity enforces a Federal law described above. The citizen must include in his or her complaint any evidence that the citizen has in support of his or her contention.

If the Attorney General determines that a complaint filed against an entity is valid, the Attorney General can compel the entity's compliance with the law by filing a Writ of Mandamus or other equitable relief in an appropriate court of law. The Attorney General can recover reasonable expenses incurred in obtaining relief, including court costs, attorney's fees, investigative costs, witness fees, and deposition costs. Any appeals filed in the appellate court must be expedited to ensure the least possible delay.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that there is no reason for a gun suppressor to be regulated by the government. Supporters further say that such a device only makes a gun safer, aids in hunting and target practice, and greatly reduces hearing loss. This bill will allow in-state manufacturers to make suppressors without having to deal with the convoluted system that is currently in place, which disincentivizes the making of this product. Once this bill is passed, the State will experience an economic boom in the gun sector.

Testifying in person for the bill were Representative Costlow; Susan Myers; and Arnie Dienoff.

OPPOSERS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.