

SECOND REGULAR SESSION
[TRULY AGREED TO AND FINALLY PASSED]
CONFERENCE COMMITTEE SUBSTITUTE FOR
HOUSE COMMITTEE SUBSTITUTE FOR

SENATE BILL NO. 656

98TH GENERAL ASSEMBLY

2016

4337S.07T

AN ACT

To repeal sections 50.535, 563.031, 571.030, 571.101, 571.104, 571.111, and 571.126, RSMo, and to enact in lieu thereof fourteen new sections relating to weapons, with penalty provisions, an emergency clause for a certain section, and an effective date for a certain section.

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

Section A. Sections 50.535, 563.031, 571.030, 571.101, 571.104, 571.111, 2 and 571.126, RSMo, are repealed and fourteen new sections enacted in lieu 3 thereof, to be known as sections 50.535, 57.281, 563.031, 571.030, 571.101, 4 571.104, 571.111, 571.126, 571.205, 571.210, 571.215, 571.220, 571.225, and 5 571.230, to read as follows:

50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, 2 the fee collected pursuant to subsections 11 and 12 of section 571.101 shall be 3 deposited by the county treasurer into a separate interest-bearing fund to be 4 known as the "County Sheriff's Revolving Fund" to be expended at the direction 5 of the county or city sheriff or his or her designee as provided in this section.

6 2. No prior approval of the expenditures from this fund shall be required 7 by the governing body of the county or city not within a county, nor shall any 8 prior audit or encumbrance of the fund be required before any expenditure is 9 made by the sheriff from this fund. This fund shall only be used by law 10 enforcement agencies for the purchase of equipment, to provide training, and to 11 make necessary expenditures to process applications for concealed carry permits 12 or renewals, including but not limited to the purchase of equipment, information

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

13 and data exchange, training, fingerprinting and background checks, employment
14 of additional personnel, and any expenditure necessitated by an action under
15 section 571.114 or 571.117. **Except as provided in subsection 5 of this**
16 **section**, if the moneys collected and deposited into this fund are not totally
17 expended annually, then the unexpended balance [shall] **may** remain in said
18 fund and the balance [shall] **may** be kept in said fund to accumulate from year
19 to year. This fund may be audited by the state auditor's office or the appropriate
20 auditing agency. **The funds received under section 571.101 shall be used**
21 **only to supplement the sheriff's funding received from other county,**
22 **state, or general funds. The county commission shall not reduce any**
23 **sheriff's budget as a result of funds received under section 571.101.**

24 3. Notwithstanding any provision of this section to the contrary, the
25 sheriff of every county, regardless of classification, is authorized to pay, from the
26 sheriff's revolving fund, all reasonable and necessary costs and expenses for
27 activities or services occasioned by compliance with sections 571.101 to
28 571.121. Such was the intent of the general assembly in original enactment of
29 this section and sections 571.101 to 571.121, and it is made express by this
30 section in light of the decision in Brooks v. State of Missouri, (Mo. Sup. Ct.
31 February 26, 2004). The application and renewal fees to be charged pursuant to
32 section 571.101 shall be based on the sheriff's good faith estimate, made during
33 regular budgeting cycles, of the actual costs and expenses to be incurred by
34 reason of compliance with sections 571.101 to 571.121. If the maximum fee
35 permitted by section 571.101 is inadequate to cover the actual reasonable and
36 necessary expenses in a given year, and there are not sufficient accumulated
37 unexpended funds in the revolving fund, a sheriff may present specific and
38 verified evidence of the unreimbursed expenses to the office of administration,
39 which upon certification by the attorney general shall reimburse such sheriff for
40 those expenses from an appropriation made for that purpose.

41 4. If pursuant to subsection 13 of section 571.101, the sheriff of a county
42 of the first classification designates one or more chiefs of police of any town, city,
43 or municipality within such county to accept and process applications for
44 concealed carry permits, then that sheriff shall reimburse such chiefs of police,
45 out of the moneys deposited into this fund, for any reasonable expenses related
46 to accepting and processing such applications.

47 **5. Any excess funds unnecessary to meet the mandate of**
48 **subsection 3 of this section may be expended for other purposes or**

49 transferred to discretionary funds for county sheriffs; provided that, no
50 claim for inadequate coverage under subsection 3 of this section has
51 been made within the last five years resulting in reimbursement from
52 the office of administration for expenses incurred implementing
53 sections 571.101 to 571.121.

57.281. 1. This section shall only apply to sheriffs of counties of
2 the third classification. Under this section, a sheriff may elect, but is
3 not mandated to elect, to utilize the provisions of this section and
4 provide a service authorized in this section. A sheriff may discontinue
5 a service authorized in this section at his or her discretion.

6 2. Any state agency listed in section 621.045; the division of
7 professional registration of the department of insurance, financial
8 institutions and professional registration; the department of social
9 services; the supreme court of Missouri; the state courts administrator;
10 the department of elementary and secondary education; the department
11 of natural resources; the Missouri lottery; the Missouri gaming
12 commission; or any state, municipal, or county agency which screens
13 persons seeking employment with such agencies or issues or renews a
14 license, permit, certificate, or registration of authority from such
15 agencies; or any state, municipal, or county agency or committee, or
16 state school of higher education that is authorized by state statute or
17 executive order, or local or county ordinance to screen applicants or
18 candidates seeking or considered for employment, assignment,
19 contracting, or appointment to a position within state, municipal, or
20 county government; or the Missouri peace officers standards and
21 training (POST) commission that screens persons not employed by a
22 criminal justice agency who seek enrollment or access into a certified
23 POST training academy police school, or persons seeking a permit to
24 purchase or possess a firearm for employment as a watchman, security
25 personnel, or private investigator; or law enforcement agencies that
26 screen persons seeking issuance or renewal of a license, permit,
27 certificate, or registration to purchase or possess a firearm may, in
28 counties of the third classification where the sheriff has elected to
29 provide the services authorized under this section, submit two sets of
30 fingerprints to the sheriff of counties of the third classification for the
31 purpose of checking the person's criminal history. The first set of

32 fingerprints shall be used to search the Missouri criminal records
33 repository, and the second set of fingerprints shall be submitted to the
34 Federal Bureau of Investigation to be used for searching the federal
35 criminal history files, if necessary. The fingerprints shall be submitted
36 on forms and in the manner prescribed by the sheriff of a county of the
37 third classification. Fees assessed for the searches shall be paid by the
38 applicant or in the manner prescribed by the sheriff and shall be
39 deposited to the credit of the fund provided in subsection 3 of section
40 57.280 and subject to the limitations therein. Notwithstanding the
41 provisions of section 610.120, all records related to any criminal history
42 information discovered shall be accessible and available to the state,
43 municipal, or county agency making the record request.

563.031. 1. A person may, subject to the provisions of subsection 2 of this
2 section, use physical force upon another person when and to the extent he or she
3 reasonably believes such force to be necessary to defend himself or herself or a
4 third person from what he or she reasonably believes to be the use or imminent
5 use of unlawful force by such other person, unless:

6 (1) The actor was the initial aggressor; except that in such case his or her
7 use of force is nevertheless justifiable provided:

8 (a) He or she has withdrawn from the encounter and effectively
9 communicated such withdrawal to such other person but the latter persists in
10 continuing the incident by the use or threatened use of unlawful force; or

11 (b) He or she is a law enforcement officer and as such is an aggressor
12 pursuant to section 563.046; or

13 (c) The aggressor is justified under some other provision of this chapter
14 or other provision of law;

15 (2) Under the circumstances as the actor reasonably believes them to be,
16 the person whom he or she seeks to protect would not be justified in using such
17 protective force;

18 (3) The actor was attempting to commit, committing, or escaping after the
19 commission of a forcible felony.

20 2. A person [may] **shall** not use deadly force upon another person under
21 the circumstances specified in subsection 1 of this section unless:

22 (1) He or she reasonably believes that such deadly force is necessary to
23 protect himself, or herself or her unborn child, or another against death, serious
24 physical injury, or any forcible felony;

25 (2) Such force is used against a person who unlawfully enters, remains
26 after unlawfully entering, or attempts to unlawfully enter a dwelling, residence,
27 or vehicle lawfully occupied by such person; or

28 (3) Such force is used against a person who unlawfully enters, remains
29 after unlawfully entering, or attempts to unlawfully enter private property that
30 is owned or leased by an individual, **or is occupied by an individual who has**
31 **been given specific authority by the property owner to occupy the**
32 **property**, claiming a justification of using protective force under this section.

33 3. A person does not have a duty to retreat:

34 (1) From a dwelling, residence, or vehicle where the person is not
35 unlawfully entering or unlawfully remaining[. A person does not have a duty to
36 retreat];

37 (2) From private property that is owned or leased by such individual; **or**

38 (3) **If the person is in any other location such person has the**
39 **right to be.**

40 4. The justification afforded by this section extends to the use of physical
41 restraint as protective force provided that the actor takes all reasonable measures
42 to terminate the restraint as soon as it is reasonable to do so.

