

FIRST REGULAR SESSION

# HOUSE BILL NO. 956

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE GREGORY.

2041H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 571.010, RSMo, and to enact in lieu thereof one new section relating to weapon offenses, with penalty provisions.

*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Section 571.010, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.010, to read as follows:

571.010. As used in this chapter, the following terms shall mean:

(1) "Antique, curio or relic firearm", any firearm so defined by the National Gun Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

(a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898, said ammunition not being manufactured any longer; this includes any matchlock, wheel lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

(b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due to its unique design, ignition system, operation or at least fifty years old, associated with a historical event, renown personage or major war;

(2) "Blackjack", any instrument that is designed or adapted for the purpose of stunning or inflicting physical injury by striking a person, and which is readily capable of lethal use;

(3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is intended for blasting, but not otherwise defined as an explosive under this section, provided that the finished product, as mixed for use of shipment, cannot be detonated by means of a numbered 8 test blasting cap when unconfined;

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 (4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length,  
19 measured from the face of the bolt or standing breech;

20 (5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any  
21 other distinguishing number or identification mark;

22 (6) "Detonator", any device containing a detonating charge that is used for initiating  
23 detonation in an explosive, including but not limited to, electric blasting caps of instantaneous  
24 and delay types, nonelectric blasting caps for use with safety fuse or shock tube and detonating  
25 cord delay connectors;

26 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar device  
27 designed or adapted for the purpose of inflicting death, serious physical injury, or substantial  
28 property damage; or any device designed or adapted for delivering or shooting such a weapon.  
29 For the purposes of this subdivision, the term "explosive" shall mean any chemical compound  
30 mixture or device, the primary or common purpose of which is to function by explosion,  
31 including but not limited to, dynamite and other high explosives, pellet powder, initiating  
32 explosives, detonators, safety fuses, squibs, detonating cords, igniter cords, and igniters or  
33 blasting agents;

34 (8) "Firearm", any weapon that is designed or adapted to expel a projectile by the action  
35 of an explosive;

36 (9) "Firearm silencer", any instrument, attachment, or appliance that is designed or  
37 adapted to muffle the noise made by the firing of any firearm;

38 (10) **"Fugitive from justice", any person who, knowing that he or she is the**  
39 **defendant or co-defendant in a criminal case in which he or she allegedly committed a**  
40 **felony under the laws of this state, the United States, or any other state or territory of the**  
41 **United States, fails to appear for a scheduled court proceeding pertaining to the felony, and**  
42 **proper notice to the person of the proceeding was provided or attempted. Actual notice**  
43 **of the proceeding is not required;**

44 (11) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance  
45 other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas that  
46 will cause death or serious physical injury, but not any device that ejects a repellant or temporary  
47 incapacitating substance;

48 ~~[(11)]~~ (12) "Intoxicated", substantially impaired mental or physical capacity resulting  
49 from introduction of any substance into the body;

50 ~~[(12)]~~ (13) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily  
51 capable of inflicting serious physical injury or death by cutting or stabbing a person. For  
52 purposes of this chapter, "knife" does not include any ordinary pocketknife with no blade more  
53 than four inches in length;

54           ~~[(13)]~~ **(14)** "Knuckles", any instrument that consists of finger rings or guards made of  
55 a hard substance that is designed or adapted for the purpose of inflicting serious physical injury  
56 or death by striking a person with a fist enclosed in the knuckles;

57           ~~[(14)]~~ **(15)** "Machine gun", any firearm that is capable of firing more than one shot  
58 automatically, without manual reloading, by a single function of the trigger;

59           ~~[(15)]~~ **(16)** "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other  
60 weapon that is not a firearm, which is capable of expelling a projectile that could inflict serious  
61 physical injury or death by striking or piercing a person;

62           ~~[(16)]~~ **(17)** "Rifle", any firearm designed or adapted to be fired from the shoulder and to  
63 use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a rifled  
64 bore by a single function of the trigger;

65           ~~[(17)]~~ **(18)** "Short barrel", a barrel length of less than sixteen inches for a rifle and  
66 eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or an  
67 overall rifle or shotgun length of less than twenty-six inches;

68           ~~[(18)]~~ **(19)** "Shotgun", any firearm designed or adapted to be fired from the shoulder and  
69 to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a single  
70 projectile through a smooth bore barrel by a single function of the trigger;

71           ~~[(19)]~~ **(20)** "Spring gun", any fused, timed or nonmanually controlled trap or device  
72 designed or adapted to set off an explosion for the purpose of inflicting serious physical injury  
73 or death;

74           ~~[(20)]~~ **(21)** "Switchblade knife", any knife which has a blade that folds or closes into the  
75 handle or sheath, and:

76           (a) That opens automatically by pressure applied to a button or other device located on  
77 the handle; or

78           (b) That opens or releases from the handle or sheath by the force of gravity or by the  
79 application of centrifugal force.

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