

FIRST EXTRAORDINARY SESSION OF THE
SECOND REGULAR SESSION

HOUSE BILL NO. 8

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE WASHINGTON.

5818H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 571, RSMo, by adding thereto one new section relating to firearms, with a penalty provision.

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

Section A. Chapter 571, RSMo, is amended by adding thereto one new section, to be
2 known as section 571.023, to read as follows:

571.023. 1. As used in this section, the following terms mean:

2 **(1) "Assault weapon", any:**

3 **(a) Semi-automatic rifle that has the capacity to accept a detachable magazine and**
4 **has:**

5 **a. A pistol grip or thumbhole stock;**

6 **b. Any feature capable of functioning as a protruding grip that can be held by the**
7 **nontrigger hand;**

8 **c. A folding or telescoping stock; or**

9 **d. A shroud attached to the barrel, or that partially or completely encircles the**
10 **barrel, that allows the bearer to hold the firearm with the nontrigger hand without being**
11 **burned, excluding a slide that encloses the barrel;**

12 **(b) Semi-automatic pistol or semi-automatic rifle with a fixed magazine that has the**
13 **capacity to accept more than ten rounds of ammunition;**

14 **(c) Semi-automatic pistol that has the capacity to accept a detachable magazine and**
15 **has:**

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.

- 16 a. Any feature capable of functioning as a protruding grip that can be held by the
17 nontrigger hand;
- 18 b. A folding, telescoping, or thumbhole stock;
- 19 c. A shroud attached to the barrel, or that partially or completely encircles the
20 barrel, that allows the bearer to hold the firearm with the nontrigger hand without being
21 burned, excluding a slide that encloses the barrel; or
- 22 d. The capacity to accept a detachable magazine at any location other than the
23 pistol grip;
- 24 (d) Semi-automatic shotgun that has:
- 25 a. A pistol grip or thumbhole stock;
- 26 b. Any feature capable of functioning as a protruding grip that can be held by the
27 nontrigger hand;
- 28 c. A folding or telescoping stock;
- 29 d. A fixed magazine capacity in excess of five rounds; or
- 30 e. An ability to accept a detachable magazine;
- 31 (e) Shotgun with a revolving cylinder; or
- 32 (f) Conversion kit, part, or combination of parts from which an assault weapon can
33 be assembled if in the possession or under the control of a single person.
- 34
- 35 "Assault weapon" shall not include any firearm made permanently inoperable;
- 36 (2) "Detachable magazine", either:
- 37 (a) An ammunition feeding device that can be loaded or unloaded while detached
38 from a firearm and can be readily inserted into a firearm; or
- 39 (b) A magazine that can be detached from a firearm by pressing a button on the
40 firearm either with a finger, tool, or bullet;
- 41 (3) "Fixed magazine", an ammunition feeding device contained in, or permanently
42 attached to, a firearm in such a manner that the device cannot be removed without
43 disassembly of the firearm action;
- 44 (4) "Large-capacity magazine", any ammunition feeding device with the capacity
45 to accept more than ten rounds, but excluding:
- 46 (a) A feeding device that has been permanently altered so that it cannot
47 accommodate more than ten rounds;
- 48 (b) A twenty-two caliber tubular magazine; or
- 49 (c) A tubular magazine contained in a lever-action firearm.

50 **2. No person, corporation, or other entity in the state of Missouri shall**
51 **manufacture, import, possess, purchase, sell, or transfer any assault weapon or large-**
52 **capacity magazine.**

53 **3. The provisions of this section shall not apply to:**

54 **(1) Any government officer, agent, or employee; member of the United States**
55 **Armed Forces or National Guard; or peace officer, to the extent that the person is**
56 **authorized to acquire or possess an assault weapon or large-capacity magazine and does**
57 **so while acting within the scope of his or her duties;**

58 **(2) The manufacture of an assault weapon or large-capacity magazine by a firearms**
59 **manufacturer for the purpose of sale to an entity or person described under subdivision**
60 **(1) of this subsection, provided that the manufacturer is properly licensed under federal**
61 **and state laws;**

62 **(3) The sale or transfer of an assault weapon or large-capacity magazine by a**
63 **dealer, who is properly licensed under federal, state, and local laws, to an entity or person**
64 **described under subdivision (1) of this subsection for use by that entity or person for**
65 **official purposes; or**

66 **(4) Any person who, prior to and continuously since the effective date of this**
67 **section, was legally in possession of an assault weapon or large-capacity magazine.**

68 **4. A violation of this section is a class C felony.**

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