43 5. The defendant shall have the burden of injecting the issue of
44 justification under this section. If a defendant asserts that his or her use of force
45 is described under subdivision (2) of subsection 2 of this section, the burden shall
46 then be on the state to prove beyond a reasonable doubt that the defendant did
47 not reasonably believe that the use of such force was necessary to defend against
48 what he or she reasonably believed was the use or imminent use of unlawful
49 force.

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

4 (1) Carries concealed upon or about his or her person a knife, a firearm,
5 a blackjack or any other weapon readily capable of lethal use **into any area**
6 **where firearms are restricted 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,
9 boat, aircraft, or motor vehicle as defined in section 302.010, or any building or
10 structure used for the assembling of people; or

11 (4) Exhibits, in the presence of one or more persons, any weapon readily

12 capable of lethal use in an angry or threatening manner; or

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

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

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

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

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

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

35 (11) Possesses a firearm while also knowingly in possession of a controlled
36 substance that is sufficient for a felony violation of section [195.202] **579.015**.

37 2. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not
38 apply to the persons described in this subsection, regardless of whether such uses
39 are reasonably associated with or are necessary to the fulfillment of such person's
40 official duties except as otherwise provided in this subsection. Subdivisions (3),
41 (4), (6), (7), and (9) of subsection 1 of this section shall not apply to or affect any
42 of the following persons, when such uses are reasonably associated with or are
43 necessary to the fulfillment of such person's official duties, except as otherwise
44 provided in this subsection:

45 (1) All state, county and municipal peace officers who have completed the
46 training required by the police officer standards and training commission
47 pursuant to sections 590.030 to 590.050 and who possess the duty and power of

48 arrest for violation of the general criminal laws of the state or for violation of
49 ordinances of counties or municipalities of the state, whether such officers are on
50 or off duty, and whether such officers are within or outside of the law
51 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined
52 in subsection 12 of this section, and who carry the identification defined in
53 subsection 13 of this section, or any person summoned by such officers to assist
54 in making arrests or preserving the peace while actually engaged in assisting
55 such officer;

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

58 (3) Members of the Armed Forces or National Guard while performing
59 their official duty;

60 (4) Those persons vested by Article V, Section 1 of the Constitution of
61 Missouri with the judicial power of the state and those persons vested by Article
62 III of the Constitution of the United States with the judicial power of the United
63 States, the members of the federal judiciary;

64 (5) Any person whose bona fide duty is to execute process, civil or
65 criminal;

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

70 (7) Any state probation or parole officer, including supervisors and
71 members of the board of probation and parole;

72 (8) Any corporate security advisor meeting the definition and fulfilling the
73 requirements of the regulations established by the department of public safety
74 under section 590.750;

75 (9) Any coroner, deputy coroner, medical examiner, or assistant medical
76 examiner;

77 (10) Any **municipal or county** prosecuting attorney or assistant
78 prosecuting attorney[.]; circuit attorney or assistant circuit attorney[.];
79 **municipal, associate, or circuit judge**; or any person appointed by a court to
80 be a special prosecutor who has completed the firearms safety training course
81 required under subsection 2 of section 571.111;

82 (11) Any member of a fire department or fire protection district who is
83 employed on a full-time basis as a fire investigator and who has a valid concealed

84 carry endorsement issued prior to August 28, 2013, or a valid concealed carry
85 permit under section 571.111 when such uses are reasonably associated with or
86 are necessary to the fulfillment of such person's official duties; and

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

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

110 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not
111 apply to any person who has a valid concealed carry permit issued pursuant to
112 sections 571.101 to 571.121, a valid concealed carry endorsement issued before
113 August 28, 2013, or a valid permit or endorsement to carry concealed firearms
114 issued by another state or political subdivision of another state.

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

118 6. Notwithstanding any provision of this section to the contrary, the state
119 shall not prohibit any state employee from having a firearm in the employee's

120 vehicle on the state's property provided that the vehicle is locked and the firearm
121 is not visible. This subsection shall only apply to the state as an employer when
122 the state employee's vehicle is on property owned or leased by the state and the
123 state employee is conducting activities within the scope of his or her
124 employment. For the purposes of this subsection, "state employee" means an
125 employee of the executive, legislative, or judicial branch of the government of the
126 state of Missouri.

127 7. Nothing in this section shall make it unlawful for a student to actually
128 participate in school-sanctioned gun safety courses, student military or ROTC
129 courses, or other school-sponsored or club-sponsored firearm-related events,
130 provided the student does not carry a firearm or other weapon readily capable of
131 lethal use into any school, onto any school bus, or onto the premises of any other
132 function or activity sponsored or sanctioned by school officials or the district
133 school board.

134 8. [Unlawful use of weapons is a class D felony unless committed
135 pursuant to subdivision (6), (7), or (8) of subsection 1 of this section, in which
136 cases it is a class B misdemeanor, or subdivision (5) or (10) of subsection 1 of this
137 section, in which case it is a class A misdemeanor if the firearm is unloaded and
138 a class D felony if the firearm is loaded, or subdivision (9) of subsection 1 of this
139 section, in which case it is a class B felony, except that if the violation of
140 subdivision (9) of subsection 1 of this section results in injury or death to another
141 person, it is a class A felony.] **A person who commits the crime of unlawful**
142 **use of weapons under:**

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

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

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

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

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

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

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

168 (3) For any violation by a persistent offender as defined in section
169 558.016, a person shall be sentenced to the maximum authorized term of
170 imprisonment for a class B felony without the possibility of parole, probation, or
171 conditional release;

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

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

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

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

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

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

190 (3) Before such retirement, was regularly employed as a peace officer for
191 an aggregate of fifteen years or more, or retired from service with such agency,

192 after completing any applicable probationary period of such service, due to a
193 service-connected disability, as determined by such agency;

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

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

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

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

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

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

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

212 (3) A certification issued by the state in which the individual resides that
213 indicates that the individual has, not less recently than one year before the date
214 the individual is carrying the concealed firearm, been tested or otherwise found
215 by the state to meet the standards established by the state for training and
216 qualification for active peace officers to carry a firearm of the same type as the
217 concealed firearm.

571.101. 1. All applicants for concealed carry permits issued pursuant to
2 subsection 7 of this section must satisfy the requirements of sections 571.101 to
3 571.121. If the said applicant can show qualification as provided by sections
4 571.101 to 571.121, the county or city sheriff shall issue a concealed carry permit
5 authorizing the carrying of a concealed firearm on or about the applicant's person
6 or within a vehicle. A concealed carry permit shall be valid from the date of
7 issuance or renewal until five years from the last day of the month in which the
8 permit was issued or renewed. The concealed carry permit is valid throughout
9 this state. Although the permit is considered valid in the state, a person who
10 fails to renew his or her permit within five years from the date of issuance or

11 renewal shall not be eligible for an exception to a National Instant Criminal
12 Background Check under federal regulations currently codified under 27 CFR
13 478.102(d), relating to the transfer, sale, or delivery of firearms from licensed
14 dealers. A concealed carry endorsement issued prior to August 28, 2013, shall
15 continue from the date of issuance or renewal until three years from the last day
16 of the month in which the endorsement was issued or renewed to authorize the
17 carrying of a concealed firearm on or about the applicant's person or within a
18 vehicle in the same manner as a concealed carry permit issued under subsection
19 7 of this section on or after August 28, 2013.

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

23 (1) Is at least nineteen years of age, is a citizen or permanent resident of
24 the United States and either:

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

26 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse
27 of such member of the military;

28 (2) Is at least nineteen years of age, or is at least eighteen years of age
29 and a member of the United States Armed Forces or honorably discharged from
30 the United States Armed Forces, and is a citizen of the United States and either:

31 (a) Has assumed residency in this state;

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

33 (c) The spouse of such member of the military stationed in Missouri and
34 nineteen years of age;

35 (3) Has not pled guilty to or entered a plea of nolo contendere or been
36 convicted of a crime punishable by imprisonment for a term exceeding one year
37 under the laws of any state or of the United States other than a crime classified
38 as a misdemeanor under the laws of any state and punishable by a term of
39 imprisonment of two years or less that does not involve an explosive weapon,
40 firearm, firearm silencer or gas gun;

41 (4) Has not been convicted of, pled guilty to or entered a plea of nolo
42 contendere to one or more misdemeanor offenses involving crimes of violence
43 within a five-year period immediately preceding application for a concealed carry
44 permit or if the applicant has not been convicted of two or more misdemeanor
45 offenses involving driving while under the influence of intoxicating liquor or
46 drugs or the possession or abuse of a controlled substance within a five-year

47 period immediately preceding application for a concealed carry permit;

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

54 (6) Has not been discharged under dishonorable conditions from the
55 United States Armed Forces;

56 (7) Has not engaged in a pattern of behavior, documented in public or
57 closed records, that causes the sheriff to have a reasonable belief that the
58 applicant presents a danger to himself or others;

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

64 (9) Submits a completed application for a permit as described in
65 subsection 3 of this section;

66 (10) Submits an affidavit attesting that the applicant complies with the
67 concealed carry safety training requirement pursuant to subsections 1 and 2 of
68 section 571.111;

69 (11) Is not the respondent of a valid full order of protection which is still
70 in effect;

71 (12) Is not otherwise prohibited from possessing a firearm under section
72 571.070 or 18 U.S.C. Section 922(g).

