

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
HOUSE BILL NO. 1708
102ND GENERAL ASSEMBLY

3311H.02C

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal sections 70.441, 571.030, 571.101, 571.107, 571.111, 571.117, 571.205, 571.215, 571.225, 577.703, and 577.712, RSMo, and to enact in lieu thereof eleven new sections relating to concealed carry permits, with penalty provisions.

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

Section A. Sections 70.441, 571.030, 571.101, 571.107, 571.111, 571.117, 571.205, 571.215, 571.225, 577.703, and 577.712, RSMo, are repealed and eleven new sections enacted in lieu thereof, to be known as sections 70.441, 571.030, 571.101, 571.107, 571.111, 571.117, 571.205, 571.215, 571.225, 577.703, and 577.712, to read as follows:

70.441. 1. As used in this section, the following terms have the following meanings:
(1) "Agency", the bi-state development agency created by compact under section 70.370;

(2) "Conveyance" includes bus, paratransit vehicle, rapid transit car or train, locomotive, or other vehicle used or held for use by the agency as a means of transportation of passengers;

(3) "Facilities" includes all property and equipment, including, without limitation, rights-of-way and related trackage, rails, signals, power, fuel, communication and ventilation systems, power plants, stations, terminals, signage, storage yards, depots, repair and maintenance shops, yards, offices, parking lots and other real estate or personal property used or held for or incidental to the operation, rehabilitation or improvement of any public mass transportation system of the agency;

(4) "Person", any individual, firm, copartnership, corporation, association or company; and

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.

15 (5) "Sound production device" includes, but is not limited to, any radio receiver,
16 phonograph, television receiver, musical instrument, tape recorder, cassette player, speaker
17 device and any sound amplifier.

18 2. In interpreting or applying this section, the following provisions shall apply:

19 (1) Any act otherwise prohibited by this section is lawful if specifically authorized by
20 agreement, permit, license or other writing duly signed by an authorized officer of the agency
21 or if performed by an officer, employee or designated agent of the agency acting within the
22 scope of his or her employment or agency;

23 (2) Rules shall apply with equal force to any person assisting, aiding or abetting
24 another, including a minor, in any of the acts prohibited by the rules or assisting, aiding or
25 abetting another in the avoidance of any of the requirements of the rules; and

26 (3) The singular shall mean and include the plural; the masculine gender shall mean
27 the feminine and the neuter genders; and vice versa.

28 3. (1) No person shall use or enter upon the light rail conveyances of the agency
29 without payment of the fare or other lawful charges established by the agency. Any person on
30 any such conveyance must have properly validated fare media in his possession. This ticket
31 must be valid to or from the station the passenger is using, and must have been used for entry
32 for the trip then being taken;

33 (2) No person shall use any token, pass, badge, ticket, document, transfer, card or fare
34 media to gain entry to the facilities or conveyances of, or make use of the services of, the
35 agency, except as provided, authorized or sold by the agency and in accordance with any
36 restriction on the use thereof imposed by the agency;

37 (3) No person shall enter upon parking lots designated by the agency as requiring
38 payment to enter, either by electronic gate or parking meters, where the cost of such parking
39 fee is visibly displayed at each location, without payment of such fees or other lawful charges
40 established by the agency;

41 (4) Except for employees of the agency acting within the scope of their employment,
42 no person shall sell, provide, copy, reproduce or produce, or create any version of any token,
43 pass, badge, ticket, document, transfer, card or any other fare media or otherwise authorize
44 access to or use of the facilities, conveyances or services of the agency without the written
45 permission of an authorized representative of the agency;

46 (5) No person shall put or attempt to put any paper, article, instrument or item, other
47 than a token, ticket, badge, coin, fare card, pass, transfer or other access authorization or other
48 fare media issued by the agency and valid for the place, time and manner in which used, into
49 any fare box, pass reader, ticket vending machine, parking meter, parking gate or other fare
50 collection instrument, receptacle, device, machine or location;

51 (6) Tokens, tickets, fare cards, badges, passes, transfers or other fare media that have
52 been forged, counterfeited, imitated, altered or improperly transferred or that have been used
53 in a manner inconsistent with this section shall be confiscated;

54 (7) No person may perform any act which would interfere with the provision of
55 transit service or obstruct the flow of traffic on facilities or conveyances or which would in
56 any way interfere or tend to interfere with the safe and efficient operation of the facilities or
57 conveyances of the agency;

58 (8) All persons on or in any facility or conveyance of the agency shall:

59 (a) Comply with all lawful orders and directives of any agency employee acting
60 within the scope of his employment;

61 (b) Obey any instructions on notices or signs duly posted on any agency facility or
62 conveyance; and

63 (c) Provide accurate, complete and true information or documents requested by
64 agency personnel acting within the scope of their employment and otherwise in accordance
65 with law;

66 (9) No person shall falsely represent himself or herself as an agent, employee or
67 representative of the agency;

68 (10) No person on or in any facility or conveyance shall:

69 (a) Litter, dump garbage, liquids or other matter, or create a nuisance, hazard or
70 ~~unsanitary~~ **insanitary** condition, including, but not limited to, spitting and urinating, except
71 in facilities provided;

72 (b) Drink any alcoholic beverage or possess any opened or unsealed container of
73 alcoholic beverage, except on premises duly licensed for the sale of alcoholic beverages, such
74 as bars and restaurants;

75 (c) Enter or remain in any facility or conveyance while his ability to function safely in
76 the environment of the agency transit system is impaired by the consumption of alcohol or by
77 the taking of any drug;

78 (d) Loiter or stay on any facility of the agency;

79 (e) Consume foods or liquids of any kind, except in those areas specifically
80 authorized by the agency;

81 (f) Smoke or carry an open flame or lighted match, cigar, cigarette, pipe or torch,
82 except in those areas or locations specifically authorized by the agency; or

83 (g) Throw or cause to be propelled any stone, projectile or other article at, from, upon
84 or in a facility or conveyance;

85 (11) **Except as otherwise provided under section 571.107**, no weapon or other
86 instrument intended for use as a weapon may be carried in or on any facility or conveyance,
87 except for law enforcement personnel. For the purposes hereof, a weapon shall include, but

88 not be limited to, a firearm, switchblade knife, sword, or any instrument of any kind known as
89 blackjack, billy club, club, sandbag, metal knuckles, leather bands studded with metal, wood
90 impregnated with metal filings or razor blades; except that this subdivision shall not apply to
91 a rifle or shotgun which is unloaded and carried in any enclosed case, box or other container
92 which completely conceals the item from view and identification as a weapon;

93 (12) No explosives, flammable liquids, acids, fireworks or other highly combustible
94 materials or radioactive materials may be carried on or in any facility or conveyance, except
95 as authorized by the agency;

96 (13) No person, except as specifically authorized by the agency, shall enter or attempt
97 to enter into any area not open to the public, including, but not limited to, motorman's cabs,
98 conductor's cabs, bus operator's seat location, closed-off areas, mechanical or equipment
99 rooms, concession stands, storage areas, interior rooms, tracks, roadbeds, tunnels, plants,
100 shops, barns, train yards, garages, depots or any area marked with a sign restricting access or
101 indicating a dangerous environment;

102 (14) No person may ride on the roof, the platform between rapid transit cars, or on
103 any other area outside any rapid transit car or bus or other conveyance operated by the
104 agency;

105 (15) No person shall extend his hand, arm, leg, head or other part of his or her person
106 or extend any item, article or other substance outside of the window or door of a moving rapid
107 transit car, bus or other conveyance operated by the agency;

108 (16) No person shall enter or leave a rapid transit car, bus or other conveyance
109 operated by the agency except through the entrances and exits provided for that purpose;

110 (17) No animals may be taken on or into any conveyance or facility except the
111 following:

112 (a) An animal enclosed in a container, accompanied by the passenger and carried in a
113 manner which does not annoy other passengers; and

114 (b) Working dogs for law enforcement agencies, agency dogs on duty, dogs properly
115 harnessed and accompanying blind or hearing-impaired persons to aid such persons, or dogs
116 accompanying trainers carrying a certificate of identification issued by a dog school;

117 (18) No vehicle shall be operated carelessly, or negligently, or in disregard of the
118 rights or safety of others or without due caution and circumspection, or at a speed in such a
119 manner as to be likely to endanger persons or property on facilities of the agency. The speed
120 limit on parking lots and access roads shall be posted as fifteen miles per hour unless
121 otherwise designated.

122 4. (1) Unless a greater penalty is otherwise provided by the laws of the state, any
123 violation of this section shall constitute a misdemeanor, and any person committing a
124 violation thereof shall be subject to arrest and, upon conviction in a court of competent

125 jurisdiction, shall pay a fine in an amount not less than twenty-five dollars and no greater than
126 two hundred fifty dollars per violation, in addition to court costs. Any default in the payment
127 of a fine imposed pursuant to this section without good cause shall result in imprisonment for
128 not more than thirty days;

129 (2) Unless a greater penalty is provided by the laws of the state, any person convicted
130 a second or subsequent time for the same offense under this section shall be guilty of a
131 misdemeanor and sentenced to pay a fine of not less than fifty dollars nor more than five
132 hundred dollars in addition to court costs, or to undergo imprisonment for up to sixty days, or
133 both such fine and imprisonment;

134 (3) Any person failing to pay the proper fare, fee or other charge for use of the
135 facilities and conveyances of the agency shall be subject to payment of such charge as part of
136 the judgment against the violator. All proceeds from judgments for unpaid fares or charges
137 shall be directed to the appropriate agency official;

138 (4) All juvenile offenders violating the provisions of this section shall be subject to
139 the jurisdiction of the juvenile court as provided in chapter 211;

140 (5) As used in this section, the term "conviction" shall include all pleas of guilty and
141 findings of guilt.

142 5. Any person who is convicted, pleads guilty, or pleads nolo contendere for failing to
143 pay the proper fare, fee, or other charge for the use of the facilities and conveyances of the bi-
144 state development agency, as described in subdivision (3) of subsection 4 of this section, may,
145 in addition to the unpaid fares or charges and any fines, penalties, or sentences imposed by
146 law, be required to reimburse the reasonable costs attributable to the enforcement,
147 investigation, and prosecution of such offense by the bi-state development agency. The
148 court shall direct the reimbursement proceeds to the appropriate agency official.

149 6. (1) Stalled or disabled vehicles may be removed from the roadways of the agency
150 property by the agency and parked or stored elsewhere at the risk and expense of the owner;

151 (2) Motor vehicles which are left unattended or abandoned on the property of the
152 agency for a period of over seventy-two hours may be removed as provided for in section
153 304.155, except that the removal may be authorized by personnel designated by the agency
154 under section 70.378.

571.030. 1. A person commits the offense of unlawful use of weapons, except as
2 otherwise provided by sections 571.101 to 571.121 **and sections 571.205 to 571.230**, if he or
3 she knowingly:

4 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack
5 or any other weapon readily capable of lethal use into any area where firearms are restricted
6 under section 571.107; or

7 (2) Sets a spring gun; or

8 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat,
9 aircraft, or motor vehicle as defined in section 302.010, or any building or structure used for
10 the assembling of people; or

11 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of
12 lethal use in an angry or threatening manner; or

13 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her
14 person, while he or she is intoxicated, and handles or otherwise uses such firearm or projectile
15 weapon in either a negligent or unlawful manner or discharges such firearm or projectile
16 weapon unless acting in self-defense; or

17 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,
18 courthouse, or church building; or

19 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or
20 across a public highway or discharges or shoots a firearm into any outbuilding; or

21 (8) Carries a firearm or any other weapon readily capable of lethal use into any
22 church or place where people have assembled for worship, or into any election precinct on
23 any election day, or into any building owned or occupied by any agency of the federal
24 government, state government, or political subdivision thereof; or

25 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section
26 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any
27 building or habitable structure, unless the person was lawfully acting in self-defense; or

28 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily
29 capable of lethal use into any school, onto any school bus, or onto the premises of any
30 function or activity sponsored or sanctioned by school officials or the district school board; or

31 (11) Possesses a firearm while also knowingly in possession of a controlled substance
32 that is sufficient for a felony violation of section 579.015.

