

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill Nos. 3068 & 3049, Page 7, Section 43.530,
2 Line 23, by inserting after said section and line the following:
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4 "571.014. 1. A person commits the crime of unlawful refusal to transfer by denying sale
5 of a firearm to a nonlicensee, who is otherwise not prohibited from possessing a firearm under
6 state or federal law, solely on the basis that the nonlicensee purchased a firearm that was later the
7 subject of a trace request by law enforcement.

8 2. Violation of subsection 1 of this section shall be a class A misdemeanor.

9 3. Notwithstanding any other provision of law to the contrary, other than the provisions
10 of section 571.515, no federal firearms dealer licensed under 18 U.S.C. Section 923 who engages
11 in the sale of firearms within this state shall fail or refuse to complete the sale of a firearm to a
12 customer in every case in which the sale is authorized by federal law.

13 4. The provisions of this section shall not apply to any individual federal firearms license
14 holder, his agents, or employees to the extent they chose in their individual judgment to not
15 complete the sale or transfer of a firearm for articulable reasons specific to that transaction, so
16 long as those reasons are not based on the race, gender, religion, creed of the buyer.

17 571.515. 1. As used in this section, the following terms shall mean:

18 (1) "Contact person", the person designated as a contact pursuant to subsection 3 of this
19 section by the person voluntarily waiving the right to purchase a firearm;

20 (2) "Department", the Missouri department of public safety;

21 (3) "Voluntary waiver", a voluntary waiver of the right to purchase a firearm as described
22 in this section.

23 2. (1) A person may voluntarily waive the right to purchase a firearm. While such
24 waiver is in effect, no person shall sell or otherwise transfer a firearm to a person who
25 voluntarily waived the right to purchase a firearm.

26 (2) The department shall promulgate forms for a person to file either in person or
27 electronically for a voluntary waiver, to update contact information, and to revoke a voluntary
28 waiver.

Action Taken _____ Date _____

1 3. (1) To voluntarily waive the right to purchase a firearm, a person shall file a voluntary
2 waiver with the department. The department shall verify the person's identity prior to accepting
3 the voluntary waiver.

4 (2) A person who voluntarily waives the right to purchase a firearm may designate one
5 or more contact persons who will be contacted, pursuant to this section, if the person attempts to
6 purchase a firearm while the voluntary waiver is in effect or if the person revokes the voluntary
7 waiver.

8 (3) The department shall immediately notify the person who filed the voluntary waiver
9 and each contact person when the department accepts the filer's voluntary waiver.

10 (4) No later than twenty-four hours after accepting a voluntary waiver, the department
11 shall enter the voluntary waiver into the National Instant Criminal Background Check System
12 and any other federal or state computer-based systems used by law enforcement agencies or
13 others to identify prohibited purchasers of firearms.

14 (5) All forms or records filed pursuant to this section shall be confidential and shall be
15 closed records under chapter 610.

16 4. Within twenty-four hours of an attempted transfer of a firearm to a person with a
17 voluntary waiver, the department shall notify each contact person for such person.

18 5. (1) To revoke a voluntary waiver, a person shall file for revocation with the
19 department. The department shall verify the person's identity prior to accepting the revocation.
20 The waiver shall remain in effect for thirty days after the department accepts the revocation.

21 (2) The department shall notify each contact person of the revocation no later than
22 twenty-four hours after the department receives the revocation request.

23 (3) Thirty days after the department accepts the revocation, and unless the person is
24 otherwise ineligible to possess a firearm pursuant to state or federal law, the department shall
25 remove the person's information from the National Instant Criminal Background Check System
26 and any other federal or state computer-based systems in which the person was entered and that
27 are used by law enforcement agencies or others to identify prohibited purchasers of firearms, and
28 the department shall destroy all records of the voluntary waiver.

29 6. The submission of a voluntary waiver shall be made only by the person to whom the
30 voluntary waiver shall apply. Any person that attempts to submit a voluntary waiver on behalf of
31 another person shall be guilty of a class A misdemeanor.

32 7. The department may promulgate rules to implement the provisions of this section.
33 Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the
34 authority delegated in this section shall become effective only if it complies with and is subject
35 to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and
36 chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant
37 to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are

1 subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed
2 or adopted after August 28, 2026, shall be invalid and void."; and
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4 Further amend said bill by amending the title, enacting clause, and intersectional references
5 accordingly.