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

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

79 (2) An affirmation that the applicant has assumed residency in Missouri
80 or is a member of the Armed Forces stationed in Missouri or the spouse of such
81 a member of the Armed Forces and is a citizen or permanent resident of the
82 United States;

83 (3) An affirmation that the applicant is at least nineteen years of age or
84 is eighteen years of age or older and a member of the United States Armed Forces
85 or honorably discharged from the United States Armed Forces;

86 (4) An affirmation that the applicant has not pled guilty to or been
87 convicted of a crime punishable by imprisonment for a term exceeding one year
88 under the laws of any state or of the United States other than a crime classified
89 as a misdemeanor under the laws of any state and punishable by a term of
90 imprisonment of two years or less that does not involve an explosive weapon,
91 firearm, firearm silencer, or gas gun;

92 (5) An affirmation that the applicant has not been convicted of, pled guilty
93 to, or entered a plea of nolo contendere to one or more misdemeanor offenses
94 involving crimes of violence within a five-year period immediately preceding
95 application for a permit or if the applicant has not been convicted of two or more
96 misdemeanor offenses involving driving while under the influence of intoxicating
97 liquor or drugs or the possession or abuse of a controlled substance within a
98 five-year period immediately preceding application for a permit;

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

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

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

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

118 (10) An affirmation that the applicant, to the applicant's best knowledge

119 and belief, is not the respondent of a valid full order of protection which is still
120 in effect;

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

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

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

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

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

140 5. (1) Before an application for a concealed carry permit is approved, the
141 sheriff shall make only such inquiries as he or she deems necessary into the
142 accuracy of the statements made in the application. The sheriff may require that
143 the applicant display a Missouri driver's license or nondriver's license or military
144 identification and orders showing the person being stationed in Missouri. In
145 order to determine the applicant's suitability for a concealed carry permit, the
146 applicant shall be fingerprinted. No other biometric data shall be collected from
147 the applicant. The sheriff shall conduct an inquiry of the National Instant
148 Criminal Background Check System within three working days after submission
149 of the properly completed application for a concealed carry permit. If no
150 disqualifying record is identified by these checks at the state level, the
151 fingerprints shall be forwarded to the Federal Bureau of Investigation for a
152 national criminal history record check. Upon receipt of the completed report from
153 the National Instant Criminal Background Check System and the response from
154 the Federal Bureau of Investigation national criminal history record check, the

155 sheriff shall examine the results and, if no disqualifying information is identified,
156 shall issue a concealed carry permit within three working days.

157 (2) In the event the report from the National Instant Criminal
158 Background Check System and the response from the Federal Bureau of
159 Investigation national criminal history record check prescribed by subdivision (1)
160 of this subsection are not completed within forty-five calendar days and no
161 disqualifying information concerning the applicant has otherwise come to the
162 sheriff's attention, the sheriff shall issue a provisional permit, clearly designated
163 on the certificate as such, which the applicant shall sign in the presence of the
164 sheriff or the sheriff's designee. This permit, when carried with a valid Missouri
165 driver's or nondriver's license or a valid military identification, shall permit the
166 applicant to exercise the same rights in accordance with the same conditions as
167 pertain to a concealed carry permit issued under this section, provided that it
168 shall not serve as an alternative to an national instant criminal background
169 check required by 18 U.S.C. Section 922(t). The provisional permit shall remain
170 valid until such time as the sheriff either issues or denies the certificate of
171 qualification under subsection 6 or 7 of this section. The sheriff shall revoke a
172 provisional permit issued under this subsection within twenty-four hours of
173 receipt of any report that identifies a disqualifying record, and shall notify the
174 concealed carry permit system established under subsection 5 of section
175 650.350. The revocation of a provisional permit issued under this section shall
176 be proscribed in a manner consistent to the denial and review of an application
177 under subsection 6 of this section.

178 6. The sheriff may refuse to approve an application for a concealed carry
179 permit if he or she determines that any of the requirements specified in
180 subsection 2 of this section have not been met, or if he or she has a substantial
181 and demonstrable reason to believe that the applicant has rendered a false
182 statement regarding any of the provisions of sections 571.101 to 571.121. If the
183 applicant is found to be ineligible, the sheriff is required to deny the application,
184 and notify the applicant in writing, stating the grounds for denial and informing
185 the applicant of the right to submit, within thirty days, any additional
186 documentation relating to the grounds of the denial. Upon receiving any
187 additional documentation, the sheriff shall reconsider his or her decision and
188 inform the applicant within thirty days of the result of the reconsideration. The
189 applicant shall further be informed in writing of the right to appeal the denial
190 pursuant to subsections 2, 3, 4, and 5 of section 571.114. After two additional

191 reviews and denials by the sheriff, the person submitting the application shall
192 appeal the denial pursuant to subsections 2, 3, 4, and 5 of section 571.114.

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

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

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

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

201 (3) The date of issuance; and

202 (4) The expiration date.

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

207 9. (1) The sheriff shall keep a record of all applications for a concealed
208 carry permit or a provisional permit and his or her action thereon. Any record
209 of an application that is incomplete or denied for any reason shall be kept for a
210 period not to exceed one year. Any record of an application that was approved
211 shall be kept for a period of one year after the expiration and nonrenewal of the
212 permit.

213 (2) The sheriff shall report the issuance of a concealed carry permit or
214 provisional permit to the concealed carry permit system. All information on any
215 such permit that is protected information on any driver's or nondriver's license
216 shall have the same personal protection for purposes of sections 571.101 to
217 571.121. An applicant's status as a holder of a concealed carry permit,
218 provisional permit, or a concealed carry endorsement issued prior to August 28,
219 2013, shall not be public information and shall be considered personal protected
220 information. Information retained in the concealed carry permit system under
221 this subsection shall not be distributed to any federal, state, or private entities
222 and shall only be made available for a single entry query of an individual in the
223 event the individual is a subject of interest in an active criminal investigation or
224 is arrested for a crime. A sheriff may access the concealed carry permit system
225 for administrative purposes to issue a permit, verify the accuracy of permit holder
226 information, change the name or address of a permit holder, suspend or revoke

227 a permit, cancel an expired permit, or cancel a permit upon receipt of a certified
228 death certificate for the permit holder. Any person who violates the provisions
229 of this subdivision by disclosing protected information shall be guilty of a class
230 A misdemeanor.

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

238 11. For processing an application for a concealed carry permit pursuant
239 to sections 571.101 to 571.121, the sheriff in each county shall charge a
240 nonrefundable fee not to exceed one hundred dollars which shall be paid to the
241 treasury of the county to the credit of the sheriff's revolving fund. **This fee shall**
242 **include the cost to reimburse the Missouri state highway patrol for the**
243 **costs of fingerprinting and criminal background checks. An additional**
244 **fee shall be added to each credit card, debit card, or other electronic**
245 **transaction equal to the charge paid by the state or the applicant for**
246 **the use of the credit card, debit card, or other electronic payment**
247 **method by the applicant.**

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

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

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

571.104. 1. A concealed carry endorsement issued prior to August 28,
2 2013, shall be suspended or revoked if the concealed carry endorsement holder
3 becomes ineligible for such endorsement under the criteria established in

4 subdivisions (3), (4), (5), (8), and (11) of subsection 2 of section 571.101 or upon
5 the issuance of a valid full order of protection. The following procedures shall be
6 followed:

7 (1) When a valid full order of protection, or any arrest warrant, discharge,
8 or commitment for the reasons listed in subdivision (3), (4), (5), (8), or (11) of
9 subsection 2 of section 571.101, is issued against a person holding a concealed
10 carry endorsement issued prior to August 28, 2013, upon notification of said
11 order, warrant, discharge or commitment or upon an order of a court of competent
12 jurisdiction in a criminal proceeding, a commitment proceeding or a full order of
13 protection proceeding ruling that a person holding a concealed carry endorsement
14 presents a risk of harm to themselves or others, then upon notification of such
15 order, the holder of the concealed carry endorsement shall surrender the driver's
16 license or nondriver's license containing the concealed carry endorsement to the
17 court, officer, or other official serving the order, warrant, discharge, or
18 commitment. The official to whom the driver's license or nondriver's license
19 containing the concealed carry endorsement is surrendered shall issue a receipt
20 to the licensee for the license upon a form, approved by the director of revenue,
21 that serves as a driver's license or a nondriver's license and clearly states the
22 concealed carry endorsement has been suspended. The official shall then
23 transmit the driver's license or a nondriver's license containing the concealed
24 carry endorsement to the circuit court of the county issuing the order, warrant,
25 discharge, or commitment. The concealed carry endorsement issued prior to
26 August 28, 2013, shall be suspended until the order is terminated or until the
27 arrest results in a dismissal of all charges. The official to whom the endorsement
28 is surrendered shall administratively suspend the endorsement in the concealed
29 carry permit system established under subsection 5 of section 650.350 until such
30 time as the order is terminated or until the charges are dismissed. Upon
31 dismissal, the court holding the driver's license or nondriver's license containing
32 the concealed carry endorsement shall return such license to the individual, and
33 the official to whom the endorsement was surrendered shall administratively
34 return the endorsement to good standing within the concealed carry permit
35 system.

