

HOUSE BILL NO. 2643

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE LAVENDER.

6698H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions and an effective date.

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

Section A. Section 571.060, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.060, to read as follows:

571.060. 1. A person commits the [crime] **offense** of unlawful transfer of weapons if he or she:

(1) Knowingly sells, leases, loans, gives away or delivers a firearm or ammunition for a firearm to any person who, under the provisions of section 571.070, is not lawfully entitled to possess such;

(2) Knowingly sells, leases, loans, gives away or delivers a blackjack to a person less than eighteen years old without the consent of the child's custodial parent or guardian, or recklessly, as defined in section 562.016, sells, leases, loans, gives away or delivers any firearm to a person less than eighteen years old without the consent of the child's custodial parent or guardian; provided, that this does not prohibit the delivery of such weapons to any peace officer or member of the Armed Forces or National Guard while performing his official duty; [or]

(3) Recklessly, as defined in section 562.016, sells, leases, loans, gives away or delivers a firearm or ammunition for a firearm to a person who is intoxicated; or

(4) **Is a licensed dealer as the term licensed dealer is defined under section 571.063 and delivers a handgun, incidental to a sale, without withholding delivery of the handgun for at least twenty-four hours after application for its purchase has been made or upon receipt of the purchaser's background check, whichever occurs first. However, this**

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

18 **subdivision does not apply to the sale of a firearm to a law enforcement officer in the**
19 **course of the officer's official duties if the seller of the firearm knows that the person to**
20 **whom he or she is selling the firearm is a law enforcement officer. For purposes of this**
21 **subdivision, "application" means when the buyer and seller reach an agreement to**
22 **purchase a firearm.**

23 2. Unlawful transfer of weapons under subdivision (1) of subsection 1 of this section is
24 a class [D] E felony; unlawful transfer of weapons under subdivisions (2) and (3) of subsection
25 1 of this section is a class A misdemeanor.

Section B. Section A of this act shall become effective January 1, 2017.

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