

HB 1683 -- ANTI-RED FLAG GUN SEIZURE ACT

SPONSOR: Whaley

This bill establishes the "Anti-Red Flag Gun Seizure Act".

For purposes of the bill, "red flag law" is defined as any gun control law, order, or measure that directs the seizure of any firearm, accessory, or ammunition of an individual, except persons lawfully in custody or persons who have been released after the execution of a bail bond after having been charged with a dangerous felony, or any Federal or state rule, statute, or judicial order that prohibits a Missouri citizen from owning or receiving any firearm, accessory, or ammunition or any order of removal for the surrender of any firearm, accessory, or ammunition of an individual, except persons lawfully in custody or persons who have been released after the execution of a bail bond after having been charged with a dangerous felony.

Any red flag law that directs the confiscation of any firearm, accessory, or ammunition from any law-abiding citizen, within the borders of Missouri, will not be enforced within Missouri.

No state agency, political subdivision, or state or local law enforcement agency can receive any Federal funds for the purpose of enforcing any Federal law, order, or judicial finding for the purpose of enforcing any state statute, rule, order, or judicial finding that would have the effect of enforcing a red flag law against a Missouri citizen.

No entity or person, including a state entity or employee thereof, or political subdivision or employee thereof, will have the authority to enforce or attempt to enforce a red flag law regardless of the red flag law's origin or the authority of the issuing entity, except that this prohibition will not apply to any agent of the Federal government enforcing a Federal law or Federal order.

A political subdivision or state or local law enforcement agency that employs a law enforcement officer that knowingly violates the provisions of this bill will be liable to the party against whom the red flag law was enforced and additionally will be subject to a civil penalty of \$50,000 per occurrence.

In any action brought under the provisions of this bill, a court can order injunctive or other equitable relief, recovery of damages, other legal remedies, and payment of reasonable

attorney's fees, costs, and expenses of the party. Such relief will not be exclusive and additional relief or remedies can be awarded as otherwise permitted by law.

This bill is similar to HBs 434 & 459 (2025).