36 (2) Any conviction, discharge, or commitment specified in sections 571.101
37 to 571.121 shall result in a revocation. Upon conviction, the court shall forward
38 a notice of conviction or action and the driver's license or nondriver's license with
39 the concealed carry endorsement to the department of revenue. The department

40 of revenue shall notify the sheriff of the county which issued the certificate of
41 qualification for a concealed carry endorsement. The sheriff who issued the
42 certificate of qualification prior to August 28, 2013, shall report the change in
43 status of the endorsement to the concealed carry permit system established under
44 subsection 5 of section 650.350. The director of revenue shall immediately
45 remove the endorsement issued prior to August 28, 2013, from the individual's
46 driving record within three days of the receipt of the notice from the court. The
47 director of revenue shall notify the licensee that he or she must apply for a new
48 license pursuant to chapter 302 which does not contain such endorsement. This
49 requirement does not affect the driving privileges of the licensee. The notice
50 issued by the department of revenue shall be mailed to the last known address
51 shown on the individual's driving record. The notice is deemed received three
52 days after mailing.

53 2. A concealed carry permit issued pursuant to sections 571.101 to
54 571.121 after August 28, 2013, shall be suspended or revoked if the concealed
55 carry permit holder becomes ineligible for such permit or endorsement under the
56 criteria established in subdivisions (3), (4), (5), (8), and (11) of subsection 2 of
57 section 571.101 or upon the issuance of a valid full order of protection. The
58 following procedures shall be followed:

59 (1) When a valid full order of protection or any arrest warrant, discharge,
60 or commitment for the reasons listed in subdivision (3), (4), (5), (8), or (11) of
61 subsection 2 of section 571.101 is issued against a person holding a concealed
62 carry permit, upon notification of said order, warrant, discharge, or commitment
63 or upon an order of a court of competent jurisdiction in a criminal proceeding, a
64 commitment proceeding, or a full order of protection proceeding ruling that a
65 person holding a concealed carry permit presents a risk of harm to themselves or
66 others, then upon notification of such order, the holder of the concealed carry
67 permit shall surrender the permit to the court, officer, or other official serving the
68 order, warrant, discharge, or commitment. The permit shall be suspended until
69 the order is terminated or until the arrest results in a dismissal of all
70 charges. The official to whom the permit is surrendered shall administratively
71 suspend the permit in the concealed carry permit system until the order is
72 terminated or the charges are dismissed. Upon dismissal, the court holding the
73 permit shall return such permit to the individual and the official to whom the
74 permit was surrendered shall administratively return the permit to good standing
75 within the concealed carry permit system;

76 (2) Any conviction, discharge, or commitment specified in sections 571.101
77 to 571.121 shall result in a revocation. Upon conviction, the court shall forward
78 a notice of conviction or action and the permit to the issuing county sheriff. The
79 sheriff who issued the concealed carry permit shall report the change in status
80 of the concealed carry permit to the concealed carry permit system.

81 3. A concealed carry permit shall be renewed for a qualified applicant
82 upon receipt of the properly completed renewal application and the required
83 renewal fee by the sheriff of the county of the applicant's residence. The renewal
84 application shall contain the same required information as set forth in subsection
85 3 of section 571.101, except that in lieu of the fingerprint requirement of
86 subsection 5 of section 571.101 and the firearms safety training, the applicant
87 need only display his or her current concealed carry permit. A name-based
88 inquiry of the National Instant Criminal Background Check System shall be
89 completed for each renewal application. The sheriff shall review the results of
90 the report from the National Instant Criminal Background Check System, and
91 when the sheriff has determined the applicant has successfully completed all
92 renewal requirements and is not disqualified under any provision of section
93 571.101, the sheriff shall issue a new concealed carry permit which contains the
94 date such permit was renewed. The process for renewing a concealed carry
95 endorsement issued prior to August 28, 2013, shall be the same as the process for
96 renewing a permit, except that in lieu of the fingerprint requirement of subsection
97 5 of section 571.101 and the firearms safety training, the applicant need only
98 display his or her current driver's license or nondriver's license containing an
99 endorsement. Upon successful completion of all renewal requirements, the sheriff
100 shall issue a new concealed carry permit as provided under this subsection.

101 4. A person who has been issued a concealed carry permit, or a certificate
102 of qualification for a concealed carry endorsement prior to August 28, 2013, who
103 fails to file a renewal application for a concealed carry permit on or before its
104 expiration date must pay an additional late fee of ten dollars per month for each
105 month it is expired for up to six months. After six months, the sheriff who issued
106 the expired concealed carry permit or certificate of qualification shall notify the
107 concealed carry permit system that such permit is expired and cancelled. If the
108 person has a concealed carry endorsement issued prior to August 28, 2013, the
109 sheriff who issued the certificate of qualification for the endorsement shall notify
110 the director of revenue that such certificate is expired regardless of whether the
111 endorsement holder has applied for a concealed carry permit under subsection 3

112 of this section. The director of revenue shall immediately remove such
113 endorsement from the individual's driving record and notify the individual that
114 his or her driver's license or nondriver's license has expired. The notice shall be
115 conducted in the same manner as described in subsection 1 of this section. Any
116 person who has been issued a concealed carry permit pursuant to sections
117 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28,
118 2013, who fails to renew his or her application within the six-month period must
119 reapply for a new concealed carry permit and pay the fee for a new application.

120 5. Any person issued a concealed carry permit pursuant to sections
121 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28,
122 2013, shall notify the sheriff of the new jurisdiction of the permit or endorsement
123 holder's change of residence within thirty days after the changing of a permanent
124 residence to a location outside the county of permit issuance. The permit or
125 endorsement holder shall furnish proof to the sheriff in the new jurisdiction that
126 the permit or endorsement holder has changed his or her residence. The sheriff
127 in the new jurisdiction shall notify the sheriff in the old jurisdiction of the permit
128 holder's change of address and the sheriff in the old jurisdiction shall transfer
129 any information on file for the permit holder to the sheriff in the new jurisdiction
130 within thirty days. The sheriff of the new jurisdiction may charge a processing
131 fee of not more than ten dollars for any costs associated with notification of a
132 change in residence. The sheriff shall report the residence change to the
133 concealed carry permit system, take possession and destroy the old permit, and
134 then issue a new permit to the permit holder. The new address shall be
135 accessible by the concealed carry permit system within three days of receipt of the
136 information. If the person has a concealed carry endorsement issued prior to
137 August 28, 2013, the endorsement holder shall also furnish proof to the
138 department of revenue of his or her residence change. In such cases, the change
139 of residence shall be made by the department of revenue onto the individual's
140 driving record.

141 6. Any person issued a concealed carry permit pursuant to sections
142 571.101 to 571.121, or a concealed carry endorsement issued prior to August 28,
143 2013, shall notify the sheriff or his or her designee of the permit or endorsement
144 holder's county or city of residence within seven days after actual knowledge of
145 the loss or destruction of his or her permit or driver's license or nondriver's
146 license containing a concealed carry endorsement. The permit or endorsement
147 holder shall furnish a statement to the sheriff that the permit or driver's license

148 or nondriver's license containing the concealed carry endorsement has been lost
149 or destroyed. After notification of the loss or destruction of a permit or driver's
150 license or nondriver's license containing a concealed carry endorsement, the
151 sheriff may charge a processing fee of ten dollars for costs associated with
152 replacing a lost or destroyed permit or driver's license or nondriver's license
153 containing a concealed carry endorsement and shall reissue a new concealed carry
154 permit within three working days of being notified by the concealed carry permit
155 or endorsement holder of its loss or destruction. The new concealed carry permit
156 shall contain the same personal information, including expiration date, as the
157 original concealed carry permit.