33 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to the
34 persons described in this subsection, regardless of whether such uses are reasonably
35 associated with or are necessary to the fulfillment of such person's official duties except as
36 otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1
37 of this section shall not apply to or affect any of the following persons, when such uses are
38 reasonably associated with or are necessary to the fulfillment of such person's official duties,
39 except as otherwise provided in this subsection:

40 (1) All state, county and municipal peace officers who have completed the training
41 required by the police officer standards and training commission pursuant to sections 590.030
42 to 590.050 and who possess the duty and power of arrest for violation of the general criminal
43 laws of the state or for violation of ordinances of counties or municipalities of the state,
44 whether such officers are on or off duty, and whether such officers are within or outside of the

45 law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in
46 subsection 12 of this section, and who carry the identification defined in subsection 13 of this
47 section, or any person summoned by such officers to assist in making arrests or preserving the
48 peace while actually engaged in assisting such officer;

49 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other
50 institutions for the detention of persons accused or convicted of crime;

51 (3) Members of the **United States** Armed Forces or National Guard while performing
52 their official duty;

53 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with
54 the judicial power of the state and those persons vested by Article III of the Constitution of
55 the United States with the judicial power of the United States, the members of the federal
56 judiciary;

57 (5) **A person retired from judiciary service as described in subdivision (4) of this**
58 **subsection lawfully in possession of a valid concealed carry permit or endorsement;**

59 (6) **Current and former members of the general assembly lawfully in possession**
60 **of a valid concealed carry permit or endorsement;**

61 (7) **Assistant attorneys general;**

62 (8) **Current and former military personnel;**

63 (9) Any person whose bona fide duty is to execute process, civil or criminal;

64 ~~[(6)]~~ (10) Any federal probation officer or federal flight deck officer as defined under
65 the federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such
66 officers are on duty, or within the law enforcement agency's jurisdiction;

67 ~~[(7)]~~ (11) Any state probation or parole officer, including supervisors and members of
68 the parole board;

69 ~~[(8)]~~ (12) Any corporate security advisor meeting the definition and fulfilling the
70 requirements of the regulations established by the department of public safety under section
71 590.750;

72 ~~[(9)]~~ (13) Any coroner, deputy coroner, medical examiner, or assistant medical
73 examiner;

74 ~~[(10)]~~ (14) Any municipal or county prosecuting attorney or assistant prosecuting
75 attorney; circuit attorney or assistant circuit attorney; municipal, associate, or circuit judge; or
76 any person appointed by a court to be a special prosecutor who has completed the firearms
77 safety training course required under subsection 2 of section 571.111;

78 ~~[(11)]~~ (15) Any member of a fire department or fire protection district who is
79 employed on a full-time basis as a fire investigator and who has a valid concealed carry
80 endorsement issued prior to August 28, 2013, or a valid concealed carry permit under section

81 571.111 when such uses are reasonably associated with or are necessary to the fulfillment of
82 such person's official duties; and

83 ~~[(12)]~~ (16) Upon the written approval of the governing body of a fire department or
84 fire protection district, any paid fire department or fire protection district member who is
85 employed on a full-time basis and who has a valid concealed carry endorsement issued prior
86 to August 28, 2013, or a valid concealed carry permit, when such uses are reasonably
87 associated with or are necessary to the fulfillment of such person's official duties.

88 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply
89 when the actor is transporting such weapons in a nonfunctioning state or in an unloaded state
90 when ammunition is not readily accessible or when such weapons are not readily accessible.
91 Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of
92 age or older or eighteen years of age or older and a member of the United States Armed
93 Forces, or honorably discharged from the United States Armed Forces, transporting a
94 concealable firearm in the passenger compartment of a motor vehicle, so long as such
95 concealable firearm is otherwise lawfully possessed, nor when the actor is also in possession
96 of an exposed firearm or projectile weapon for the lawful pursuit of game, or is in his or her
97 dwelling unit or upon premises over which the actor has possession, authority or control, or is
98 traveling in a continuous journey peaceably through this state. Subdivision (10) of subsection
99 1 of this section does not apply if the firearm is otherwise lawfully possessed by a person
100 while traversing school premises for the purposes of transporting a student to or from school,
101 or possessed by an adult for the purposes of facilitation of a school-sanctioned firearm-related
102 event or club event.

103 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
104 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121
105 **or sections 571.205 to 571.230**, a valid concealed carry endorsement issued before August
106 28, 2013, or a valid permit or endorsement to carry concealed firearms issued by another state
107 or political subdivision of another state.

108 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section
109 shall not apply to persons who are engaged in a lawful act of defense pursuant to section
110 563.031.

111 6. Notwithstanding any provision of this section to the contrary, the state shall not
112 prohibit any state employee from having a firearm in the employee's vehicle on the state's
113 property provided that the vehicle is locked and the firearm is not visible. This subsection
114 shall only apply to the state as an employer when the state employee's vehicle is on property
115 owned or leased by the state and the state employee is conducting activities within the scope
116 of his or her employment. For the purposes of this subsection, "state employee" means an

117 employee of the executive, legislative, or judicial branch of the government of the state of
118 Missouri.

119 7. (1) Subdivision (10) of subsection 1 of this section shall not apply to a person who
120 is a school officer commissioned by the district school board under section 162.215 or who is
121 a school protection officer, as described under section 160.665.

122 (2) Nothing in this section shall make it unlawful for a student to actually participate
123 in school-sanctioned gun safety courses, student military or ROTC courses, or other school-
124 sponsored or club-sponsored firearm-related events, provided the student does not carry a
125 firearm or other weapon readily capable of lethal use into any school, onto any school bus, or
126 onto the premises of any other function or activity sponsored or sanctioned by school officials
127 or the district school board.

128 8. A person who commits the crime of unlawful use of weapons under:

129 (1) Subdivision (2), (3), (4), or (11) of subsection 1 of this section shall be guilty of a
130 class E felony;

131 (2) Subdivision (1), (6), (7), or (8) of subsection 1 of this section shall be guilty of a
132 class B misdemeanor, except when a concealed weapon is carried onto any private property
133 whose owner has posted the premises as being off-limits to concealed firearms by means of
134 one or more signs displayed in a conspicuous place of a minimum size of eleven inches by
135 fourteen inches with the writing thereon in letters of not less than one inch, in which case the
136 penalties of subsection 2 of section 571.107 shall apply;

137 (3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A
138 misdemeanor if the firearm is unloaded and a class E felony if the firearm is loaded;

139 (4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony,
140 except that if the violation of subdivision (9) of subsection 1 of this section results in injury or
141 death to another person, it is a class A felony.

142 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as
143 follows:

144 (1) For the first violation a person shall be sentenced to the maximum authorized term
145 of imprisonment for a class B felony;

146 (2) For any violation by a prior offender as defined in section 558.016, a person shall
147 be sentenced to the maximum authorized term of imprisonment for a class B felony without
148 the possibility of parole, probation or conditional release for a term of ten years;

149 (3) For any violation by a persistent offender as defined in section 558.016, a person
150 shall be sentenced to the maximum authorized term of imprisonment for a class B felony
151 without the possibility of parole, probation, or conditional release;

152 (4) For any violation which results in injury or death to another person, a person shall
153 be sentenced to an authorized disposition for a class A felony.

154 10. Any person knowingly aiding or abetting any other person in the violation of
155 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that
156 prescribed by this section for violations by other persons.

157 11. Notwithstanding any other provision of law, no person who pleads guilty to or is
158 found guilty of a felony violation of subsection 1 of this section shall receive a suspended
159 imposition of sentence if such person has previously received a suspended imposition of
160 sentence for any other firearms- or weapons-related felony offense.

161 12. As used in this section "qualified retired peace officer" means an individual who:

162 (1) Retired in good standing from service with a public agency as a peace officer,
163 other than for reasons of mental instability;

164 (2) Before such retirement, was authorized by law to engage in or supervise the
165 prevention, detection, investigation, or prosecution of, or the incarceration of any person for,
166 any violation of law, and had statutory powers of arrest;

167 (3) Before such retirement, was regularly employed as a peace officer for an
168 aggregate of fifteen years or more, or retired from service with such agency, after completing
169 any applicable probationary period of such service, due to a service-connected disability, as
170 determined by such agency;

171 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if
172 such a plan is available;

173 (5) During the most recent twelve-month period, has met, at the expense of the
174 individual, the standards for training and qualification for active peace officers to carry
175 firearms;

176 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug
177 or substance; and

178 (7) Is not prohibited by federal law from receiving a firearm.

179 13. The identification required by subdivision (1) of subsection 2 of this section is:

180 (1) A photographic identification issued by the agency from which the individual
181 retired from service as a peace officer that indicates that the individual has, not less recently
182 than one year before the date the individual is carrying the concealed firearm, been tested or
183 otherwise found by the agency to meet the standards established by the agency for training
184 and qualification for active peace officers to carry a firearm of the same type as the concealed
185 firearm; or

186 (2) A photographic identification issued by the agency from which the individual
187 retired from service as a peace officer; and

188 (3) A certification issued by the state in which the individual resides that indicates
189 that the individual has, not less recently than one year before the date the individual is
190 carrying the concealed firearm, been tested or otherwise found by the state to meet the

191 standards established by the state for training and qualification for active peace officers to
192 carry a firearm of the same type as the concealed firearm.

571.101. 1. All applicants for concealed carry permits issued pursuant to subsection
2 7 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said
3 applicant can show qualification as provided by sections 571.101 to 571.121, the county or
4 city sheriff shall issue a concealed carry permit authorizing the carrying of a concealed
5 firearm on or about the applicant's person or within a vehicle. A concealed carry permit shall
6 be valid from the date of issuance or renewal until five years from the last day of the month in
7 which the permit was issued or renewed. The concealed carry permit is valid throughout this
8 state. Although the permit is considered valid in the state, a person who fails to renew his or
9 her permit within five years from the date of issuance or renewal shall not be eligible for an
10 exception to a National Instant Criminal Background Check under federal regulations
11 currently codified under 27 CFR 478.102(d), relating to the transfer, sale, or delivery of
12 firearms from licensed dealers. A concealed carry endorsement issued prior to August 28,
13 2013, shall continue from the date of issuance or renewal until three years from the last day of
14 the month in which the endorsement was issued or renewed to authorize the carrying of a
15 concealed firearm on or about the applicant's person or within a vehicle in the same manner as
16 a concealed carry permit issued under subsection 7 of this section on or after August 28, 2013.

