

FIRST REGULAR SESSION

# HOUSE BILL NO. 554

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE NURRENBERN.

0822H.02I

DANA RADEMAN MILLER, Chief Clerk

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## AN ACT

To repeal sections 563.031, 571.020, 571.030, 571.060, 571.111, and 590.210, RSMo, and to enact in lieu thereof seven new sections relating to firearms, with penalty provisions.

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

Section A. Sections 563.031, 571.020, 571.030, 571.060, 571.111, and 590.210, RSMo, are repealed and seven new sections enacted in lieu thereof, to be known as sections 563.031, 571.011, 571.020, 571.030, 571.060, 571.111, and 590.210, to read as follows:

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

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

(a) He or she has withdrawn from the encounter and effectively communicated such withdrawal to such other person but the latter persists in continuing the incident by the use or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

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

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

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

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.

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

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

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

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

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

32 3. A person does not have a duty to retreat[;

33 ~~(1)] from a dwelling, residence, or vehicle where the person is not unlawfully~~  
34 ~~entering or unlawfully remaining[;~~

35 ~~(2)] . A person does not have a duty to retreat~~ from private property that is owned  
36 or leased by such individual~~]; or~~

37 ~~(3) If the person is in any other location such person has the right to be].~~

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

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

**571.011. 1. In order to purchase a firearm in this state, a person shall first  
2 obtain a firearm purchase permit issued by the sheriff's department in the county in  
3 which the person resides. Permit applications shall be available in each county sheriff's  
4 department, and the secretary of state shall administer a website allowing for electronic  
5 submission of application materials. Firearm purchase permits issued under this  
6 section shall be valid for a period of ten years.**

7 **2. Applications shall require the following information:**

- 8           (1) The applicant's name, social security number, and address of residence;
- 9           (2) The applicant's criminal history; and
- 10          (3) The number of persons and dependents living in the applicant's residence.
- 11          3. A sheriff may elect to require an applicant submit additional information
- 12 regarding the applicant's psychiatric history or submit character references. The
- 13 sheriff shall conduct an inquiry of the National Instant Criminal Background Check
- 14 System within three working days after submission of the properly completed
- 15 application for a concealed carry permit. If no disqualifying record is identified by
- 16 these checks at the state level, the fingerprints shall be forwarded to the Federal Bureau
- 17 of Investigation for a national criminal history record check and a check against the
- 18 Violent Gang And Terrorist Organizations File. Upon receipt of the completed report
- 19 from the National Instant Criminal Background Check System and the response from
- 20 the Federal Bureau of Investigation regarding the national criminal history record
- 21 check and the Violent Gang And Terrorist Organizations File, the sheriff shall examine
- 22 the results and, if no disqualifying information is identified, shall issue a firearm
- 23 purchase permit within three working days.
- 24          4. Any person who moves from one county to another county within this state
- 25 shall alert the sheriff's department of the county to which the person is moving that he
- 26 or she has a firearm purchase permit.
- 27          5. The following persons shall not be issued a firearm purchase permit:
- 28           (1) Any person ineligible to own a firearm under the laws of this state;
- 29           (2) Any person who is under an order of protection due to domestic violence,
- 30 stalking, or a sexual offense;
- 31           (3) Any person who has multiple charges for violent felonies or misdemeanors,
- 32 at the discretion of the sheriff;
- 33           (4) Any person on the Federal Bureau of Investigation's terrorist screening
- 34 database, also known as the watchlist;
- 35           (5) Any person listed by the Federal Bureau of Investigation as a member of a
- 36 violent criminal gang;
- 37           (6) Any person who has not completed a certified firearm safety course;
- 38           (7) Any person having a persistent history of aggressive or self-destructive
- 39 behavior as documented by a psychiatrist, psychologist, counselor, or social worker; or
- 40           (8) Any person who has not passed a federal background check.
- 41          6. A court shall order the surrender of any firearm purchase permit at the
- 42 sentencing of a person for any offense that would make the person ineligible to receive a
- 43 firearm purchase permit under subdivision (1), (2), or (3) of subsection 5 of this section.

571.020. 1. A person commits an offense if such person knowingly possesses,  
2 manufactures, transports, repairs, or sells:

3 (1) An explosive weapon;

4 (2) An explosive, incendiary or poison substance or material with the purpose to  
5 possess, manufacture or sell an explosive weapon;

6 (3) A gas gun;

7 (4) A bullet or projectile which explodes or detonates upon impact because of an  
8 independent explosive charge after having been shot from a firearm; ~~[or]~~

9 (5) Knuckles; or

10 (6) Any of the following in violation of federal law:

11 (a) A machine gun;

12 (b) A short-barreled rifle or shotgun;

13 (c) A firearm silencer; or

14 (d) A switchblade knife.