158 7. If a person issued a concealed carry permit, or endorsement issued
159 prior to August 28, 2013, changes his or her name, the person to whom the permit
160 or endorsement was issued shall obtain a corrected or new concealed carry permit
161 with a change of name from the sheriff who issued the original concealed carry
162 permit or the original certificate of qualification for an endorsement upon the
163 sheriff's verification of the name change. The sheriff may charge a processing fee
164 of not more than ten dollars for any costs associated with obtaining a corrected
165 or new concealed carry permit. The permit or endorsement holder shall furnish
166 proof of the name change to the sheriff within thirty days of changing his or her
167 name and display his or her concealed carry permit or current driver's license or
168 nondriver's license containing a concealed carry endorsement. The sheriff shall
169 report the name change to the concealed carry permit system, and the new name
170 shall be accessible by the concealed carry permit system within three days of
171 receipt of the information.

172 8. The person with a concealed carry permit, or endorsement issued prior
173 to August 28, 2013, shall notify the sheriff of a name or address change within
174 thirty days of the change. A concealed carry permit and, if applicable,
175 endorsement shall be automatically invalid after one hundred eighty days if the
176 permit or endorsement holder has changed his or her name or changed his or her
177 residence and not notified the sheriff as required in subsections 5 and 7 of this
178 section. The sheriff shall assess a late penalty of ten dollars per month for each
179 month, up to six months and not to exceed sixty dollars, for the failure to notify
180 the sheriff of the change of name or address within thirty days.

181 **9. Notwithstanding any provision of this section to the contrary,**
182 **if a concealed carry permit, or endorsement issued prior to August 28,**
183 **2013, expires while the person issued the permit or endorsement is on**

184 active duty in the armed forces, on active state duty, full-time National
185 Guard duty under Title 32, or active duty under Title 10 with the
186 National Guard, or is physically incapacitated due to an injury
187 incurred while in the services of the National Guard or armed forces,
188 the permit shall be renewed if the person completes the renewal
189 requirements under subsection 3 of this section within two months of
190 returning to Missouri after discharge from such duty or recovery from
191 such incapacitation. Once the two-month period has expired, the
192 provisions of subsection 4 of this section shall apply except the
193 penalties shall begin to accrue upon the expiration of the two-month
194 period described in this subsection rather than on the expiration date
195 of the permit or endorsement.

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

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

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

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of
11 this section; or

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

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

16 (6) Submits proof that the applicant is currently certified as any class of
17 corrections officer by the Missouri department of corrections and has passed at
18 least one eight-hour firearms training course, approved by the director of the
19 Missouri department of corrections under the authority granted to him or her,
20 that includes instruction on the justifiable use of force as prescribed in chapter
21 563; or

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

25 on the date it was issued.

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

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

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

38 (3) The basic principles of marksmanship;

39 (4) Care and cleaning of concealable firearms;

40 (5) Safe storage of firearms at home;

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

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

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

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

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

54 **3. A certificate of firearms safety training course completion may**
55 **also be issued to an applicant who presents proof to a qualified**
56 **firearms safety instructor that the applicant has passed a regular or**
57 **online course on firearm safety conducted by an instructor certified by**
58 **the National Rifle Association that is at least one hour in length and**
59 **who also passes the requirements of subdivisions (1), (2), (6), (7), (8), (9),**
60 **and (10) of subsection 2 of this section in a course, not restricted by a**

61 **period of hours, that is taught by a qualified firearms safety instructor.**

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

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

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

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

70 **[4.] 5.** Qualified firearms safety instructors who provide firearms safety
71 instruction to any person who applies for a concealed carry permit shall:

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

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

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

79 **[5.] 6.** A firearms safety instructor shall be considered to be a qualified
80 firearms safety instructor by any sheriff issuing a concealed carry permit
81 pursuant to sections 571.101 to 571.121 if the instructor:

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

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

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

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

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

93 **[6.] 7.** Any firearms safety instructor qualified under subsection **[5] 6** of
94 this section may submit a copy of a training instructor certificate, course outline
95 bearing the notarized signature of the instructor, and a recent photograph of the
96 instructor to the sheriff of the county in which the instructor resides. The sheriff

97 shall review the training instructor certificate along with the course outline and
98 verify the firearms safety instructor is qualified and the course meets the
99 requirements provided under this section. If the sheriff verifies the firearms
100 safety instructor is qualified and the course meets the requirements provided
101 under this section, the sheriff shall collect an annual registration fee of ten
102 dollars from each qualified instructor who chooses to submit such information and
103 submit the registration to the Missouri sheriff methamphetamine relief
104 taskforce. The Missouri sheriff methamphetamine relief taskforce, or its
105 designated agent, shall create and maintain a statewide database of qualified
106 instructors. This information shall be a closed record except for access by any
107 sheriff. Firearms safety instructors may register annually and the registration
108 is only effective for the calendar year in which the instructor registered. Any
109 sheriff may access the statewide database maintained by the Missouri sheriff
110 methamphetamine relief taskforce to verify the firearms safety instructor is
111 qualified and the course offered by the instructor meets the requirements
112 provided under this section. Unless a sheriff has reason to believe otherwise, a
113 sheriff shall presume a firearms safety instructor is qualified to provide firearms
114 safety instruction in counties throughout the state under this section if the
115 instructor is registered on the statewide database of qualified instructors.

116 [7.] 8. Any firearms safety instructor who knowingly provides any sheriff
117 with any false information concerning an applicant's performance on any portion
118 of the required training and qualification shall be guilty of a class C
119 misdemeanor. A violation of the provisions of this section shall result in the
120 person being prohibited from instructing concealed carry permit classes and
121 issuing certificates.

571.126. Notwithstanding any other state law to the contrary, no state
2 agency shall disclose to the federal government the statewide list of persons who
3 have obtained a concealed carry endorsement or permit, **including Missouri**
4 **lifetime and extended concealed carry permits**. Nothing in this section
5 shall be construed to restrict access to individual records by any criminal justice
6 agency authorized to access the Missouri uniform law enforcement system.

571.205. 1. **Upon request and payment of the required fee, the**
2 **sheriff shall issue a concealed carry permit that is valid through the**
3 **state of Missouri for the lifetime of the permit holder to a Missouri**
4 **resident who meets the requirements of sections 571.205 to 571.230,**
5 **known as a Missouri lifetime concealed carry permit. A person may**

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

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

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

27 (1) Is at least nineteen years of age, is a citizen or permanent
28 resident of the United States and has assumed residency in this state,
29 or is at least eighteen years of age and a member of the United States
30 Armed Forces or honorably discharged from the United States Armed
31 Forces, and is a citizen of the United States and has assumed residency
32 in this state;

33 (2) Has not pled guilty to or entered a plea of nolo contendere or
34 been convicted of a crime punishable by imprisonment for a term
35 exceeding one year under the laws of any state or of the United States,
36 other than a crime classified as a misdemeanor under the laws of any
37 state and punishable by a term of imprisonment of two years or less
38 that does not involve an explosive weapon, firearm, firearm silencer, or
39 gas gun;

40 (3) Has not been convicted of, pled guilty to or entered a plea of
41 nolo contendere to one or more misdemeanor offenses involving crimes

42 of violence within a five-year period immediately preceding application
43 for a Missouri lifetime or extended concealed carry permit or if the
44 applicant has not been convicted of two or more misdemeanor offenses
45 involving driving while under the influence of intoxicating liquor or
46 drugs or the possession or abuse of a controlled substance within a
47 five-year period immediately preceding application for a Missouri
48 lifetime or extended concealed carry permit;

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

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

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

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

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

69 (9) Submits an affidavit attesting that the applicant complies
70 with the concealed carry safety training requirement under subsections
71 1 and 2 of section 571.111;

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

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

76 4. The application for a Missouri lifetime or extended concealed
77 carry permit issued by the sheriff of the county of the applicant's

78 residence shall contain only the following information:

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

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

86 (3) An affirmation that the applicant is at least nineteen years
87 of age or is eighteen years of age or older and a member of the United
88 States Armed Forces or honorably discharged from the United States
89 Armed Forces;

90 (4) An affirmation that the applicant has not pled guilty to or
91 been convicted of a crime punishable by imprisonment for a term
92 exceeding one year under the laws of any state or of the United States
93 other than a crime classified as a misdemeanor under the laws of any
94 state and punishable by a term of imprisonment of two years or less
95 that does not involve an explosive weapon, firearm, firearm silencer, or
96 gas gun;

97 (5) An affirmation that the applicant has not been convicted of,
98 pled guilty to, or entered a plea of nolo contendere to one or more
99 misdemeanor offenses involving crimes of violence within a five-year
100 period immediately preceding application for a permit or that the
101 applicant has not been convicted of two or more misdemeanor offenses
102 involving driving while under the influence of intoxicating liquor or
103 drugs or the possession or abuse of a controlled substance within a
104 five-year period immediately preceding application for a permit;

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

113 (7) An affirmation that the applicant has not been discharged

114 under dishonorable conditions from the United States Armed Forces;