17 2. A concealed carry permit issued pursuant to subsection 7 of this section shall be
18 issued by the sheriff or his or her designee of the county or city in which the applicant resides,
19 if the applicant:

20 (1) Is ~~[at least nineteen]~~ **eighteen** years of age **or older**, is a citizen or permanent
21 resident of the United States, and either:

22 (a) Has assumed residency in this state; or

23 (b) Is a member of the **United States** Armed Forces stationed in Missouri~~[5]~~ or the
24 spouse of such member of the military;

25 ~~(2) [Is at least nineteen years of age, or is at least eighteen years of age and a member~~
26 ~~of the United States Armed Forces or honorably discharged from the United States Armed~~
27 ~~Forces, and is a citizen of the United States and either:~~

28 ~~(a) Has assumed residency in this state;~~

29 ~~(b) Is a member of the Armed Forces stationed in Missouri; or~~

30 ~~(c) The spouse of such member of the military stationed in Missouri and nineteen~~
31 ~~years of age;~~

32 ~~(3) Has not [pled guilty to or entered a plea of nolo contendere or]~~ been convicted of
33 a crime punishable by imprisonment for a term exceeding one year under the laws of any state
34 or of the United States other than a crime classified as a misdemeanor under the laws of any

35 state and punishable by a term of imprisonment of two years or less that does not involve an
36 explosive weapon, firearm, firearm silencer or gas gun;

37 ~~[(4)]~~ (3) Has not been convicted of ~~pled guilty to or entered a plea of not~~
38 ~~contendere to~~ one or more misdemeanor offenses involving crimes of violence within a five-
39 year period immediately preceding application for a concealed carry permit or if the applicant
40 has not been convicted of two or more misdemeanor offenses involving driving while under
41 the influence of intoxicating liquor or drugs or the possession or abuse of a controlled
42 substance within a five-year period immediately preceding application for a concealed carry
43 permit;

44 ~~[(5)]~~ (4) Is not a fugitive from justice or currently charged in an information or
45 indictment with the commission of a crime punishable by imprisonment for a term exceeding
46 one year under the laws of any state of the United States other than a crime classified as a
47 misdemeanor under the laws of any state and punishable by a term of imprisonment of two
48 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

49 ~~[(6)]~~ (5) Has not been discharged under dishonorable conditions from the United
50 States Armed Forces;

51 ~~[(7)]~~ (6) Has not engaged in a pattern of behavior, documented in public or closed
52 records, that causes the sheriff to have a reasonable belief that the applicant presents a danger
53 to himself **or herself** or others;

54 ~~[(8)]~~ (7) Is not adjudged mentally incompetent at the time of application or for five
55 years prior to application, or has not been committed to a mental health facility, as defined in
56 section 632.005, or a similar institution located in another state following a hearing at which
57 the defendant was represented by counsel or a representative;

58 ~~[(9)]~~ (8) Submits a completed application for a permit as described in subsection 3 of
59 this section;

60 ~~[(10)]~~ (9) Submits an affidavit attesting that the applicant complies with the
61 concealed carry safety training requirement pursuant to subsections 1 and 2 of section
62 571.111;

63 ~~[(11)]~~ (10) Is not the respondent of a valid full order of protection which is still in
64 effect; **and**

65 ~~[(12)]~~ (11) Is not otherwise prohibited from possessing a firearm under section
66 571.070 or 18 U.S.C. Section 922(g).

67 3. The application for a concealed carry permit issued by the sheriff of the county of
68 the applicant's residence shall contain only the following information:

69 (1) The applicant's name, address, telephone number, gender, date and place of birth,
70 and, if the applicant is not a United States citizen, the applicant's country of citizenship and

71 any alien or admission number issued by the Federal Bureau of Customs and Immigration
72 Enforcement or any successor agency;

73 (2) An affirmation that the applicant has assumed residency in Missouri or is a
74 member of the **United States** Armed Forces stationed in Missouri or the spouse of such a
75 member of the **United States** Armed Forces and is a citizen or permanent resident of the
76 United States;

77 (3) An affirmation that the applicant is ~~[at least nineteen years of age or is]~~ eighteen
78 years of age or older ~~[and a member of the United States Armed Forces or honorably
79 discharged from the United States Armed Forces];~~

80 (4) An affirmation that the applicant has not ~~[pled guilty to or]~~ been convicted of a
81 crime punishable by imprisonment for a term exceeding one year under the laws of any state
82 or of the United States other than a crime classified as a misdemeanor under the laws of any
83 state and punishable by a term of imprisonment of two years or less that does not involve an
84 explosive weapon, firearm, firearm silencer, or gas gun;

85 (5) An affirmation that the applicant has not been convicted of ~~[pled guilty to, or
86 entered a plea of nolo contendere to]~~ one or more misdemeanor offenses involving crimes of
87 violence within a five-year period immediately preceding application for a permit or if the
88 applicant has not been convicted of two or more misdemeanor offenses involving driving
89 while under the influence of intoxicating liquor or drugs or the possession or abuse of a
90 controlled substance within a five-year period immediately preceding application for a
91 permit;

92 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
93 in an information or indictment with the commission of a crime punishable by imprisonment
94 for a term exceeding one year under the laws of any state or of the United States other than a
95 crime classified as a misdemeanor under the laws of any state and punishable by a term of
96 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
97 silencer or gas gun;

98 (7) An affirmation that the applicant has not been discharged under dishonorable
99 conditions from the United States Armed Forces;

100 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
101 of application or for five years prior to application, or has not been committed to a mental
102 health facility, as defined in section 632.005, or a similar institution located in another state,
103 except that a person whose release or discharge from a facility in this state pursuant to chapter
104 632, or a similar discharge from a facility in another state, occurred more than five years ago
105 without subsequent recommitment may apply;

106 (9) An affirmation that the applicant has received firearms safety training that meets
107 the standards of applicant firearms safety training defined in subsection 1 or 2 of section
108 571.111;

109 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
110 not the respondent of a valid full order of protection which is still in effect;

111 (11) A conspicuous warning that false statements made by the applicant will result in
112 prosecution for perjury pursuant to the laws of the state of Missouri; and

113 (12) A government-issued photo identification. This photograph shall not be
114 included on the permit and shall only be used to verify the person's identity for permit
115 renewal, or for the issuance of a new permit due to change of address, or for a lost or
116 destroyed permit.

117 4. An application for a concealed carry permit shall be made to the sheriff of the
118 county or any city not within a county in which the applicant resides. An application shall be
119 filed in writing, signed under oath and under the penalties of perjury, and shall state whether
120 the applicant complies with each of the requirements specified in subsection 2 of this section.
121 In addition to the completed application, the applicant for a concealed carry permit must also
122 submit the following:

123 (1) A photocopy of a firearms safety training certificate of completion or other
124 evidence of completion of a firearms safety training course that meets the standards
125 established in subsection 1 or 2 of section 571.111; and

126 (2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

127 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall
128 make only such inquiries as he or she deems necessary into the accuracy of the statements
129 made in the application. The sheriff may require that the applicant display a Missouri driver's
130 license or nondriver's license or military identification and orders showing the person being
131 stationed in Missouri. In order to determine the applicant's suitability for a concealed carry
132 permit, the applicant shall be fingerprinted. No other biometric data shall be collected from
133 the applicant. The sheriff shall conduct an inquiry of the National Instant Criminal
134 Background Check System within three working days after submission of the properly
135 completed application for a concealed carry permit. If no disqualifying record is identified by
136 these checks at the state level, the fingerprints shall be forwarded to the Federal Bureau of
137 Investigation for a national criminal history record check. Upon receipt of the completed
138 report from the National Instant Criminal Background Check System and the response from
139 the Federal Bureau of Investigation national criminal history record check, the sheriff shall
140 examine the results and, if no disqualifying information is identified, shall issue a concealed
141 carry permit within three working days.

142 (2) In the event the report from the National Instant Criminal Background Check
143 System and the response from the Federal Bureau of Investigation national criminal history
144 record check prescribed by subdivision (1) of this subsection are not completed within forty-
145 five calendar days and no disqualifying information concerning the applicant has otherwise
146 come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated
147 on the certificate as such, which the applicant shall sign in the presence of the sheriff or the
148 sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's
149 license or a valid military identification, shall permit the applicant to exercise the same rights
150 in accordance with the same conditions as pertain to a concealed carry permit issued under
151 this section, provided that it shall not serve as an alternative to an national instant criminal
152 background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain
153 valid until such time as the sheriff either issues or denies the certificate of qualification under
154 subsection 6 or 7 of this section. The sheriff shall revoke a provisional permit issued under
155 this subsection within twenty-four hours of receipt of any report that identifies a disqualifying
156 record, and shall notify the concealed carry permit system established under subsection 5 of
157 section 650.350. The revocation of a provisional permit issued under this section shall be
158 proscribed in a manner consistent to the denial and review of an application under subsection
159 6 of this section.

160 6. The sheriff may refuse to approve an application for a concealed carry permit if he
161 or she determines that any of the requirements specified in subsection 2 of this section have
162 not been met, or if he or she has a substantial and demonstrable reason to believe that the
163 applicant has rendered a false statement regarding any of the provisions of sections 571.101
164 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny the
165 application, and notify the applicant in writing, stating the grounds for denial and informing
166 the applicant of the right to submit, within thirty days, any additional documentation relating
167 to the grounds of the denial. Upon receiving any additional documentation, the sheriff shall
168 reconsider his or her decision and inform the applicant within thirty days of the result of the
169 reconsideration. The applicant shall further be informed in writing of the right to appeal the
170 denial pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional reviews
171 and denials by the sheriff, the person submitting the application shall appeal the denial
172 pursuant to subsections 2, 3, 4, and 5 of section 571.114.

173 7. If the application is approved, the sheriff shall issue a concealed carry permit to the
174 applicant within a period not to exceed three working days after his or her approval of the
175 application. The applicant shall sign the concealed carry permit in the presence of the sheriff
176 or his or her designee.

177 8. The concealed carry permit shall specify only the following information:

- 178 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes,
179 and signature of the permit holder;
- 180 (2) The signature of the sheriff issuing the permit;
- 181 (3) The date of issuance; and
- 182 (4) The expiration date.

183

184 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths
185 inches long and shall be of a uniform style prescribed by the department of public safety. The
186 permit shall also be assigned a concealed carry permit system county code and shall be stored
187 in sequential number.

188 9. (1) The sheriff shall keep a record of all applications for a concealed carry permit
189 or a provisional permit and his or her action thereon. Any record of an application that is
190 incomplete or denied for any reason shall be kept for a period not to exceed one year. Any
191 record of an application that was approved shall be kept for a period of one year after the
192 expiration and nonrenewal of the permit.

193 (2) The sheriff shall report the issuance of a concealed carry permit or provisional
194 permit to the concealed carry permit system. All information on any such permit that is
195 protected information on any driver's or nondriver's license shall have the same personal
196 protection for purposes of sections 571.101 to 571.121. An applicant's status as a holder of a
197 concealed carry permit, provisional permit, or a concealed carry endorsement issued prior to
198 August 28, 2013, shall not be public information and shall be considered personal protected
199 information. Information retained in the concealed carry permit system under this subsection
200 shall not be distributed to any federal, state, or private entities and shall only be made
201 available for a single entry query of an individual in the event the individual is a subject of
202 interest in an active criminal investigation or is arrested for a crime. A sheriff may access the
203 concealed carry permit system for administrative purposes to issue a permit, verify the
204 accuracy of permit holder information, change the name or address of a permit holder,
205 suspend or revoke a permit, cancel an expired permit, or cancel a permit upon receipt of a
206 certified death certificate for the permit holder. Any person who violates the provisions of
207 this subdivision by disclosing protected information shall be guilty of a class A misdemeanor.

208 10. Information regarding any holder of a concealed carry permit, or a concealed
209 carry endorsement issued prior to August 28, 2013, is a closed record. No bulk download or
210 batch data shall be distributed to any federal, state, or private entity, except to MoSMART or a
211 designee thereof. Any state agency that has retained any documents or records, including
212 fingerprint records provided by an applicant for a concealed carry endorsement prior to
213 August 28, 2013, shall destroy such documents or records, upon successful issuance of a
214 permit.