15 **2. A person commits an offense if, with the purpose to manufacture or assemble**  
16 **a firearm or components that can be assembled into a firearm, the person manufactures,**  
17 **assembles, or purchases:**

18 **(1) A firearm frame or firearm receiver that is not imprinted with a serial**  
19 **number registered with a federally licensed manufacturer; or**

20 **(2) A kit or combination of parts from which a firearm without a serial number**  
21 **may be readily manufactured or otherwise assembled but that does not have the**  
22 **capacity to function as a firearm unless manufactured or otherwise assembled.**

23 **3. A person commits an offense if, with the intention to distribute over the**  
24 **Internet or otherwise, the person distributes digital instructions in the form of**  
25 **computer-aided design files or other code that can automatically program a three-**  
26 **dimensional printer or similar device to produce a firearm or to complete a firearm**  
27 **from an unfinished frame or receiver.**

28 **4. A person does not commit an offense pursuant to this section if his or her conduct**  
29 **involved any of the items in subdivisions (1) to (5) of subsection 1, the item was possessed in**  
30 **conformity with any applicable federal law, and the conduct:**

31 **(1) Was incident to the performance of official duty by the United States Armed**  
32 **Forces, National Guard, a governmental law enforcement agency, or a penal institution; or**

33 **(2) Was incident to engaging in a lawful commercial or business transaction with an**  
34 **organization enumerated in subdivision (1) of this ~~[section]~~ subsection; or**

35 **(3) Was incident to using an explosive weapon in a manner reasonably related to a**  
36 **lawful industrial or commercial enterprise; or**

37 **(4) Was incident to displaying the weapon in a public museum or exhibition; or**

38 (5) Was incident to using the weapon in a manner reasonably related to a lawful  
39 dramatic performance.

40 ~~[3:]~~ **5.** An offense pursuant to subdivision (1), (2), (3), or (6) of subsection 1 of this  
41 section; **subsection 2 of this section; or subsection 3 of this section** is a class D felony~~[-a~~  
42 ~~crime]~~. **An offense** pursuant to subdivision (4) or (5) of subsection 1 of this section is a class  
43 A misdemeanor.

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

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

6 (2) Sets a spring gun; or

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

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

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

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

18 (7) Discharges or shoots a firearm at a mark~~[-at]~~ **or** any object~~[-or at random,]~~ on,  
19 along, or across a public highway or discharges or shoots a firearm into any outbuilding; or

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

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

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

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

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

39           (1) All state, county and municipal peace officers who have completed the training  
40 required by the police officer standards and training commission pursuant to sections 590.030  
41 to 590.050 and who possess the duty and power of arrest for violation of the general criminal  
42 laws of the state or for violation of ordinances of counties or municipalities of the state,  
43 whether such officers are on or off duty, and whether such officers are within or outside of the  
44 law enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in  
45 subsection 12 of this section, and who carry the identification defined in subsection 13 of this  
46 section, or any person summoned by such officers to assist in making arrests or preserving the  
47 peace while actually engaged in assisting such officer;

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

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

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

56           (5) Any person whose bona fide duty is to execute process, civil or criminal, **and who**  
57 **has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid**  
58 **concealed carry permit under section 571.111 when such uses are reasonably associated**  
59 **with or are necessary to the fulfillment of such execution of process;**

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

63           (7) Any state probation or parole officer, including supervisors and members of the  
64 parole board, **who has a valid concealed carry endorsement issued prior to August 28,**  
65 **2013, or a valid concealed carry permit under section 571.111 when such uses are**  
66 **reasonably associated with or are necessary to the fulfillment of such person's official**  
67 **duties;**

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

71 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner  
72 **who has a valid concealed carry endorsement issued prior to August 28, 2013, or a valid**  
73 **concealed carry permit under section 571.111 when such uses are reasonably associated**  
74 **with or are necessary to the fulfillment of such person's official duties;**

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

79 (11) Any member of a fire department or fire protection district who is employed on a  
80 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued  
81 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such  
82 uses are reasonably associated with or are necessary to the fulfillment of such person's official  
83 duties; and

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

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

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

109 ~~5.]~~ Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section  
110 shall not apply to persons who are engaged in a lawful act of defense pursuant to section  
111 563.031.