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

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

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

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

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

138 5. An application for a Missouri lifetime or extended concealed
139 carry permit shall be made to the sheriff of the county in which the
140 applicant resides. An application shall be filed in writing, signed under
141 oath and under the penalties of perjury, and shall state whether the
142 applicant complies with each of the requirements specified in
143 subsection 3 of this section. In addition to the completed application,
144 the applicant for a Missouri lifetime or extended concealed carry
145 permit shall also submit the following:

146 (1) A photocopy of a firearms safety training certificate of
147 completion or other evidence of completion of a firearms safety
148 training course that meets the standards established in subsection 1 or
149 2 of section 571.111; and

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

152 **6. (1) Before an application for a Missouri lifetime or extended**
153 **concealed carry permit is approved, the sheriff shall make only such**
154 **inquiries as he or she deems necessary into the accuracy of the**
155 **statements made in the application. The sheriff may require that the**
156 **applicant display a Missouri driver's license or nondriver's license or**
157 **military identification. No biometric data shall be collected from the**
158 **applicant. The sheriff shall conduct an inquiry of the National Instant**
159 **Criminal Background Check System within three working days after**
160 **submission of the properly completed application for a Missouri**
161 **lifetime or extended concealed carry permit. Upon receipt of the**
162 **completed report from the National Instant Criminal Background**
163 **Check System, the sheriff shall examine the results and, if no**
164 **disqualifying information is identified, shall issue a Missouri lifetime**
165 **or extended concealed carry permit within three working days.**

166 **(2) In the event the report from the National Instant Criminal**
167 **Background Check System and the response from the Federal Bureau**
168 **of Investigation national criminal history record check prescribed by**
169 **subdivision (1) of this subsection are not completed within forty-five**
170 **calendar days and no disqualifying information concerning the**
171 **applicant has otherwise come to the sheriff's attention, the sheriff shall**
172 **issue a provisional permit, clearly designated on the certificate as such,**
173 **which the applicant shall sign in the presence of the sheriff or the**
174 **sheriff's designee. This permit, when carried with a valid Missouri**
175 **driver's or nondriver's license, shall permit the applicant to exercise**
176 **the same rights in accordance with the same conditions as pertain to**
177 **a Missouri lifetime or extended concealed carry permit issued under**
178 **this section, provided that it shall not serve as an alternative to a**
179 **national instant criminal background check required by 18 U.S.C.**
180 **Section 922(t). The provisional permit shall remain valid until such**
181 **time as the sheriff either issues or denies the permit under subsection**
182 **7 or 8 of this section. The sheriff shall revoke a provisional permit**
183 **issued under this subsection within twenty-four hours of receipt of any**
184 **report that identifies a disqualifying record, and shall notify the**
185 **concealed carry permit system established under subsection 5 of**

186 section 650.350. The revocation of a provisional permit issued under
187 this section shall be proscribed in a manner consistent to the denial
188 and review of an application under subsection 7 of this section.

189 7. The sheriff may refuse to approve an application for a
190 Missouri lifetime or extended concealed carry permit if he or she
191 determines that any of the requirements specified in subsection 3 of
192 this section have not been met, or if he or she has a substantial and
193 demonstrable reason to believe that the applicant has rendered a false
194 statement regarding any of the provisions of sections 571.205 to 571.230.
195 If the applicant is found to be ineligible, the sheriff is required to deny
196 the application, and notify the applicant in writing, stating the grounds
197 for denial and informing the applicant of the right to submit, within
198 thirty days, any additional documentation relating to the grounds of
199 the denial. Upon receiving any additional documentation, the sheriff
200 shall reconsider his or her decision and inform the applicant within
201 thirty days of the result of the reconsideration. The applicant shall
202 further be informed in writing of the right to appeal the denial under
203 section 571.220. After two additional reviews and denials by the sheriff,
204 the person submitting the application shall appeal the denial under
205 section 571.220.

206 8. If the application is approved, the sheriff shall issue a
207 Missouri lifetime or extended concealed carry permit to the applicant
208 within a period not to exceed three working days after his or her
209 approval of the application. The applicant shall sign the Missouri
210 lifetime or extended concealed carry permit in the presence of the
211 sheriff or his or her designee.

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

- 214 (1) Name, address, date of birth, gender, height, weight, color of
215 hair, color of eyes, and signature of the permit holder;
216 (2) The signature of the sheriff issuing the permit;
217 (3) The date of issuance;
218 (4) A clear statement indicating that the permit is only valid
219 within the state of Missouri; and
220 (5) If the permit is a Missouri extended concealed carry permit,
221 the expiration date.

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

227 10. (1) The sheriff shall keep a record of all applications for a
228 Missouri lifetime or extended concealed carry permit or a provisional
229 permit and his or her action thereon. Any record of an application that
230 is incomplete or denied for any reason shall be kept for a period not to
231 exceed one year.

232 (2) The sheriff shall report the issuance of a Missouri lifetime or
233 extended concealed carry permit or provisional permit to the concealed
234 carry permit system. All information on any such permit that is
235 protected information on any driver's or nondriver's license shall have
236 the same personal protection for purposes of sections 571.205 to
237 571.230. An applicant's status as a holder of a Missouri lifetime or
238 extended concealed carry permit or provisional permit shall not be
239 public information and shall be considered personal protected
240 information. Information retained in the concealed carry permit
241 system under this subsection shall not be distributed to any federal,
242 state, or private entities and shall only be made available for a single
243 entry query of an individual in the event the individual is a subject of
244 interest in an active criminal investigation or is arrested for a crime.
245 A sheriff may access the concealed carry permit system for
246 administrative purposes to issue a permit, verify the accuracy of permit
247 holder information, change the name or address of a permit holder,
248 suspend or revoke a permit, cancel an expired permit, or cancel a
249 permit upon receipt of a certified death certificate for the permit
250 holder. Any person who violates the provisions of this subdivision by
251 disclosing protected information shall be guilty of a class A
252 misdemeanor.

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

257 12. For processing an application, the sheriff in each county

258 shall charge a nonrefundable fee not to exceed:

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

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

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

267 (4) Five hundred dollars for a Missouri lifetime concealed carry
268 permit, which shall be paid to the treasury of the county to the credit
269 of the sheriff's revolving fund.

571.210. 1. A Missouri lifetime or extended concealed carry
2 permit issued under sections 571.205 to 571.230 shall be suspended or
3 revoked if the Missouri lifetime or extended concealed carry permit
4 holder becomes ineligible for such permit under the criteria
5 established in subdivisions (2), (3), (4), (5), (7), or (10) of subsection 3 of
6 section 571.205. The following procedures shall be followed:

7 (1) When a valid full order of protection or any arrest warrant,
8 discharge, or commitment for the reasons listed in subdivision (2), (3),
9 (4), (5), (7), or (10) of subsection 3 of section 571.205 is issued against a
10 person holding a Missouri lifetime or extended concealed carry permit,
11 upon notification of said order, warrant, discharge, or commitment or
12 upon an order of a court of competent jurisdiction in a criminal
13 proceeding, a commitment proceeding, or a full order of protection
14 proceeding ruling that a person holding a Missouri lifetime or extended
15 concealed carry permit presents a risk of harm to themselves or others,
16 then upon notification of such order, the holder of the Missouri lifetime
17 or extended concealed carry permit shall surrender the permit to the
18 court, officer, or other official serving the order, warrant, discharge, or
19 commitment. The permit shall be suspended until the order is
20 terminated or until the arrest results in a dismissal of all charges. The
21 official to whom the permit is surrendered shall administratively
22 suspend the permit in the concealed carry permit system until the
23 order is terminated or the charges are dismissed. Upon dismissal, the
24 court holding the permit shall return such permit to the individual and

25 the official to whom the permit was surrendered shall administratively
26 return the permit to good standing within the concealed carry permit
27 system;

28 (2) Any conviction, discharge, or commitment specified in
29 sections 571.205 to 571.230 shall result in a revocation. Upon
30 conviction, the court shall forward a notice of conviction or action and
31 the permit to the issuing county sheriff. The sheriff who issued the
32 Missouri lifetime or extended concealed carry permit shall report the
33 change in status of the concealed carry permit to the concealed carry
34 permit system.

35 2. A Missouri lifetime or extended concealed carry permit shall
36 be reactivated for a qualified applicant upon receipt of the properly
37 completed application by the sheriff of the county of the applicant's
38 residence and in accordance with subsection 2 of section 571.205. A
39 name-based inquiry of the National Instant Criminal Background Check
40 System shall be completed for each reactivation application. The
41 sheriff shall review the results of the report from the National Instant
42 Criminal Background Check System, and when the sheriff has
43 determined the applicant has successfully completed all reactivation
44 requirements and is not disqualified under any provision of section
45 571.205, the sheriff shall issue a new Missouri lifetime or extended
46 concealed carry permit, which contains the date such permit was
47 reactivated.