215 11. For processing an application for a concealed carry permit pursuant to sections
216 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed
217 one hundred dollars which shall be paid to the treasury of the county to the credit of the
218 sheriff's revolving fund. This fee shall include the cost to reimburse the Missouri state
219 highway patrol for the costs of fingerprinting and criminal background checks. An additional
220 fee shall be added to each credit card, debit card, or other electronic transaction equal to the
221 charge paid by the state or the applicant for the use of the credit card, debit card, or other
222 electronic payment method by the applicant.

223 12. For processing a renewal for a concealed carry permit pursuant to sections
224 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed
225 fifty dollars which shall be paid to the treasury of the county to the credit of the sheriff's
226 revolving fund.

227 13. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include
228 the sheriff of any county or city not within a county or his or her designee and in counties of
229 the first classification the sheriff may designate the chief of police of any city, town, or
230 municipality within such county.

231 14. For the purposes of this chapter, "concealed carry permit" shall include any
232 concealed carry endorsement issued by the department of revenue before January 1, 2014,
233 and any concealed carry document issued by any sheriff or under the authority of any sheriff
234 after December 31, 2013.

571.107. 1. A concealed carry permit issued pursuant to sections 571.101 to 571.121,
2 a valid concealed carry endorsement issued prior to August 28, 2013, or a concealed carry
3 endorsement or permit issued by another state or political subdivision of another state shall
4 authorize the person in whose name the permit or endorsement is issued to carry concealed
5 firearms on or about his or her person or vehicle throughout the state. No concealed carry
6 permit issued pursuant to sections 571.101 to 571.121, valid concealed carry endorsement
7 issued prior to August 28, 2013, or a concealed carry endorsement or permit issued by another
8 state or political subdivision of another state shall authorize any person to carry concealed
9 firearms into:

10 (1) Any police, sheriff, or highway patrol office or station without the consent of the
11 chief law enforcement officer in charge of that office or station. Possession of a firearm in a
12 vehicle on the premises of the office or station shall not be a criminal offense so long as the
13 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

14 (2) Within twenty-five feet of any polling place on any election day. Possession of a
15 firearm in a vehicle on the premises of the polling place shall not be a criminal offense so
16 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
17 premises;

18 (3) The facility of any adult or juvenile detention or correctional institution, prison or
19 jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or
20 correctional institution, prison or jail shall not be a criminal offense so long as the firearm is
21 not removed from the vehicle or brandished while the vehicle is on the premises;

22 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any
23 courtrooms, administrative offices, libraries or other rooms of any such court whether or not
24 such court solely occupies the building in question. This subdivision shall also include, but
25 not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein
26 any of the courts or offices listed in this subdivision are temporarily conducting any business
27 within the jurisdiction of such courts or offices, and such other locations in such manner as
28 may be specified by supreme court rule pursuant to subdivision (6) of this subsection.
29 Nothing in this subdivision shall preclude those persons listed in subdivision (1) of subsection
30 2 of section 571.030 while within their jurisdiction and on duty, those persons listed in
31 subdivisions (2), (4), and ~~[(10)]~~ (14) of subsection 2 of section 571.030, or such other persons
32 who serve in a law enforcement capacity for a court as may be specified by supreme court
33 rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm within
34 any of the areas described in this subdivision. Possession of a firearm in a vehicle on the
35 premises of any of the areas listed in this subdivision shall not be a criminal offense so long as
36 the firearm is not removed from the vehicle or brandished while the vehicle is on the
37 premises;

38 (5) Any meeting of the governing body of a unit of local government; or any meeting
39 of the general assembly or a committee of the general assembly, except that nothing in this
40 subdivision shall preclude a member of the body holding a valid concealed carry permit or
41 endorsement from carrying a concealed firearm at a meeting of the body which he or she is a
42 member. Possession of a firearm in a vehicle on the premises shall not be a criminal offense
43 so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
44 the premises. Nothing in this subdivision shall preclude a member of the general assembly, a
45 full-time employee of the general assembly employed under Section 17, Article III,
46 Constitution of Missouri, legislative employees of the general assembly as determined under
47 section 21.155, or statewide elected officials and their employees, holding a valid concealed
48 carry permit or endorsement, from carrying a concealed firearm in the state capitol building
49 or at a meeting whether of the full body of a house of the general assembly or a committee
50 thereof, that is held in the state capitol building;

51 (6) The general assembly, supreme court, county or municipality may by rule,
52 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
53 permit or endorsement holders in that portion of a building owned, leased or controlled by
54 that unit of government. Any portion of a building in which the carrying of concealed

55 firearms is prohibited or limited shall be clearly identified by signs posted at the entrance to
56 the restricted area. The statute, rule or ordinance shall exempt any building used for public
57 housing by private persons, highways or rest areas, firing ranges, and private dwellings
58 owned, leased, or controlled by that unit of government from any restriction on the carrying
59 or possession of a firearm. The statute, rule or ordinance shall not specify any criminal
60 penalty for its violation but may specify that persons violating the statute, rule or ordinance
61 may be denied entrance to the building, ordered to leave the building and if employees of the
62 unit of government, be subjected to disciplinary measures for violation of the provisions of
63 the statute, rule or ordinance. The provisions of this subdivision shall not apply to any other
64 unit of government;

65 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
66 premises, which portion is primarily devoted to that purpose, without the consent of the
67 owner or manager. The provisions of this subdivision shall not apply to the licensee of said
68 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant
69 open to the general public having dining facilities for not less than fifty persons and that
70 receives at least fifty-one percent of its gross annual income from the dining facilities by the
71 sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the
72 premises of the establishment and shall not be a criminal offense so long as the firearm is not
73 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this
74 subdivision authorizes any individual who has been issued a concealed carry permit or
75 endorsement to possess any firearm while intoxicated;

76 (8) Any area of an airport to which access is controlled by the inspection of persons
77 and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a
78 criminal offense so long as the firearm is not removed from the vehicle or brandished while
79 the vehicle is on the premises;

80 (9) Any place where the carrying of a firearm is prohibited by federal law;

81 (10) Any higher education institution or elementary or secondary school facility
82 without the consent of the governing body of the higher education institution or a school
83 official or the district school board, unless the person with the concealed carry endorsement or
84 permit is a teacher or administrator of an elementary or secondary school who has been
85 designated by his or her school district as a school protection officer and is carrying a firearm
86 in a school within that district, in which case no consent is required. Possession of a firearm
87 in a vehicle on the premises of any higher education institution or elementary or secondary
88 school facility shall not be a criminal offense so long as the firearm is not removed from the
89 vehicle or brandished while the vehicle is on the premises;

90 (11) Any portion of a building used as a child care facility without the consent of the
91 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a

92 family home from owning or possessing a firearm or a concealed carry permit or
93 endorsement;

94 (12) Any riverboat gambling operation accessible by the public without the consent
95 of the owner or manager pursuant to rules promulgated by the gaming commission.
96 Possession of a firearm in a vehicle on the premises of a riverboat gambling operation shall
97 not be a criminal offense so long as the firearm is not removed from the vehicle or brandished
98 while the vehicle is on the premises;

99 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on
100 the premises of the amusement park shall not be a criminal offense so long as the firearm is
101 not removed from the vehicle or brandished while the vehicle is on the premises;

102 ~~(14) [Any church or other place of religious worship without the consent of the~~
103 ~~minister or person or persons representing the religious organization that exercises control~~
104 ~~over the place of religious worship. Possession of a firearm in a vehicle on the premises shall~~
105 ~~not be a criminal offense so long as the firearm is not removed from the vehicle or brandished~~
106 ~~while the vehicle is on the premises;~~

107 ~~(15)~~ Any private property whose owner has posted the premises as being off-limits
108 to concealed firearms by means of one or more signs displayed in a conspicuous place of a
109 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not
110 less than one inch. The owner, business or commercial lessee, manager of a private business
111 enterprise, or any other organization, entity, or person may prohibit persons holding a
112 concealed carry permit or endorsement from carrying concealed firearms on the premises and
113 may prohibit employees, not authorized by the employer, holding a concealed carry permit or
114 endorsement from carrying concealed firearms on the property of the employer. If the
115 building or the premises are open to the public, the employer of the business enterprise shall
116 post signs on or about the premises if carrying a concealed firearm is prohibited. Possession
117 of a firearm in a vehicle on the premises shall not be a criminal offense so long as the firearm
118 is not removed from the vehicle or brandished while the vehicle is on the premises. An
119 employer may prohibit employees or other persons holding a concealed carry permit or
120 endorsement from carrying a concealed firearm in vehicles owned by the employer;

121 ~~(16)~~ **(15)** Any sports arena or stadium with a seating capacity of five thousand or
122 more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so
123 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
124 premises;

125 ~~(17)~~ **(16)** Any hospital accessible by the public. Possession of a firearm in a vehicle
126 on the premises of a hospital shall not be a criminal offense so long as the firearm is not
127 removed from the vehicle or brandished while the vehicle is on the premises.

128 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to ~~[(17)]~~
129 **(16)** of subsection 1 of this section by any individual who holds a concealed carry permit
130 issued pursuant to sections 571.101 to 571.121 **or sections 571.205 to 571.230**, or a
131 concealed carry endorsement issued prior to August 28, 2013, shall not be a criminal act but
132 may subject the person to denial to the premises or removal from the premises. If such person
133 refuses to leave the premises and a peace officer is summoned, such person may be issued a
134 citation for an amount not to exceed one hundred dollars for the first offense. If a second
135 citation for a similar violation occurs within a six-month period, such person shall be fined an
136 amount not to exceed two hundred dollars and his or her permit, and, if applicable,
137 endorsement to carry concealed firearms shall be suspended for a period of one year. If a
138 third citation for a similar violation is issued within one year of the first citation, such person
139 shall be fined an amount not to exceed five hundred dollars and shall have his or her
140 concealed carry permit, and, if applicable, endorsement revoked and such person shall not be
141 eligible for a concealed carry permit for a period of three years. Upon conviction of charges
142 arising from a citation issued pursuant to this subsection, the court shall notify the sheriff of
143 the county which issued the concealed carry permit, or, if the person is a holder of a concealed
144 carry endorsement issued prior to August 28, 2013, the court shall notify the sheriff of the
145 county which issued the certificate of qualification for a concealed carry endorsement and the
146 department of revenue. The sheriff shall suspend or revoke the concealed carry permit or, if
147 applicable, the certificate of qualification for a concealed carry endorsement. If the person
148 holds an endorsement, the department of revenue shall issue a notice of such suspension or
149 revocation of the concealed carry endorsement and take action to remove the concealed carry
150 endorsement from the individual's driving record. The director of revenue shall notify the
151 licensee that he or she must apply for a new license pursuant to chapter 302 which does not
152 contain such endorsement. The notice issued by the department of revenue shall be mailed to
153 the last known address shown on the individual's driving record. The notice is deemed
154 received three days after mailing.