112 ~~[6.]~~ 5. Notwithstanding any provision of this section to the contrary, the state shall not  
113 prohibit any state employee from having a firearm in the employee's vehicle on the state's  
114 property provided that the vehicle is locked and the firearm is not visible. This subsection  
115 shall only apply to the state as an employer when the state employee's vehicle is on property  
116 owned or leased by the state and the state employee is conducting activities within the scope  
117 of his or her employment. For the purposes of this subsection, "state employee" means an  
118 employee of the executive, legislative, or judicial branch of the government of the state of  
119 Missouri.

120 ~~[7.]~~ 6. Nothing in this section shall make it unlawful for a student to actually  
121 participate in school-sanctioned gun safety courses, student military or ROTC courses, or  
122 other school-sponsored or club-sponsored firearm-related events, provided the student does  
123 not carry a firearm or other weapon readily capable of lethal use into any school, onto any  
124 school bus, or onto the premises of any other function or activity sponsored or sanctioned by  
125 school officials or the district school board.

126 ~~[8.]~~ 7. A person who commits the ~~[crime]~~ offense of unlawful use of weapons under:

127 (1) Subdivision ~~(1)~~, (2), (3), (4), ~~(10)~~, or (11) of subsection 1 of this section shall be  
128 guilty of a class ~~[E]~~ D felony;

129 (2) Subdivision ~~[(4)]~~, (6), (7), or (8) of subsection 1 of this section shall be guilty of a  
130 class ~~[B]~~ A misdemeanor~~], except when a concealed weapon is carried onto any private~~  
131 ~~property whose owner has posted the premises as being off limits to concealed firearms by~~  
132 ~~means of one or more signs displayed in a conspicuous place of a minimum size of eleven~~  
133 ~~inches by fourteen inches with the writing thereon in letters of not less than one inch, in which~~  
134 ~~case the penalties of subsection 2 of section 571.107 shall apply] if the firearm is unloaded~~  
135 **and a class D felony if the firearm is loaded;**

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

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



141           ~~[9-]~~ **8.** Violations of subdivision (9) of subsection 1 of this section shall be punished  
142 as follows:

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

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

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

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

153           ~~[10-]~~ **9.** Any person knowingly aiding or abetting any other person in the violation of  
154 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that  
155 prescribed by this section for violations by other persons.

156           ~~[11-]~~ **10.** Notwithstanding any other provision of law, no person who pleads guilty to  
157 or is found guilty of a felony violation of subsection 1 of this section shall receive a  
158 suspended imposition of sentence if such person has previously received a suspended  
159 imposition of sentence for any other firearms- or weapons-related felony offense.

160           ~~[12-]~~ **11.** As used in this section "qualified retired peace officer" means an individual  
161 who:

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

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

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

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

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

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

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

179 ~~[43-]~~ 12. The identification required by subdivision (1) of subsection 2 of this section  
180 is:

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

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

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

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

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

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

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

15 **(4) Knowingly delivers any firearm, incidental to a sale, without withholding**  
16 **delivery of the firearm for at least seventy-two hours after application for its purchase**  
17 **was made.**

18 2. Unlawful transfer of weapons under subdivision (1) of subsection 1 of this section  
19 is a class E felony~~[s]~~. Unlawful transfer of weapons under subdivisions (2) and (3) of  
20 subsection 1 of this section is a class A misdemeanor. **Unlawful transfer of weapons under**  
21 **subdivision (4) of subsection 1 of this section punishable with a fine in an amount of two**

22 **thousand dollars for a first violation, four thousand dollars for a second violation, and**  
23 **ten thousand dollars for a third or subsequent violation.**

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

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

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

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

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

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

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

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

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

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

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

34 (3) The basic principles of marksmanship;

35 (4) Care and cleaning of concealable firearms;

