

SENATE BILL NO. 442

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR WASHINGTON.

0496S.01I

KRISTINA MARTIN, Secretary

AN ACT

To repeal section 571.107, RSMo, and to enact in lieu thereof one new section relating to concealed firearms, with penalty provisions.

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

Section A. Section 571.107, RSMo, is repealed and one new
2 section enacted in lieu thereof, to be known as section 571.107,
3 to read as follows:

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

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

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

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

26 (3) The facility of any adult or juvenile detention or
27 correctional institution, prison or jail. Possession of a
28 firearm in a vehicle on the premises of any adult, juvenile
29 detention, or correctional institution, prison or jail shall
30 not be a criminal offense so long as the firearm is not
31 removed from the vehicle or brandished while the vehicle is
32 on the premises;

33 (4) Any courthouse solely occupied by the circuit,
34 appellate or supreme court, or any courtrooms,
35 administrative offices, libraries or other rooms of any such
36 court whether or not such court solely occupies the building
37 in question. This subdivision shall also include, but not
38 be limited to, any juvenile, family, drug, or other court
39 offices, any room or office wherein any of the courts or
40 offices listed in this subdivision are temporarily
41 conducting any business within the jurisdiction of such
42 courts or offices, and such other locations in such manner
43 as may be specified by supreme court rule pursuant to
44 subdivision (6) of this subsection. Nothing in this
45 subdivision shall preclude those persons listed in
46 subdivision (1) of subsection 2 of section 571.030 while
47 within their jurisdiction and on duty, those persons listed
48 in subdivisions (2), (4), and (10) of subsection 2 of
49 section 571.030, or such other persons who serve in a law
50 enforcement capacity for a court as may be specified by
51 supreme court rule pursuant to subdivision (6) of this
52 subsection from carrying a concealed firearm within any of

53 the areas described in this subdivision. Possession of a
54 firearm in a vehicle on the premises of any of the areas
55 listed in this subdivision shall not be a criminal offense
56 so long as the firearm is not removed from the vehicle or
57 brandished while the vehicle is on the premises;

58 (5) Any meeting of the governing body of a unit of
59 local government; or any meeting of the general assembly or
60 a committee of the general assembly, except that nothing in
61 this subdivision shall preclude a member of the body holding
62 a valid concealed carry permit or endorsement from carrying
63 a concealed firearm at a meeting of the body which he or she
64 is a member. Possession of a firearm in a vehicle on the
65 premises shall not be a criminal offense so long as the
66 firearm is not removed from the vehicle or brandished while
67 the vehicle is on the premises. Nothing in this subdivision
68 shall preclude a member of the general assembly, a full-time
69 employee of the general assembly employed under Section 17,
70 Article III, Constitution of Missouri, legislative employees
71 of the general assembly as determined under section 21.155,
72 or statewide elected officials and their employees, holding
73 a valid concealed carry permit or endorsement, from carrying
74 a concealed firearm in the state capitol building or at a
75 meeting whether of the full body of a house of the general
76 assembly or a committee thereof, that is held in the state
77 capitol building;

78 (6) The general assembly, supreme court, county or
79 municipality may by rule, administrative regulation, or
80 ordinance prohibit or limit the carrying of concealed
81 firearms by permit or endorsement holders in that portion of
82 a building owned, leased or controlled by that unit of
83 government. Any portion of a building in which the carrying
84 of concealed firearms is prohibited or limited shall be

85 clearly identified by signs posted at the entrance to the
86 restricted area. The statute, rule or ordinance shall
87 exempt any building used for public housing by private
88 persons, highways or rest areas, firing ranges, and private
89 dwellings owned, leased, or controlled by that unit of
90 government from any restriction on the carrying or
91 possession of a firearm. The statute, rule or ordinance
92 shall not specify any criminal penalty for its violation but
93 may specify that persons violating the statute, rule or
94 ordinance may be denied entrance to the building, ordered to
95 leave the building and if employees of the unit of
96 government, be subjected to disciplinary measures for
97 violation of the provisions of the statute, rule or
98 ordinance. The provisions of this subdivision shall not
99 apply to any other unit of government;

100 (7) Any establishment licensed to dispense
101 intoxicating liquor for consumption on the premises, which
102 portion is primarily devoted to that purpose, without the
103 consent of the owner or manager. The provisions of this
104 subdivision shall not apply to the licensee of said
105 establishment. The provisions of this subdivision shall not
106 apply to any bona fide restaurant open to the general public
107 having dining facilities for not less than fifty persons and
108 that receives at least fifty-one percent of its gross annual
109 income from the dining facilities by the sale of food. This
110 subdivision does not prohibit the possession of a firearm in
111 a vehicle on the premises of the establishment and shall not
112 be a criminal offense so long as the firearm is not removed
113 from the vehicle or brandished while the vehicle is on the
114 premises. Nothing in this subdivision authorizes any
115 individual who has been issued a concealed carry permit or
116 endorsement to possess any firearm while intoxicated;