155 **3. Notwithstanding any provision of this chapter or chapter 70, 577, or 578 to the**
156 **contrary, a person carrying a firearm concealed on or about his or her person who is**
157 **lawfully in possession of a valid concealed carry permit or endorsement shall not be**
158 **prohibited or impeded from accessing or using any publicly funded transportation**
159 **system and shall not be harassed or detained for carrying a concealed firearm on the**
160 **property, vehicles, or conveyances owned, contracted, or leased by such systems that are**
161 **accessible to the public; except that, law enforcement or authorized security personnel**
162 **may, for lawful reasons, inquire of the concealed carry permit holder to verify that the**
163 **permit holder is in possession of his or her permit. For purposes of this subsection,**
164 **"publicly funded transportation system" means the property, equipment, rights-of-way,**

165 **or buildings, whether publicly or privately owned and operated, of an entity that**
166 **receives public funds and holds itself out to the general public for the transportation of**
167 **persons. This includes portions of a public transportation system provided through a**
168 **contract with a private entity but excludes any corporation that provides intercity**
169 **passenger train service on railroads throughout the United States or any private**
170 **partnership in which the corporation engages.**

571.111. 1. An applicant for a concealed carry permit shall demonstrate knowledge
2 of firearms safety training. This requirement shall be fully satisfied if the applicant for a
3 concealed carry permit:

4 (1) Submits a photocopy of a certificate of firearms safety training course completion,
5 as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as
6 defined in subsection 6 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant completed a firearms
8 safety course given by or under the supervision of any state, county, municipal, or federal law
9 enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 6 of this section;
11 or

12 (4) Submits proof that the applicant currently holds any type of valid peace officer
13 license issued under the requirements of chapter 590; or

14 (5) Submits proof that the applicant is currently allowed to carry firearms in
15 accordance with the certification requirements of section 217.710; or

16 (6) Submits proof that the applicant is currently certified as any class of corrections
17 officer by the Missouri department of corrections and has passed at least one eight-hour
18 firearms training course, approved by the director of the Missouri department of corrections
19 under the authority granted to him or her, that includes instruction on the justifiable use of
20 force as prescribed in chapter 563; or

21 (7) Submits a photocopy of a certificate of firearms safety training course completion
22 that was issued on August 27, 2011, or earlier so long as the certificate met the requirements
23 of subsection 2 of this section that were in effect on the date it was issued.

24 2. A certificate of firearms safety training course completion may be issued to any
25 applicant by any qualified firearms safety instructor. On the certificate of course completion
26 the qualified firearms safety instructor shall affirm that the individual receiving instruction
27 has taken and passed a firearms safety course of at least eight hours in length taught by the
28 instructor that included:

29 (1) Handgun safety in the classroom, at home, on the firing range and while carrying
30 the firearm;

31 (2) A physical demonstration performed by the applicant that demonstrated his or her
32 ability to safely load and unload either a revolver or a semiautomatic pistol and demonstrated
33 his or her marksmanship with either firearm;

34 (3) The basic principles of marksmanship;

35 (4) Care and cleaning of concealable firearms;

36 (5) Safe storage of firearms at home;

37 (6) The requirements of this state for obtaining a concealed carry permit from the
38 sheriff of the individual's county of residence;

39 (7) The laws relating to firearms as prescribed in this chapter;

40 (8) The laws relating to the justifiable use of force as prescribed in chapter 563;

41 (9) A live firing exercise of sufficient duration for each applicant to fire either a
42 revolver or a semiautomatic pistol, from a standing position or its equivalent, a minimum of
43 twenty rounds from the handgun at a distance of seven yards from a B-27 silhouette target or
44 an equivalent target;

45 (10) A live-fire test administered to the applicant while the instructor was present of
46 twenty rounds from either a revolver or a semiautomatic pistol from a standing position or its
47 equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

48 3. **However, a qualified firearms safety instructor may also issue** a certificate of
49 firearms safety training course completion [~~may also be issued~~] to:

50 (1) An applicant who:

51 (a) Presents proof [~~to a qualified firearms safety instructor~~] that the applicant [~~has~~]
52 passed a regular or online course on firearm safety conducted by an instructor certified by the
53 National Rifle Association that is at least one hour in length; and [~~who also~~]

54 (b) Passes the requirements of subdivisions (1), (2), (6), (7), (8), (9), and (10) of
55 subsection 2 of this section in a course, not restricted by a period of hours, that is taught by a
56 qualified firearms safety instructor; **or**

57 (2) **An applicant who:**

58 (a) **Is serving on active duty in the United States Armed Forces;**

59 (b) **Presents proof that the applicant received a marksmanship qualification**
60 **badge with a pistol, a marksmanship ribbon with a pistol, or a pistol marksmanship**
61 **award; and**

62 (c) **Passes the requirements of subdivisions (1), (4), (5), (6), (7), and (8) of**
63 **subsection 2 of this section in a course, not restricted by a period of hours, that is taught**
64 **by a qualified firearms safety instructor.**

65 4. A qualified firearms safety instructor shall not give a grade of passing to an
66 applicant for a concealed carry permit who:

67 (1) Does not follow the orders of the qualified firearms instructor or cognizant range
68 officer; or

69 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety
70 instructor, poses a danger to the applicant or to others; or

71 (3) During the live-fire testing portion of the course fails to hit the silhouette portion
72 of the targets with at least fifteen rounds.

73 5. Qualified firearms safety instructors who provide firearms safety instruction to any
74 person who applies for a concealed carry permit shall:

75 (1) Make the applicant's course records available upon request to the sheriff of the
76 county in which the applicant resides;

77 (2) Maintain all course records on students for a period of no less than four years
78 from course completion date; and

79 (3) Not have more than forty students per certified instructor in the classroom portion
80 of the course or more than five students per range officer engaged in range firing.

81 6. A firearms safety instructor shall be considered to be a qualified firearms safety
82 instructor by any sheriff issuing a concealed carry permit pursuant to sections 571.101 to
83 571.121 if the instructor:

84 (1) Is a valid firearms safety instructor certified by the National Rifle Association
85 holding a rating as a personal protection instructor or pistol marksmanship instructor; or

86 (2) Submits a photocopy of a notarized certificate from a firearms safety instructor's
87 course offered by a local, state, or federal governmental agency; or

88 (3) Submits a photocopy of a notarized certificate from a firearms safety instructor
89 course approved by the department of public safety; or

90 (4) Has successfully completed a firearms safety instructor course given by or under
91 the supervision of any state, county, municipal, or federal law enforcement agency; or

92 (5) Is a certified police officer firearms safety instructor.

93 7. Any firearms safety instructor qualified under subsection 6 of this section may
94 submit a copy of a training instructor certificate, course outline bearing the notarized
95 signature of the instructor, and a recent photograph of the instructor to the sheriff of the
96 county in which the instructor resides. The sheriff shall review the training instructor
97 certificate along with the course outline and verify the firearms safety instructor is qualified
98 and the course meets the requirements provided under this section. If the sheriff verifies the
99 firearms safety instructor is qualified and the course meets the requirements provided under
100 this section, the sheriff shall collect an annual registration fee of ten dollars from each
101 qualified instructor who chooses to submit such information and submit the registration to the
102 Missouri sheriff methamphetamine relief taskforce. The Missouri sheriff methamphetamine
103 relief taskforce, or its designated agent, shall create and maintain a statewide database of

104 qualified instructors. This information shall be a closed record except for access by any
 105 sheriff. Firearms safety instructors may register annually and the registration is only effective
 106 for the calendar year in which the instructor registered. Any sheriff may access the statewide
 107 database maintained by the Missouri sheriff methamphetamine relief taskforce to verify the
 108 firearms safety instructor is qualified and the course offered by the instructor meets the
 109 requirements provided under this section. Unless a sheriff has reason to believe otherwise, a
 110 sheriff shall presume a firearms safety instructor is qualified to provide firearms safety
 111 instruction in counties throughout the state under this section if the instructor is registered on
 112 the statewide database of qualified instructors.

113 8. Any firearms safety instructor who knowingly provides any sheriff with any false
 114 information concerning an applicant's performance on any portion of the required training and
 115 qualification shall be guilty of a class C misdemeanor. A violation of the provisions of this
 116 section shall result in the person being prohibited from instructing concealed carry permit
 117 classes and issuing certificates.

571.117. 1. Any person who has knowledge that another person, who was issued a
 2 concealed carry permit pursuant to sections 571.101 to 571.121, or concealed carry
 3 endorsement prior to August 28, 2013, never was or no longer is eligible for such permit or
 4 endorsement under the criteria established in sections 571.101 to 571.121 may file a petition
 5 with the clerk of the small claims court to revoke that person's concealed carry permit or
 6 endorsement. The petition shall be in a form substantially similar to the petition for
 7 revocation of concealed carry permit or endorsement provided in this section. Appeal forms
 8 shall be provided by the clerk of the small claims court free of charge to any person:

9 SMALL CLAIMS COURT

10 In the Circuit Court of _____, Missouri

11 _____, PLAINTIFF

12)

13)

14 vs.) Case Number _____

15)

16 _____, DEFENDANT,

17 Carry Permit or Endorsement Holder

18 _____, DEFENDANT,

19 Sheriff of Issuance

20 PETITION FOR REVOCATION OF A
 21 CONCEALED CARRY PERMIT OR CONCEALED CARRY
 22 ENDORSEMENT

23 Plaintiff states to the court that the defendant, _____, has a concealed
 24 carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or
 25 a concealed carry endorsement issued prior to August 28, 2013, and
 26 that the defendant's concealed carry permit or concealed carry
 27 endorsement should now be revoked because the defendant either
 28 never was or no longer is eligible for such a permit or endorsement
 29 pursuant to the provisions of sections 571.101 to 571.121, RSMo,
 30 specifically plaintiff states that defendant, _____, never was or no
 31 longer is eligible for such permit or endorsement for one or more of the
 32 following reasons:

33 (CHECK BELOW EACH REASON THAT APPLIES TO THIS
 34 DEFENDANT)

- | | |
|--|--|
| 35
36
37 | <input type="checkbox"/> Defendant is not at least [nineteen years of age or at least] eighteen years of age [and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces]. |
| 38
39 | <input type="checkbox"/> Defendant is not a citizen or permanent resident of the United States. |
| 40
41
42 | <input type="checkbox"/> Defendant had not resided in this state prior to issuance of the permit and does not qualify as a military member or spouse of a military member stationed in Missouri. |
| 43
44
45
46
47
48
49 | <input type="checkbox"/> Defendant has [pled guilty to or] been convicted of a crime punishable by imprisonment for a term exceeding two years under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun. |
| 50
51
52
53
54
55
56
57
58 | <input type="checkbox"/> Defendant has been convicted of [, pled guilty to or entered a plea of nolo contendere to] one or more misdemeanor offenses involving crimes of violence within a five-year period immediately preceding application for a concealed carry permit issued pursuant to sections 571.101 to 571.121, RSMo, or a concealed carry endorsement issued prior to August 28, 2013, or if the applicant has been convicted of two or more misdemeanor offenses involving driving while under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance within |

- 59 a five-year period immediately preceding application for a
 60 concealed carry permit issued pursuant to sections 571.101 to
 61 571.121, RSMo, or a concealed carry endorsement issued prior to
 62 August 28, 2013.
-
- 63 Defendant is a fugitive from justice or currently charged in an
 64 information or indictment with the commission of a crime
 65 punishable by imprisonment for a term exceeding one year under
 66 the laws of any state of the United States other than a crime
 67 classified as a misdemeanor under the laws of any state and
 68 punishable by a term of imprisonment of two years or less that
 69 does not involve an explosive weapon, firearm, firearm silencer, or
 70 gas gun.
-
- 71 Defendant has been discharged under dishonorable conditions
 72 from the United States Armed Forces.
-
- 73 Defendant is reasonably believed by the sheriff to be a danger to
 74 self or others based on previous, documented pattern.
-
- 75 Defendant is adjudged mentally incompetent at the time of
 76 application or for five years prior to application, or has been
 77 committed to a mental health facility, as defined in section
 78 632.005, RSMo, or a similar institution located in another state,
 79 except that a person whose release or discharge from a facility in
 80 this state pursuant to chapter 632, RSMo, or a similar discharge
 81 from a facility in another state, occurred more than five years ago
 82 without subsequent recommitment may apply.
-
- 83 Defendant failed to submit a completed application for a concealed
 84 carry permit issued pursuant to sections 571.101 to 571.121,
 85 RSMo, or a concealed carry endorsement issued prior to August
 86 28, 2013.
-
- 87 Defendant failed to submit to or failed to clear the required
 88 background check. (Note: This does not apply if the defendant has
 89 submitted to a background check and been issued a provisional
 90 permit pursuant to subdivision (2) of subsection 5 of section
 91 571.101, and the results of the background check are still pending.)
-
- 92 Defendant failed to submit an affidavit attesting that the applicant
 93 complies with the concealed carry safety training requirement
 94 pursuant to subsection 1 of section 571.111, RSMo.