48 3. Any person issued a Missouri lifetime or extended concealed
49 carry permit shall notify the sheriff or his or her designee where the
50 permit was issued within seven days after actual knowledge of the loss
51 or destruction of his or her permit. The permit holder shall furnish a
52 statement to the sheriff that the permit has been lost or
53 destroyed. After notification of the loss or destruction of a permit, the
54 sheriff may charge a processing fee of ten dollars for costs associated
55 with replacing a lost or destroyed permit and shall reissue a new
56 Missouri lifetime or extended concealed carry permit within three
57 working days of being notified by the permit holder of its loss or
58 destruction. The new Missouri lifetime or extended concealed carry
59 permit shall contain the same personal information as the original
60 concealed carry permit.

61 4. If a person issued a Missouri lifetime or extended concealed
62 carry permit changes his or her name, the person to whom the permit
63 was issued shall obtain a corrected or new Missouri lifetime or
64 extended concealed carry permit with a change of name from the
65 sheriff who issued the Missouri lifetime or extended concealed carry
66 permit or upon the sheriff's verification of the name change. The
67 sheriff may charge a processing fee of not more than ten dollars for any
68 costs associated with obtaining a corrected or new Missouri lifetime or
69 extended concealed carry permit. The permit holder shall furnish
70 proof of the name change to the sheriff within thirty days of changing
71 his or her name and display his or her Missouri lifetime or extended
72 concealed carry permit. The sheriff shall report the name change to
73 the concealed carry permit system, and the new name shall be
74 accessible by the concealed carry permit system within three days of
75 receipt of the information.

76 5. Any person issued a Missouri lifetime or extended concealed
77 carry permit shall notify the sheriff of the new jurisdiction of the
78 permit holder's change of residence within thirty days after the
79 changing of a permanent residence to a location outside the county of
80 permit issuance. The permit holder shall furnish proof to the sheriff in
81 the new jurisdiction that the permit holder has changed his or her
82 residence. The sheriff shall report the residence change to the
83 concealed carry permit system, take possession and destroy the old
84 permit, and then issue a new permit to the permit holder. The new
85 address shall be accessible by the concealed carry permit system within
86 three days of receipt of the information.

87 6. A Missouri extended concealed carry permit shall be renewed
88 for a qualified applicant upon receipt of the properly completed
89 renewal application and payment of the required fee. The renewal
90 application shall contain the same required information as set forth in
91 subsection 3 of section 571.205, except that in lieu of the firearms safety
92 training, the applicant need only display his or her current Missouri
93 extended concealed carry permit. A name-based inquiry of the National
94 Instant Criminal Background Check System shall be completed for each
95 renewal application. The sheriff shall review the results of the report
96 from the National Instant Criminal Background Check System, and

97 when the sheriff has determined the applicant has successfully
98 completed all renewal requirements and is not disqualified under any
99 provision of section 571.205, the sheriff shall issue a new Missouri
100 extended concealed carry permit which contains the date such permit
101 was renewed. Upon successful completion of all renewal requirements,
102 the sheriff shall issue a new Missouri extended concealed carry permit
103 as provided under this subsection.

104 7. A person who has been issued a Missouri extended concealed
105 carry permit who fails to file a renewal application for a Missouri
106 extended concealed carry permit on or before its expiration date shall
107 pay an additional late fee of ten dollars per month for each month it is
108 expired for up to six months. After six months, the sheriff who issued
109 the expired Missouri extended concealed carry permit shall notify the
110 concealed carry permit system that such permit is expired and
111 cancelled. Any person who has been issued a Missouri extended
112 concealed carry permit under sections 571.101 to 571.121 who fails to
113 renew his or her application within the six-month period shall reapply
114 for a concealed carry permit and pay the fee for a new application.

115 8. The sheriff of the county that issued the Missouri lifetime or
116 extended concealed carry permit shall conduct a name-based inquiry
117 of the National Instant Criminal Background Check System once every
118 five years from the date of issuance or renewal of the permit. The
119 sheriff shall review the results of the report from the National Instant
120 Criminal Background Check System. If the sheriff determines the
121 permit holder is disqualified under any provision of section 571.205, the
122 sheriff shall revoke the Missouri lifetime or extended concealed carry
123 permit and shall report the revocation to the concealed carry permit
124 system.

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

7 (1) Any police, sheriff, or highway patrol office or station
8 without the consent of the chief law enforcement officer in charge of

9 that office or station. Possession of a firearm in a vehicle on the
10 premises of the office or station shall not be a criminal offense so long
11 as the firearm is not removed from the vehicle or brandished while the
12 vehicle is on the premises;

13 (2) Within twenty-five feet of any polling place on any election
14 day. Possession of a firearm in a vehicle on the premises of the polling
15 place shall not be a criminal offense so long as the firearm is not
16 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
19 institution, prison or jail. Possession of a firearm in a vehicle on the
20 premises of any adult, juvenile detention, or correctional institution,
21 prison or jail shall not be a criminal offense so long as the firearm is
22 not removed from the vehicle or brandished while the vehicle is on the
23 premises;

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

44 (5) Any meeting of the governing body of a unit of local

45 government, or any meeting of the general assembly or a committee of
46 the general assembly, except that nothing in this subdivision shall
47 preclude a member of the body holding a valid Missouri lifetime or
48 extended concealed carry permit from carrying a concealed firearm at
49 a meeting of the body which he or she is a member. Possession of a
50 firearm in a vehicle on the premises shall not be a criminal offense so
51 long as the firearm is not removed from the vehicle or brandished
52 while the vehicle is on the premises. Nothing in this subdivision shall
53 preclude a member of the general assembly, a full-time employee of the
54 general assembly employed under Section 17, Article III, Constitution
55 of Missouri, legislative employees of the general assembly as
56 determined under section 21.155, or statewide elected officials and
57 their employees, holding a valid Missouri lifetime or extended
58 concealed carry permit, from carrying a concealed firearm in the state
59 capitol building or at a meeting whether of the full body of a house of
60 the general assembly or a committee thereof, that is held in the state
61 capitol building;

62 (6) The general assembly, supreme court, county, or municipality
63 may by rule, administrative regulation, or ordinance prohibit or limit
64 the carrying of concealed firearms by permit holders in that portion of
65 a building owned, leased, or controlled by that unit of government. Any
66 portion of a building in which the carrying of concealed firearms is
67 prohibited or limited shall be clearly identified by signs posted at the
68 entrance to the restricted area. The statute, rule, or ordinance shall
69 exempt any building used for public housing by private persons,
70 highways or rest areas, firing ranges, and private dwellings owned,
71 leased, or controlled by that unit of government from any restriction
72 on the carrying or possession of a firearm. The statute, rule, or
73 ordinance shall not specify any criminal penalty for its violation but
74 may specify that persons violating the statute, rule, or ordinance may
75 be denied entrance to the building, ordered to leave the building and
76 if employees of the unit of government, be subjected to disciplinary
77 measures for violation of the provisions of the statute, rule, or
78 ordinance. The provisions of this subdivision shall not apply to any
79 other unit of government;

80 (7) Any establishment licensed to dispense intoxicating liquor for

81 consumption on the premises, which portion is primarily devoted to
82 that purpose, without the consent of the owner or manager. The
83 provisions of this subdivision shall not apply to the licensee of said
84 establishment. The provisions of this subdivision shall not apply to any
85 bona fide restaurant open to the general public having dining facilities
86 for not less than fifty persons and that receives at least fifty-one
87 percent of its gross annual income from the dining facilities by the sale
88 of food. This subdivision does not prohibit the possession of a firearm
89 in a vehicle on the premises of the establishment and shall not be a
90 criminal offense so long as the firearm is not removed from the vehicle
91 or brandished while the vehicle is on the premises. Nothing in this
92 subdivision authorizes any individual who has been issued a Missouri
93 lifetime or extended concealed carry permit to possess any firearm
94 while intoxicated;

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

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

102 (10) Any higher education institution or elementary or secondary
103 school facility without the consent of the governing body of the higher
104 education institution or a school official or the district school board,
105 unless the person with the Missouri lifetime or extended concealed
106 carry permit is a teacher or administrator of an elementary or
107 secondary school who has been designated by his or her school district
108 as a school protection officer and is carrying a firearm in a school
109 within that district, in which case no consent is required. Possession
110 of a firearm in a vehicle on the premises of any higher education
111 institution or elementary or secondary school facility shall not be a
112 criminal offense so long as the firearm is not removed from the vehicle
113 or brandished while the vehicle is on the premises;

114 (11) Any portion of a building used as a child care facility
115 without the consent of the manager. Nothing in this subdivision shall
116 prevent the operator of a child care facility in a family home from

117 owning or possessing a firearm or a Missouri lifetime or extended
118 concealed carry permit;

