

SENATE JOINT RESOLUTION NO. 49

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR LEWIS.

1347S.01I

KRISTINA MARTIN, Secretary

JOINT RESOLUTION

Submitting to the qualified voters of Missouri, an amendment repealing section 23 of article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to firearms.

Be it resolved by the Senate, the House of Representatives concurring therein:

That at the next general election to be held in the
2 state of Missouri, on Tuesday next following the first Monday
3 in November, 2026, or at a special election to be called by
4 the governor for that purpose, there is hereby submitted to
5 the qualified voters of this state, for adoption or
6 rejection, the following amendment to article I of the
7 Constitution of the state of Missouri:

Section A. Section 23, article I, Constitution of
2 Missouri, is repealed and one new section adopted in lieu
3 thereof, to be known as section 23, to read as follows:

Section 23. **[That the right of every citizen to keep
2 and bear arms, ammunition, and accessories typical to the
3 normal function of such arms, in defense of his home,
4 person, family and property, or when lawfully summoned in
5 aid of the civil power, shall not be questioned. The rights
6 guaranteed by this section shall be unalienable. Any
7 restriction on these rights shall be subject to strict
8 scrutiny and the state of Missouri shall be obligated to
9 uphold these rights and shall under no circumstances decline
10 to protect against their infringement. Nothing in this**

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

11 section shall be construed to prevent the general assembly
12 from enacting general laws which limit the rights of
13 convicted violent felons or those adjudicated by a court to
14 be a danger to self or others as result of a mental disorder
15 or mental infirmity] In compliance with the Second Amendment
16 of the Constitution of the United States and limited by
17 decisions of the United States Supreme Court and federal
18 law, any county, the city of St. Louis, and the city of
19 Kansas City may, by ordinance duly enacted, regulate the
20 possession, carrying, or transfer of firearms within the
21 limits of the city or county notwithstanding any other
22 provision of law, subject to the following:

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

33 (2) Any ordinance adopted in accordance with this
34 section may apply to nonresidents as well as residents of
35 the city or county but shall recognize as valid any permit
36 or certificate authorizing the possession or carrying of
37 firearms issued by the county of residence of the permit
38 holder or certificate holder. Any such ordinance shall also
39 exempt any active duty or retired law enforcement officer
40 who is currently certified as compliant with the peace
41 officer standards and training required in this state, any
42 full-time judge, and any person who is required to be armed

43 as a condition of employment during active employment as a
44 licensed security guard or as a government employee,
45 including any member of the military; and

46 (3) Any ordinance adopted in accordance with this
47 section may provide penalties for violation, but such
48 penalties shall not exceed a fine of one thousand dollars or
49 imprisonment in the county jail for a term exceeding one
50 year, or both. Any such ordinance may also authorize a law
51 enforcement officer, upon probable cause, to seize any
52 firearm in the possession of a person who is ineligible by
53 law to possess the firearm.

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