95 Defendant is otherwise disqualified from possessing a firearm
 96 pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo,
 97 because (specify reason):

98 The plaintiff subject to penalty for perjury states that the information
 99 contained in this petition is true and correct to the best of the plaintiff's
 100 knowledge, is reasonably based upon the petitioner's personal
 101 knowledge and is not primarily intended to harass the defendant/
 102 respondent named herein.

103 _____, PLAINTIFF

104 2. If at the hearing the plaintiff shows that the defendant was not eligible for the
 105 concealed carry permit issued pursuant to sections 571.101 to 571.121, or a concealed carry
 106 endorsement issued prior to August 28, 2013, at the time of issuance or renewal or is no
 107 longer eligible for a concealed carry permit or the concealed carry endorsement, the court
 108 shall issue an appropriate order to cause the revocation of the concealed carry permit and, if
 109 applicable, the concealed carry endorsement. Costs shall not be assessed against the sheriff.

110 3. The finder of fact, in any action brought against a permit or endorsement holder
 111 pursuant to subsection 1 of this section, shall make findings of fact and the court shall make
 112 conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in
 113 such an action acted without justification or with malice or primarily with an intent to harass
 114 the permit or endorsement holder or that there was no reasonable basis to bring the action, the
 115 court shall order the plaintiff to pay the defendant/respondent all reasonable costs incurred in
 116 defending the action including, but not limited to, attorney's fees, deposition costs, and lost
 117 wages. Once the court determines that the plaintiff is liable to the defendant/respondent for
 118 costs and fees, the extent and type of fees and costs to be awarded should be liberally
 119 calculated in defendant/respondent's favor. Notwithstanding any other provision of law,
 120 reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars per hour.

121 4. Any person aggrieved by any final judgment rendered by a small claims court in a
 122 petition for revocation of a concealed carry permit or concealed carry endorsement may have
 123 a right to trial de novo as provided in sections 512.180 to 512.320.

124 5. The office of the county sheriff or any employee or agent of the county sheriff shall
 125 not be liable for damages in any civil action arising from alleged wrongful or improper
 126 granting, renewing, or failure to revoke a concealed carry permit issued pursuant to sections
 127 571.101 to 571.121, or a certificate of qualification for a concealed carry endorsement issued
 128 prior to August 28, 2013, so long as the sheriff acted in good faith.

571.205. 1. Upon request and payment of the required fee, the sheriff shall issue a
2 concealed carry permit that is valid through the state of Missouri for the lifetime of the permit
3 holder to a Missouri resident who meets the requirements of sections 571.205 to 571.230,
4 known as a Missouri lifetime concealed carry permit. A person may also request, and the
5 sheriff shall issue upon payment of the required fee, a concealed carry permit that is valid
6 through the state of Missouri for a period of either ten years or twenty-five years from the
7 date of issuance or renewal to a Missouri resident who meets the requirements of sections
8 571.205 to 571.230. Such permit shall be known as a Missouri extended concealed carry
9 permit. A person issued a Missouri lifetime or extended concealed carry permit shall be
10 required to comply with the provisions of sections 571.205 to 571.230. If the applicant can
11 show qualification as provided by sections 571.205 to 571.230, the sheriff shall issue a
12 Missouri lifetime or extended concealed carry permit authorizing the carrying of a concealed
13 firearm on or about the applicant's person or within a vehicle.

14 2. A Missouri lifetime or extended concealed carry permit shall be suspended if the
15 permit holder becomes a resident of another state. The permit may be reactivated upon
16 reestablishment of Missouri residency if the applicant meets the requirements of sections
17 571.205 to 571.230, and upon successful completion of a name-based inquiry of the National
18 Instant Background Check System.

19 3. A Missouri lifetime or extended concealed carry permit shall be issued by the
20 sheriff or his or her designee of the county or city in which the applicant resides, if the
21 applicant:

22 (1) Is ~~[at least nineteen]~~ **eighteen** years of age **or older**, is a citizen or permanent
23 resident of the United States, and has assumed residency in this state~~[-or is at least eighteen~~
24 ~~years of age and a member of the United States Armed Forces or honorably discharged from~~
25 ~~the United States Armed Forces, and is a citizen of the United States and has assumed~~
26 ~~residency in this state];~~

27 (2) Has not ~~[pled guilty to or entered a plea of nolo contendere or]~~ been convicted of a
28 crime punishable by imprisonment for a term exceeding one year under the laws of any state
29 or of the United States, other than a crime classified as a misdemeanor under the laws of any
30 state and punishable by a term of imprisonment of two years or less that does not involve an
31 explosive weapon, firearm, firearm silencer, or gas gun;

32 (3) Has not been convicted of~~[-pled guilty to or entered a plea of nolo contendere to]~~
33 one or more misdemeanor offenses involving crimes of violence within a five-year period
34 immediately preceding application for a Missouri lifetime or extended concealed carry permit
35 or if the applicant has not been convicted of two or more misdemeanor offenses involving
36 driving while under the influence of intoxicating liquor or drugs or the possession or abuse of

37 a controlled substance within a five-year period immediately preceding application for a
38 Missouri lifetime or extended concealed carry permit;

39 (4) Is not a fugitive from justice or currently charged in an information or indictment
40 with the commission of a crime punishable by imprisonment for a term exceeding one year
41 under the laws of any state of the United States, other than a crime classified as a
42 misdemeanor under the laws of any state and punishable by a term of imprisonment of two
43 years or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun;

44 (5) Has not been discharged under dishonorable conditions from the United States
45 Armed Forces;

46 (6) Has not engaged in a pattern of behavior, documented in public or closed records,
47 that causes the sheriff to have a reasonable belief that the applicant presents a danger to
48 himself or herself or others;

49 (7) Is not adjudged mentally incompetent at the time of application or for five years
50 prior to application, or has not been committed to a mental health facility, as defined in
51 section 632.005, or a similar institution located in another state following a hearing at which
52 the defendant was represented by counsel or a representative;

53 (8) Submits a completed application for a permit as described in subsection 4 of this
54 section;

55 (9) Submits an affidavit attesting that the applicant complies with the concealed carry
56 safety training requirement under subsections 1 and 2 of section 571.111;

57 (10) Is not the respondent of a valid full order of protection which is still in effect;

58 (11) Is not otherwise prohibited from possessing a firearm under section 571.070 or
59 18 U.S.C. Section 922(g).

60 4. The application for a Missouri lifetime or extended concealed carry permit issued
61 by the sheriff of the county of the applicant's residence shall contain only the following
62 information:

63 (1) The applicant's name, address, telephone number, gender, date and place of birth,
64 and, if the applicant is not a United States citizen, the applicant's country of citizenship and
65 any alien or admission number issued by the United States Immigration and Customs
66 Enforcement or any successor agency;

67 (2) An affirmation that the applicant has assumed residency in Missouri and is a
68 citizen or permanent resident of the United States;

69 (3) An affirmation that the applicant is ~~[at least nineteen years of age or is]~~ eighteen
70 years of age or older ~~[and a member of the United States Armed Forces or honorably~~
71 ~~discharged from the United States Armed Forces];~~

72 (4) An affirmation that the applicant has not ~~[pled guilty to or]~~ been convicted of a
73 crime punishable by imprisonment for a term exceeding one year under the laws of any state

74 or of the United States other than a crime classified as a misdemeanor under the laws of any
75 state and punishable by a term of imprisonment of two years or less that does not involve an
76 explosive weapon, firearm, firearm silencer, or gas gun;

77 (5) An affirmation that the applicant has not been convicted of ~~pled guilty to, or~~
78 ~~entered a plea of nolo contendere to~~ one or more misdemeanor offenses involving crimes of
79 violence within a five-year period immediately preceding application for a permit or that the
80 applicant has not been convicted of two or more misdemeanor offenses involving driving
81 while under the influence of intoxicating liquor or drugs or the possession or abuse of a
82 controlled substance within a five-year period immediately preceding application for a
83 permit;

84 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
85 in an information or indictment with the commission of a crime punishable by imprisonment
86 for a term exceeding one year under the laws of any state or of the United States other than a
87 crime classified as a misdemeanor under the laws of any state and punishable by a term of
88 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
89 silencer, or gas gun;

90 (7) An affirmation that the applicant has not been discharged under dishonorable
91 conditions from the United States Armed Forces;

92 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
93 of application or for five years prior to application, or has not been committed to a mental
94 health facility, as defined in section 632.005, or a similar institution located in another state,
95 except that a person whose release or discharge from a facility in this state under chapter 632,
96 or a similar discharge from a facility in another state, occurred more than five years ago
97 without subsequent recommitment may apply;

98 (9) An affirmation that the applicant has received firearms safety training that meets
99 the standards of applicant firearms safety training defined in subsection 1 or 2 of section
100 571.111;

101 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
102 not the respondent of a valid full order of protection which is still in effect;

103 (11) A conspicuous warning that false statements made by the applicant will result in
104 prosecution for perjury under the laws of the state of Missouri; and

105 (12) A government-issued photo identification. This photograph shall not be
106 included on the permit and shall only be used to verify the person's identity for the issuance of
107 a new permit, issuance of a new permit due to change of name or address, renewal of an
108 extended permit, or for a lost or destroyed permit, or reactivation under subsection 2 of this
109 section.

110 5. An application for a Missouri lifetime or extended concealed carry permit shall be
111 made to the sheriff of the county in which the applicant resides. An application shall be filed
112 in writing, signed under oath and under the penalties of perjury, and shall state whether the
113 applicant complies with each of the requirements specified in subsection 3 of this section. In
114 addition to the completed application, the applicant for a Missouri lifetime or extended
115 concealed carry permit shall also submit the following:

116 (1) A photocopy of a firearms safety training certificate of completion or other
117 evidence of completion of a firearms safety training course that meets the standards
118 established in subsection 1 or 2 of section 571.111; and

119 (2) A nonrefundable permit fee as provided by subsection 12 of this section.

120 6. (1) Before an application for a Missouri lifetime or extended concealed carry
121 permit is approved, the sheriff shall make only such inquiries as he or she deems necessary
122 into the accuracy of the statements made in the application. The sheriff may require that the
123 applicant display a Missouri driver's license or nondriver's license or military identification.
124 No biometric data shall be collected from the applicant. The sheriff shall conduct an inquiry
125 of the National Instant Criminal Background Check System within three working days after
126 submission of the properly completed application for a Missouri lifetime or extended
127 concealed carry permit. Upon receipt of the completed report from the National Instant
128 Criminal Background Check System, the sheriff shall examine the results and, if no
129 disqualifying information is identified, shall issue a Missouri lifetime or extended concealed
130 carry permit within three working days.