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

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

129 (14) Any church or other place of religious worship without the
130 consent of the minister or person or persons representing the religious
131 organization that exercises control over the place of religious
132 worship. Possession of a firearm in a vehicle on the premises shall not
133 be a criminal offense so long as the firearm is not removed from the
134 vehicle or brandished while the vehicle is on the premises;

135 (15) Any private property whose owner has posted the premises
136 as being off-limits to concealed firearms by means of one or more signs
137 displayed in a conspicuous place of a minimum size of eleven inches by
138 fourteen inches with the writing thereon in letters of not less than one
139 inch. The owner, business or commercial lessee, manager of a private
140 business enterprise, or any other organization, entity, or person may
141 prohibit persons holding a Missouri lifetime or extended concealed
142 carry permit from carrying concealed firearms on the premises and
143 may prohibit employees, not authorized by the employer, holding a
144 Missouri lifetime or extended concealed carry permit from carrying
145 concealed firearms on the property of the employer. If the building or
146 the premises are open to the public, the employer of the business
147 enterprise shall post signs on or about the premises if carrying a
148 concealed firearm is prohibited. Possession of a firearm in a vehicle on
149 the premises shall not be a criminal offense so long as the firearm is
150 not removed from the vehicle or brandished while the vehicle is on the
151 premises. An employer may prohibit employees or other persons
152 holding a Missouri lifetime or extended concealed carry permit from

153 carrying a concealed firearm in vehicles owned by the employer;

154 (16) Any sports arena or stadium with a seating capacity of five
155 thousand or more. Possession of a firearm in a vehicle on the premises
156 shall not be a criminal offense so long as the firearm is not removed
157 from the vehicle or brandished while the vehicle is on the premises;

158 (17) Any hospital accessible by the public. Possession of a
159 firearm in a vehicle on the premises of a hospital shall not be a
160 criminal offense so long as the firearm is not removed from the vehicle
161 or brandished while the vehicle is on the premises.

162 2. Carrying of a concealed firearm in a location specified in
163 subdivisions (1) to (17) of subsection 1 of this section by any individual
164 who holds a Missouri lifetime or extended concealed carry permit shall
165 not be a criminal act but may subject the person to denial to the
166 premises or removal from the premises. If such person refuses to leave
167 the premises and a peace officer is summoned, such person may be
168 issued a citation for an amount not to exceed one hundred dollars for
169 the first offense. If a second citation for a similar violation occurs
170 within a six-month period, such person shall be fined an amount not to
171 exceed two hundred dollars and his or her permit to carry concealed
172 firearms shall be suspended for a period of one year. If a third citation
173 for a similar violation is issued within one year of the first citation,
174 such person shall be fined an amount not to exceed five hundred
175 dollars and shall have his or her Missouri lifetime or extended
176 concealed carry permit revoked and such person shall not be eligible
177 for a Missouri lifetime or extended concealed carry permit or a
178 concealed carry permit issued under sections 571.101 to 571.121 for a
179 period of three years. Upon conviction of charges arising from a
180 citation issued under this subsection, the court shall notify the sheriff
181 of the county which issued the Missouri lifetime or extended concealed
182 carry permit. The sheriff shall suspend or revoke the Missouri lifetime
183 or extended concealed carry permit.

571.220. 1. In any case when the sheriff refuses to issue a
2 Missouri lifetime or extended concealed carry permit or to act on an
3 application for such permit, the denied applicant shall have the right
4 to appeal the denial within thirty days of receiving written notice of
5 the denial. Such appeals shall be heard in small claims court as

6 defined in section 482.300, and the provisions of sections 482.300,
7 482.310, and 482.335 shall apply to such appeals.

8 2. A denial of or refusal to act on an application for a Missouri
9 lifetime or extended concealed carry permit may be appealed by filing
10 with the clerk of the small claims court a copy of the sheriff's written
11 refusal and a form substantially similar to the appeal form provided in
12 this section. Appeal forms shall be provided by the clerk of the small
13 claims court free of charge to any person:

14 SMALL CLAIMS COURT
15 In the Circuit Court of, Missouri
16, Denied Applicant

17)
18)
19 vs.) Case Number
20)
21)
22, Sheriff

23 Return Date

24 APPEAL OF A DENIAL OF A MISSOURI
25 LIFETIME OR EXTENDED CONCEALED CARRY PERMIT

26 The denied applicant states that his or her properly completed
27 application for a Missouri lifetime or extended concealed carry permit
28 was denied by the sheriff of County, Missouri, without just
29 cause. The denied applicant affirms that all of the statements in the
30 application are true.

31, Denied Applicant

32 3. The notice of appeal in a denial of a Missouri lifetime or
33 extended concealed carry permit appeal shall be made to the sheriff in
34 a manner and form determined by the small claims court judge.

35 4. If at the hearing the person shows he or she is entitled to the
36 requested Missouri lifetime or extended concealed carry permit, the
37 court shall issue an appropriate order to cause the issuance of the
38 Missouri lifetime or extended concealed carry permit. Costs shall not
39 be assessed against the sheriff unless the action of the sheriff is
40 determined by the judge to be arbitrary and capricious.

41 5. Any person aggrieved by any final judgment rendered by a

42 small claims court in a denial of a Missouri lifetime or extended
43 concealed carry permit appeal may have a right to trial de novo as
44 provided in sections 512.180 to 512.320.

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

11 **SMALL CLAIMS COURT**

12 In the Circuit Court ofMissouri

13, PLAINTIFF

14)

15)

16 vs.

17)

Case Number

18)

19)

20, DEFENDANT,

Lifetime or Extended Carry Permit Holder

21, DEFENDANT,

22 Sheriff of Issuance

23 **PETITION FOR REVOCATION OF A**

24 **MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY PERMIT**

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

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

35 ☐ Defendant is not at least nineteen years of age or at least
36 eighteen years of age and a member of the United States Armed
37 Forces or honorably discharged from the United States Armed
38 Forces.

39 ☐ Defendant is not a citizen or permanent resident of the United
40 States.

41 ☐ Defendant had not resided in this state prior to issuance of the
42 permit or is not a current resident of this state.

43 ☐ Defendant has pled guilty to or been convicted of a crime
44 punishable by imprisonment for a term exceeding two years
45 under the laws of any state or of the United States other than a
46 crime classified as a misdemeanor under the laws of any state
47 and punishable by a term of imprisonment of one year or less
48 that does not involve an explosive weapon, firearm, firearm
49 silencer, or gas gun.

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

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

69 conditions 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 or a similar institution located in another state, except
76 that a person whose release or discharge from a facility in this
77 state pursuant to chapter 632, RSMo, or a similar discharge from
78 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
81 concealed carry permit issued pursuant to sections 571.205 to
82 571.230, RSMo.

83 ☐ Defendant failed to submit to or failed to clear the required
84 background check. (Note: This does not apply if the defendant
85 has submitted to a background check and been issued a
86 provisional permit pursuant to subdivision (2) of subsection 6 of
87 section 571.205, RSMo, and the results of the background check
88 are still pending.)

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

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

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

101, PLAINTIFF

102 2. If at the hearing the plaintiff shows that the defendant was not
103 eligible for the Missouri lifetime or extended concealed carry permit

104 issued under sections 571.205 to 571.230 at the time of issuance or
105 renewal or is no longer eligible for a Missouri lifetime or extended
106 concealed carry permit the court shall issue an appropriate order to
107 cause the revocation of the Missouri lifetime or extended concealed
108 carry permit. Costs shall not be assessed against the sheriff.

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

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

128 5. The office of the county sheriff or any employee or agent of
129 the county sheriff shall not be liable for damages in any civil action
130 arising from alleged wrongful or improper granting, renewing, or
131 failure to revoke a Missouri lifetime or extended concealed carry
132 permit issued under sections 571.205 to 571.230 so long as the sheriff
133 acted in good faith.

 571.230. Any person issued a Missouri lifetime or extended
2 concealed carry permit under sections 571.205 to 571.230, shall carry
3 the permit at all times the person is carrying a concealed firearm and
4 shall display the permit and a state or federal government-issued photo
5 identification upon the request of any peace officer. Failure to comply
6 with this section shall not be a criminal offense but the Missouri

7 **lifetime or extended concealed carry permit holder may be issued a**
8 **citation for an amount not to exceed thirty-five dollars.**

Section B. Because of the need to ensure members of the armed services
2 and National Guard are not penalized under the concealed carry laws as a result
3 of their service to the country, the repeal and reenactment of section 571.104 of
4 this act is deemed necessary for the immediate preservation of the public health,
5 welfare, peace and safety, and is hereby declared to be an emergency act within
6 the meaning of the constitution, and the repeal and reenactment of section
7 571.104 of this act shall be in full force and effect upon its passage and approval.

Section C. The repeal and reenactment of section 571.030 of this act shall
2 become effective January 1, 2017.

✓

Bill

Copy