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

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

125 (10) Any higher education institution or elementary or
126 secondary school facility without the consent of the
127 governing body of the higher education institution or a
128 school official or the district school board, unless the
129 person with the concealed carry endorsement or permit is a
130 teacher or administrator of an elementary or secondary
131 school who has been designated by his or her school district
132 as a school protection officer and is carrying a firearm in
133 a school within that district, in which case no consent is
134 required. Possession of a firearm in a vehicle on the
135 premises of any higher education institution or elementary
136 or secondary school facility shall not be a criminal offense
137 so long as the firearm is not removed from the vehicle or
138 brandished while the vehicle is on the premises;

139 (11) Any portion of a building used as a child care
140 facility without the consent of the manager. Nothing in
141 this subdivision shall prevent the operator of a child care
142 facility in a family home from owning or possessing a
143 firearm or a concealed carry permit or endorsement;

144 (12) Any riverboat gambling operation accessible by
145 the public without the consent of the owner or manager
146 pursuant to rules promulgated by the gaming commission.
147 Possession of a firearm in a vehicle on the premises of a
148 riverboat gambling operation shall not be a criminal offense

149 so long as the firearm is not removed from the vehicle or
150 brandished while the vehicle is on the premises;

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

156 (14) Any church or other place of religious worship
157 without the consent of the minister or person or persons
158 representing the religious organization that exercises
159 control over the place of religious worship. Possession of
160 a firearm in a vehicle on the premises shall not be a
161 criminal offense so long as the firearm is not removed from
162 the vehicle or brandished while the vehicle is on the
163 premises;

164 (15) Any private property whose owner has posted the
165 premises as being off-limits to concealed firearms by means
166 of one or more signs displayed in a conspicuous place of a
167 minimum size of eleven inches by fourteen inches with the
168 writing thereon in letters of not less than one inch. The
169 owner, business or commercial lessee, manager of a private
170 business enterprise, or any other organization, entity, or
171 person may prohibit persons holding a concealed carry permit
172 or endorsement from carrying concealed firearms on the
173 premises and may prohibit employees, not authorized by the
174 employer, holding a concealed carry permit or endorsement
175 from carrying concealed firearms on the property of the
176 employer. If the building or the premises are open to the
177 public, the employer of the business enterprise shall post
178 signs on or about the premises if carrying a concealed
179 firearm is prohibited. Possession of a firearm in a vehicle
180 on the premises shall not be a criminal offense so long as

181 the firearm is not removed from the vehicle or brandished
182 while the vehicle is on the premises. An employer may
183 prohibit employees or other persons holding a concealed
184 carry permit or endorsement from carrying a concealed
185 firearm in vehicles owned by the employer;

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

191 (17) Any hospital accessible by the public.
192 Possession of a firearm in a vehicle on the premises of a
193 hospital shall not be a criminal offense so long as the
194 firearm is not removed from the vehicle or brandished while
195 the vehicle is on the premises; **or**

196 **(18) Any public library. Possession of a firearm in a**
197 **vehicle on the premises of a public library shall not be a**
198 **criminal offense so long as the firearm is not removed from**
199 **the vehicle or brandished while the vehicle is on the**
200 **premises.**

201 2. Carrying of a concealed firearm in a location
202 specified in subdivisions (1) to **[(17)] (18)** of subsection 1
203 of this section by any individual who holds a concealed
204 carry permit issued pursuant to sections 571.101 to 571.121,
205 or a concealed carry endorsement issued prior to August 28,
206 2013, shall not be a criminal act but may subject the person
207 to denial to the premises or removal from the premises. If
208 such person refuses to leave the premises and a peace
209 officer is summoned, such person may be issued a citation
210 for an amount not to exceed one hundred dollars for the
211 first offense. If a second citation for a similar violation
212 occurs within a six-month period, such person shall be fined

213 an amount not to exceed two hundred dollars and his or her
214 permit, and, if applicable, endorsement to carry concealed
215 firearms shall be suspended for a period of one year. If a
216 third citation for a similar violation is issued within one
217 year of the first citation, such person shall be fined an
218 amount not to exceed five hundred dollars and shall have his
219 or her concealed carry permit, and, if applicable,
220 endorsement revoked and such person shall not be eligible
221 for a concealed carry permit for a period of three years.
222 Upon conviction of charges arising from a citation issued
223 pursuant to this subsection, the court shall notify the
224 sheriff of the county which issued the concealed carry
225 permit, or, if the person is a holder of a concealed carry
226 endorsement issued prior to August 28, 2013, the court shall
227 notify the sheriff of the county which issued the
228 certificate of qualification for a concealed carry
229 endorsement and the department of revenue. The sheriff
230 shall suspend or revoke the concealed carry permit or, if
231 applicable, the certificate of qualification for a concealed
232 carry endorsement. If the person holds an endorsement, the
233 department of revenue shall issue a notice of such
234 suspension or revocation of the concealed carry endorsement
235 and take action to remove the concealed carry endorsement
236 from the individual's driving record. The director of
237 revenue shall notify the licensee that he or she must apply
238 for a new license pursuant to chapter 302 which does not
239 contain such endorsement. The notice issued by the
240 department of revenue shall be mailed to the last known
241 address shown on the individual's driving record. The
242 notice is deemed received three days after mailing.

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