131 (2) In the event the report from the National Instant Criminal Background Check
132 System and the response from the Federal Bureau of Investigation national criminal history
133 record check prescribed by subdivision (1) of this subsection are not completed within forty-
134 five calendar days and no disqualifying information concerning the applicant has otherwise
135 come to the sheriff's attention, the sheriff shall issue a provisional permit, clearly designated
136 on the certificate as such, which the applicant shall sign in the presence of the sheriff or the
137 sheriff's designee. This permit, when carried with a valid Missouri driver's or nondriver's
138 license, shall permit the applicant to exercise the same rights in accordance with the same
139 conditions as pertain to a Missouri lifetime or extended concealed carry permit issued under
140 this section, provided that it shall not serve as an alternative to a national instant criminal
141 background check required by 18 U.S.C. Section 922(t). The provisional permit shall remain
142 valid until such time as the sheriff either issues or denies the permit under subsection 7 or 8 of
143 this section. The sheriff shall revoke a provisional permit issued under this subsection within
144 twenty-four hours of receipt of any report that identifies a disqualifying record, and shall
145 notify the concealed carry permit system established under subsection 5 of section 650.350.
146 The revocation of a provisional permit issued under this section shall be prescribed in a

147 manner consistent to the denial and review of an application under subsection 7 of this
148 section.

149 7. The sheriff may refuse to approve an application for a Missouri lifetime or
150 extended concealed carry permit if he or she determines that any of the requirements specified
151 in subsection 3 of this section have not been met, or if he or she has a substantial and
152 demonstrable reason to believe that the applicant has rendered a false statement regarding any
153 of the provisions of sections 571.205 to 571.230. If the applicant is found to be ineligible, the
154 sheriff is required to deny the application, and notify the applicant in writing, stating the
155 grounds for denial and informing the applicant of the right to submit, within thirty days, any
156 additional documentation relating to the grounds of the denial. Upon receiving any additional
157 documentation, the sheriff shall reconsider his or her decision and inform the applicant within
158 thirty days of the result of the reconsideration. The applicant shall further be informed in
159 writing of the right to appeal the denial under section 571.220. After two additional reviews
160 and denials by the sheriff, the person submitting the application shall appeal the denial under
161 section 571.220.

162 8. If the application is approved, the sheriff shall issue a Missouri lifetime or extended
163 concealed carry permit to the applicant within a period not to exceed three working days after
164 his or her approval of the application. The applicant shall sign the Missouri lifetime or
165 extended concealed carry permit in the presence of the sheriff or his or her designee.

166 9. The Missouri lifetime or extended concealed carry permit shall specify only the
167 following information:

168 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes,
169 and signature of the permit holder;

170 (2) The signature of the sheriff issuing the permit;

171 (3) The date of issuance;

172 (4) A clear statement indicating that the permit is only valid within the state of
173 Missouri; and

174 (5) If the permit is a Missouri extended concealed carry permit, the expiration date.

175

176 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths
177 inches long and shall be of a uniform style prescribed by the department of public safety. The
178 permit shall also be assigned a concealed carry permit system county code and shall be stored
179 in sequential number.

180 10. (1) The sheriff shall keep a record of all applications for a Missouri lifetime or
181 extended concealed carry permit or a provisional permit and his or her action thereon. Any
182 record of an application that is incomplete or denied for any reason shall be kept for a period
183 not to exceed one year.

184 (2) The sheriff shall report the issuance of a Missouri lifetime or extended concealed
185 carry permit or provisional permit to the concealed carry permit system. All information on
186 any such permit that is protected information on any driver's or nondriver's license shall have
187 the same personal protection for purposes of sections 571.205 to 571.230. An applicant's
188 status as a holder of a Missouri lifetime or extended concealed carry permit or provisional
189 permit shall not be public information and shall be considered personal protected information.
190 Information retained in the concealed carry permit system under this subsection shall not be
191 distributed to any federal, state, or private entities and shall only be made available for a
192 single entry query of an individual in the event the individual is a subject of interest in an
193 active criminal investigation or is arrested for a crime. A sheriff may access the concealed
194 carry permit system for administrative purposes to issue a permit, verify the accuracy of
195 permit holder information, change the name or address of a permit holder, suspend or revoke
196 a permit, cancel an expired permit, or cancel a permit upon receipt of a certified death
197 certificate for the permit holder. Any person who violates the provisions of this subdivision
198 by disclosing protected information shall be guilty of a class A misdemeanor.

199 11. Information regarding any holder of a Missouri lifetime or extended concealed
200 carry permit is a closed record. No bulk download or batch data shall be distributed to any
201 federal, state, or private entity, except to MoSMART or a designee thereof.

202 12. For processing an application, the sheriff in each county shall charge a
203 nonrefundable fee not to exceed:

204 (1) Two hundred dollars for a new Missouri extended concealed carry permit that is
205 valid for ten years from the date of issuance or renewal;

206 (2) Two hundred fifty dollars for a new Missouri extended concealed carry permit
207 that is valid for twenty-five years from the date of issuance or renewal;

208 (3) Fifty dollars for a renewal of a Missouri extended concealed carry permit;

209 (4) Five hundred dollars for a Missouri lifetime concealed carry permit,
210

211 which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

571.215. 1. A Missouri lifetime or extended concealed carry permit issued under
2 sections 571.205 to 571.230 shall authorize the person in whose name the permit is issued to
3 carry concealed firearms on or about his or her person or vehicle throughout the state. No
4 Missouri lifetime or extended concealed carry permit shall authorize any person to carry
5 concealed firearms into:

6 (1) Any police, sheriff, or highway patrol office or station without the consent of the
7 chief law enforcement officer in charge of that office or station. Possession of a firearm in a
8 vehicle on the premises of the office or station shall not be a criminal offense so long as the
9 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

10 (2) Within twenty-five feet of any polling place on any election day. Possession of a
11 firearm in a vehicle on the premises of the polling place shall not be a criminal offense so
12 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
13 premises;

14 (3) The facility of any adult or juvenile detention or correctional institution, prison or
15 jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or
16 correctional institution, prison or jail shall not be a criminal offense so long as the firearm is
17 not removed from the vehicle or brandished while the vehicle is on the premises;

18 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any
19 courtrooms, administrative offices, libraries, or other rooms of any such court whether or not
20 such court solely occupies the building in question. This subdivision shall also include, but
21 not be limited to, any juvenile, family, drug, or other court offices, any room or office wherein
22 any of the courts or offices listed in this subdivision are temporarily conducting any business
23 within the jurisdiction of such courts or offices, and such other locations in such manner as
24 may be specified by supreme court rule under subdivision (6) of this subsection. Nothing in
25 this subdivision shall preclude those persons listed in subdivision (1) of subsection 2 of
26 section 571.030 while within their jurisdiction and on duty, those persons listed in
27 subdivisions (2), (4), and ~~[(10)]~~ **(14)** of subsection 2 of section 571.030, or such other persons
28 who serve in a law enforcement capacity for a court as may be specified by supreme court
29 rule under subdivision (6) of this subsection from carrying a concealed firearm within any of
30 the areas described in this subdivision. Possession of a firearm in a vehicle on the premises of
31 any of the areas listed in this subdivision shall not be a criminal offense so long as the firearm
32 is not removed from the vehicle or brandished while the vehicle is on the premises;

33 (5) Any meeting of the governing body of a unit of local government, or any meeting
34 of the general assembly or a committee of the general assembly, except that nothing in this
35 subdivision shall preclude a member of the body holding a valid Missouri lifetime or
36 extended concealed carry permit from carrying a concealed firearm at a meeting of the body
37 which he or she is a member. Possession of a firearm in a vehicle on the premises shall not be
38 a criminal offense so long as the firearm is not removed from the vehicle or brandished while
39 the vehicle is on the premises. Nothing in this subdivision shall preclude a member of the
40 general assembly, a full-time employee of the general assembly employed under Section 17,
41 Article III, Constitution of Missouri, legislative employees of the general assembly as
42 determined under section 21.155, or statewide elected officials and their employees, holding a
43 valid Missouri lifetime or extended concealed carry permit, from carrying a concealed firearm
44 in the state capitol building or at a meeting whether of the full body of a house of the general
45 assembly or a committee thereof, that is held in the state capitol building;

46 (6) The general assembly, supreme court, county, or municipality may by rule,
47 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms by
48 permit holders in that portion of a building owned, leased, or controlled by that unit of
49 government. Any portion of a building in which the carrying of concealed firearms is
50 prohibited or limited shall be clearly identified by signs posted at the entrance to the restricted
51 area. The statute, rule, or ordinance shall exempt any building used for public housing by
52 private persons, highways or rest areas, firing ranges, and private dwellings owned, leased, or
53 controlled by that unit of government from any restriction on the carrying or possession of a
54 firearm. The statute, rule, or ordinance shall not specify any criminal penalty for its violation
55 but may specify that persons violating the statute, rule, or ordinance may be denied entrance
56 to the building, ordered to leave the building and if employees of the unit of government, be
57 subjected to disciplinary measures for violation of the provisions of the statute, rule, or
58 ordinance. The provisions of this subdivision shall not apply to any other unit of government;

59 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
60 premises, which portion is primarily devoted to that purpose, without the consent of the
61 owner or manager. The provisions of this subdivision shall not apply to the licensee of said
62 establishment. The provisions of this subdivision shall not apply to any bona fide restaurant
63 open to the general public having dining facilities for not less than fifty persons and that
64 receives at least fifty-one percent of its gross annual income from the dining facilities by the
65 sale of food. This subdivision does not prohibit the possession of a firearm in a vehicle on the
66 premises of the establishment and shall not be a criminal offense so long as the firearm is not
67 removed from the vehicle or brandished while the vehicle is on the premises. Nothing in this
68 subdivision authorizes any individual who has been issued a Missouri lifetime or extended
69 concealed carry permit to possess any firearm while intoxicated;

70 (8) Any area of an airport to which access is controlled by the inspection of persons
71 and property. Possession of a firearm in a vehicle on the premises of the airport shall not be a
72 criminal offense so long as the firearm is not removed from the vehicle or brandished while
73 the vehicle is on the premises;

74 (9) Any place where the carrying of a firearm is prohibited by federal law;

75 (10) Any higher education institution or elementary or secondary school facility
76 without the consent of the governing body of the higher education institution or a school
77 official or the district school board, unless the person with the Missouri lifetime or extended
78 concealed carry permit is a teacher or administrator of an elementary or secondary school
79 who has been designated by his or her school district as a school protection officer and is
80 carrying a firearm in a school within that district, in which case no consent is required.
81 Possession of a firearm in a vehicle on the premises of any higher education institution or

82 elementary or secondary school facility shall not be a criminal offense so long as the firearm
83 is not removed from the vehicle or brandished while the vehicle is on the premises;

84 (11) Any portion of a building used as a child care facility without the consent of the
85 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a
86 family home from owning or possessing a firearm or a Missouri lifetime or extended
87 concealed carry permit;

88 (12) Any riverboat gambling operation accessible by the public without the consent
89 of the owner or manager under rules promulgated by the gaming commission. Possession of
90 a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a
91 criminal offense so long as the firearm is not removed from the vehicle or brandished while
92 the vehicle is on the premises;

93 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on
94 the premises of the amusement park shall not be a criminal offense so long as the firearm is
95 not removed from the vehicle or brandished while the vehicle is on the premises;

96 ~~(14) [Any church or other place of religious worship without the consent of the~~
97 ~~minister or person or persons representing the religious organization that exercises control~~
98 ~~over the place of religious worship. Possession of a firearm in a vehicle on the premises shall~~
99 ~~not be a criminal offense so long as the firearm is not removed from the vehicle or brandished~~
100 ~~while the vehicle is on the premises;~~

101 ~~(15)~~ (15) Any private property whose owner has posted the premises as being off-limits
102 to concealed firearms by means of one or more signs displayed in a conspicuous place of a
103 minimum size of eleven inches by fourteen inches with the writing thereon in letters of not
104 less than one inch. The owner, business or commercial lessee, manager of a private business
105 enterprise, or any other organization, entity, or person may prohibit persons holding a
106 Missouri lifetime or extended concealed carry permit from carrying concealed firearms on the
107 premises and may prohibit employees, not authorized by the employer, holding a Missouri
108 lifetime or extended concealed carry permit from carrying concealed firearms on the property
109 of the employer. If the building or the premises are open to the public, the employer of the
110 business enterprise shall post signs on or about the premises if carrying a concealed firearm is
111 prohibited. Possession of a firearm in a vehicle on the premises shall not be a criminal
112 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle
113 is on the premises. An employer may prohibit employees or other persons holding a Missouri
114 lifetime or extended concealed carry permit from carrying a concealed firearm in vehicles
115 owned by the employer;

116 ~~(16)~~ (15) Any sports arena or stadium with a seating capacity of five thousand or
117 more. Possession of a firearm in a vehicle on the premises shall not be a criminal offense so

118 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
119 premises;

120 ~~[(17)]~~ (16) Any hospital accessible by the public. Possession of a firearm in a vehicle
121 on the premises of a hospital shall not be a criminal offense so long as the firearm is not
122 removed from the vehicle or brandished while the vehicle is on the premises.