- 36 (5) Safe storage of firearms at home;
- 37 (6) The requirements of this state for obtaining a concealed carry permit from the  
38 sheriff of the individual's county of residence;
- 39 (7) The laws relating to firearms as prescribed in this chapter;
- 40 (8) The laws relating to the justifiable use of force as prescribed in chapter 563;
- 41 (9) A live firing exercise of sufficient duration for each applicant to fire either a  
42 revolver or a semiautomatic pistol, from a standing position or its equivalent, a minimum of  
43 twenty rounds from the handgun at a distance of seven yards from a B-27 silhouette target or  
44 an equivalent target;
- 45 (10) A live-fire test administered to the applicant while the instructor was present of  
46 twenty rounds from either a revolver or a semiautomatic pistol from a standing position or its  
47 equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.
- 48 ~~3. [A certificate of firearms safety training course completion may also be issued to  
49 an applicant who presents proof to a qualified firearms safety instructor that the applicant has  
50 passed a regular or online course on firearm safety conducted by an instructor certified by the  
51 National Rifle Association that is at least one hour in length and who also passes the  
52 requirements of subdivisions (1), (2), (6), (7), (8), (9), and (10) of subsection 2 of this section  
53 in a course, not restricted by a period of hours, that is taught by a qualified firearms safety  
54 instructor.~~
- 55 4.] A qualified firearms safety instructor shall not give a grade of passing to an  
56 applicant for a concealed carry permit who:
- 57 (1) Does not follow the orders of the qualified firearms instructor or cognizant range  
58 officer; or
- 59 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety  
60 instructor, poses a danger to the applicant or to others; or
- 61 (3) During the live-fire testing portion of the course fails to hit the silhouette portion  
62 of the targets with at least fifteen rounds.
- 63 ~~[5.]~~ 4. Qualified firearms safety instructors who provide firearms safety instruction to  
64 any person who applies for a concealed carry permit shall:
- 65 (1) Make the applicant's course records available upon request to the sheriff of the  
66 county in which the applicant resides;
- 67 (2) Maintain all course records on students for a period of no less than four years  
68 from course completion date; and
- 69 (3) Not have more than forty students per certified instructor in the classroom portion  
70 of the course or more than five students per range officer engaged in range firing.

71           ~~[6-]~~ 5. A firearms safety instructor shall be considered to be a qualified firearms  
72 safety instructor by any sheriff issuing a concealed carry permit pursuant to sections 571.101  
73 to 571.121 if the instructor:

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

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

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

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

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

83           ~~[7-]~~ 6. Any firearms safety instructor qualified under subsection ~~[6]~~ 5 of this section  
84 may submit a copy of a training instructor certificate, course outline bearing the notarized  
85 signature of the instructor, and a recent photograph of the instructor to the sheriff of the  
86 county in which the instructor resides. The sheriff shall review the training instructor  
87 certificate along with the course outline and verify the firearms safety instructor is qualified  
88 and the course meets the requirements provided under this section. If the sheriff verifies the  
89 firearms safety instructor is qualified and the course meets the requirements provided under  
90 this section, the sheriff shall collect an annual registration fee of ten dollars from each  
91 qualified instructor who chooses to submit such information and submit the registration to the  
92 Missouri sheriff methamphetamine relief taskforce. The Missouri sheriff methamphetamine  
93 relief taskforce, or its designated agent, shall create and maintain a statewide database of  
94 qualified instructors. This information shall be a closed record except for access by any  
95 sheriff. Firearms safety instructors may register annually and the registration is only effective  
96 for the calendar year in which the instructor registered. Any sheriff may access the statewide  
97 database maintained by the Missouri sheriff methamphetamine relief taskforce to verify the  
98 firearms safety instructor is qualified and the course offered by the instructor meets the  
99 requirements provided under this section. Unless a sheriff has reason to believe otherwise, a  
100 sheriff shall presume a firearms safety instructor is qualified to provide firearms safety  
101 instruction in counties throughout the state under this section if the instructor is registered on  
102 the statewide database of qualified instructors.

103           ~~[8-]~~ 7. Any firearms safety instructor who knowingly provides any sheriff with any  
104 false information concerning an applicant's performance on any portion of the required  
105 training and qualification shall be guilty of a class C misdemeanor. A violation of the  
106 provisions of this section shall result in the person being prohibited from instructing  
107 concealed carry permit classes and issuing certificates.

590.210. Notwithstanding any other provision of law, any law enforcement agency in  
2 this state may supplement such agency's workforce as necessary with qualified retired peace  
3 officers as defined in subsection ~~[12]~~ **11** of section 571.030 when a disaster or emergency has  
4 been proclaimed by the governor or when there is a national emergency. Retirees assisting  
5 law enforcement agencies under the provisions of this section shall be in compliance with the  
6 annual firearms training and qualification standards for retired law enforcement officers  
7 carrying concealed firearms established by the department of public safety under section  
8 650.030. Any compensation awarded to retirees for service under this section shall be paid by  
9 the law enforcement agency.

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