123 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to ~~[(17)]~~
124 (16) of subsection 1 of this section by any individual who holds a Missouri lifetime or
125 extended concealed carry permit shall not be a criminal act but may subject the person to
126 denial to the premises or removal from the premises. If such person refuses to leave the
127 premises and a peace officer is summoned, such person may be issued a citation for an
128 amount not to exceed one hundred dollars for the first offense. If a second citation for a
129 similar violation occurs within a six-month period, such person shall be fined an amount not
130 to exceed two hundred dollars and his or her permit to carry concealed firearms shall be
131 suspended for a period of one year. If a third citation for a similar violation is issued within
132 one year of the first citation, such person shall be fined an amount not to exceed five hundred
133 dollars and shall have his or her Missouri lifetime or extended concealed carry permit revoked
134 and such person shall not be eligible for a Missouri lifetime or extended concealed carry
135 permit or a concealed carry permit issued under sections 571.101 to 571.121 for a period of
136 three years. Upon conviction of charges arising from a citation issued under this subsection,
137 the court shall notify the sheriff of the county which issued the Missouri lifetime or extended
138 concealed carry permit. The sheriff shall suspend or revoke the Missouri lifetime or extended
139 concealed carry permit.

571.225. 1. Any person who has knowledge that another person, who was issued a
2 Missouri lifetime or extended concealed carry permit under sections 571.205 to 571.230,
3 never was or no longer is eligible for such permit under the criteria established in sections
4 571.205 to 571.230 may file a petition with the clerk of the small claims court to revoke that
5 person's Missouri lifetime or extended concealed carry permit. The petition shall be in a form
6 substantially similar to the petition for revocation of a Missouri lifetime or extended
7 concealed carry permit provided in this section. ~~[Appeal]~~ **Revocation petition** forms shall be
8 provided by the clerk of the small claims court free of charge to any person:

9 SMALL CLAIMS COURT

10 In the Circuit Court of _____, Missouri

11 _____, PLAINTIFF

12)

13)

14 vs.) Case Number _____

15)

16)
 17 _____, DEFENDANT,
 18 Lifetime or Extended Carry Permit Holder
 19 _____, DEFENDANT,
 20 Sheriff of Issuance

21 PETITION FOR REVOCATION OF A
 22 MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY
 23 PERMIT

24 Plaintiff states to the court that the defendant, _____, has a Missouri
 25 lifetime or extended concealed carry permit issued pursuant to sections
 26 571.205 to 571.230, RSMo, and that the defendant's Missouri lifetime
 27 or extended concealed carry permit should now be revoked because the
 28 defendant either never was or no longer is eligible for such a permit
 29 pursuant to the provisions of sections 571.205 to 571.230, RSMo,
 30 specifically plaintiff states that defendant, _____, never was or no
 31 longer is eligible for such permit or endorsement for one or more of the
 32 following reasons:

33 (CHECK BELOW EACH REASON THAT APPLIES TO THIS
 34 DEFENDANT)

- | | |
|--|---|
| 35
36
37 | <input type="checkbox"/> Defendant is not at least [nineteen years of age or at least] eighteen years of age [and a member of the United States Armed Forces or honorably discharged from the United States Armed Forces]. |
| 38
39 | <input type="checkbox"/> Defendant is not a citizen or permanent resident of the United States. |
| 40
41 | <input type="checkbox"/> Defendant had not resided in this state prior to issuance of the permit or is not a current resident of this state. |
| 42
43
44
45
46
47
48 | <input type="checkbox"/> Defendant has [pled guilty to or] been convicted of a crime punishable by imprisonment for a term exceeding two years under the laws of any state or of the United States other than a crime classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun. |
| 49
50
51 | <input type="checkbox"/> Defendant has been convicted of [, pled guilty to or entered a plea of nolo contendere to] one or more misdemeanor offenses involving crimes of violence within a five-year period immediately |

52 preceding application for a Missouri lifetime or extended
 53 concealed carry permit issued pursuant to sections 571.205 to
 54 571.230, RSMo, or the defendant has been convicted of two or
 55 more misdemeanor offenses involving driving while under the
 56 influence of intoxicating liquor or drugs or the possession or abuse
 57 of a controlled substance within a five-year period immediately
 58 preceding application for a concealed carry permit issued pursuant
 59 to sections 571.205 to 571.230, RSMo.

60 Defendant is a fugitive from justice or currently charged in an
 61 information or indictment with the commission of a crime
 62 punishable by imprisonment for a term exceeding one year under
 63 the laws of any state of the United States other than a crime
 64 classified as a misdemeanor under the laws of any state and
 65 punishable by a term of imprisonment of two years or less that
 66 does not involve an explosive weapon, firearm, firearm silencer, or
 67 gas gun.

68 Defendant has been discharged under dishonorable conditions
 69 from the United States Armed Forces.

70 Defendant is reasonably believed by the sheriff to be a danger to
 71 self or others based on previous, documented pattern.

72 Defendant is adjudged mentally incompetent at the time of
 73 application or for five years prior to application, or has been
 74 committed to a mental health facility, as defined in section
 75 632.005, RSMo, or a similar institution located in another state,
 76 except that a person whose release or discharge from a facility in
 77 this state pursuant to chapter 632, RSMo, or a similar discharge
 78 from a facility in another state, occurred more than five years ago
 79 without subsequent recommitment may apply.

80 Defendant failed to submit a completed application for a concealed
 81 carry permit issued pursuant to sections 571.205 to 571.230,
 82 RSMo.

83 Defendant failed to submit to or failed to clear the required
 84 background check. (Note: This does not apply if the defendant has
 85 submitted to a background check and been issued a provisional
 86 permit pursuant to subdivision (2) of subsection 6 of section

87 | 571.205, RSMo, and the results of the background check are still
88 | pending.)

89 | Defendant failed to submit an affidavit attesting that the applicant
90 | complies with the concealed carry safety training requirement
91 | pursuant to subsections 1 and 2 of section 571.111, RSMo.

92 | Defendant is otherwise disqualified from possessing a firearm
93 | pursuant to 18 U.S.C. Section 922(g) or section 571.070, RSMo,
94 | because _____ (specify reason):

95 | The plaintiff subject to penalty for perjury states that the information
96 | contained in this petition is true and correct to the best of the plaintiff's
97 | knowledge, is reasonably based upon the petitioner's personal
98 | knowledge and is not primarily intended to harass the defendant/
99 | respondent named herein.

100 | _____, PLAINTIFF

101 | 2. If at the hearing the plaintiff shows that the defendant was not eligible for the
102 | Missouri lifetime or extended concealed carry permit issued under sections 571.205 to
103 | 571.230 at the time of issuance or renewal or is no longer eligible for a Missouri lifetime or
104 | extended concealed carry permit the court shall issue an appropriate order to cause the
105 | revocation of the Missouri lifetime or extended concealed carry permit. Costs shall not be
106 | assessed against the sheriff.

107 | 3. The finder of fact, in any action brought against a permit holder under subsection 1
108 | of this section, shall make findings of fact and the court shall make conclusions of law
109 | addressing the issues at dispute. If it is determined that the plaintiff in such an action acted
110 | without justification or with malice or primarily with an intent to harass the permit holder or
111 | that there was no reasonable basis to bring the action, the court shall order the plaintiff to pay
112 | the defendant/respondent all reasonable costs incurred in defending the action including, but
113 | not limited to, attorney's fees, deposition costs, and lost wages. Once the court determines
114 | that the plaintiff is liable to the defendant/respondent for costs and fees, the extent and type of
115 | fees and costs to be awarded should be liberally calculated in defendant/respondent's favor.
116 | Notwithstanding any other provision of law, reasonable attorney's fees shall be presumed to
117 | be at least one hundred fifty dollars per hour.

118 | 4. Any person aggrieved by any final judgment rendered by a small claims court in a
119 | petition for revocation of a Missouri lifetime or extended concealed carry permit may have a
120 | right to trial de novo as provided in sections 512.180 to 512.320.

121 | 5. The office of the county sheriff or any employee or agent of the county sheriff shall
122 | not be liable for damages in any civil action arising from alleged wrongful or improper

123 granting, renewing, or failure to revoke a Missouri lifetime or extended concealed carry
124 permit issued under sections 571.205 to 571.230 so long as the sheriff acted in good faith.

577.703. 1. A person commits the offense of bus hijacking if he or she seizes or
2 exercises control, by force or violence or threat of force or violence, of any bus. The offense
3 of bus hijacking is a class B felony.

4 2. The offense of "assault with the intent to commit bus hijacking" is defined as an
5 intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to
6 interfere with the performance of duties by such person. Assault to commit bus hijacking is a
7 class D felony.

8 3. Any person, who, in the commission of such intimidation, threat, assault or battery
9 with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other
10 means capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A
11 felony.

12 4. **Except as otherwise provided under section 571.107**, any passenger who boards
13 a bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily
14 injury concealed upon his or her person or effects is guilty of the felony of "possession and
15 concealment of a dangerous or deadly weapon" upon a bus. Possession and concealment of a
16 dangerous and deadly weapon by a passenger upon a bus is a class D felony. The provisions
17 of this subsection shall not apply to:

18 (1) Duly elected or appointed law enforcement officers or commercial security
19 personnel who are in possession of weapons used within the course and scope of their
20 employment; ~~[nor shall the provisions of this subsection apply to]~~

21 (2) Persons who are in possession of weapons or other means of inflicting serious
22 bodily injury with the consent of the owner of such bus, his or her agent, or the lessee or
23 bailee of such bus; or

24 (3) **Persons carrying a concealed firearm who lawfully possess a valid concealed**
25 **carry permit or endorsement in accordance with sections 571.101 to 571.126 or sections**
26 **571.205 to 571.230.**

577.712. 1. In order to provide for the safety, comfort, and well-being of passengers
2 and others having a bona fide business interest in any terminal, a bus transportation company
3 may refuse admission to terminals to any person not having bona fide business within the
4 terminal. Any such refusal shall not be inconsistent or contrary to state or federal laws,
5 regulations pursuant thereto, or to any ordinance of the political subdivision in which such
6 terminal is located. A duly authorized company representative may ask any person in a
7 terminal or on the premises of a terminal to identify himself or herself and state his or her
8 business. Failure to comply with such request or failure to state an acceptable business
9 purpose shall be grounds for the company representative to request that such person leave the

10 terminal. Refusal to comply with such request shall constitute disorderly conduct. Disorderly
11 conduct shall be a class C misdemeanor.

12 2. **Except as otherwise provided by section 571.107**, it is unlawful for any person to
13 carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal
14 or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous
15 material shall be a class D felony. Upon the discovery of any such item or material, the
16 company may obtain possession and retain custody of such item or material until it is
17 transferred to the custody of law enforcement officers.

✓