

SENATE BILL NO. 788

102ND GENERAL ASSEMBLY

INTRODUCED BY SENATOR RAZER.

2820S.01H

KRISTINA MARTIN, Secretary

AN ACT

To amend chapter 571, RSMo, by adding thereto one new section relating to the offense of unlawful discharge of a firearm, with penalty provisions.

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

Section A. Chapter 571, RSMo, is amended by adding thereto
2 one new section, to be known as section 571.031, to read as
3 follows:

571.031. 1. This section shall be known and may be
2 cited as "Blair's Law".

3 2. A person commits the offense of unlawful discharge
4 of a firearm if, with criminal negligence, he or she
5 discharges a firearm within or into the limits of any
6 municipality.

7 3. This section shall not apply if the firearm is
8 discharged:

9 (1) As allowed by a defense of justification under
10 chapter 563;

11 (2) On a shooting range supervised by any person
12 eighteen years of age or older;

13 (3) To lawfully take wildlife during an open season
14 established by the department of conservation. Nothing in
15 this subdivision shall prevent a municipality from adopting
16 an ordinance restricting the discharge of a firearm within
17 one-quarter mile of an occupied structure;

18 (4) For the control of nuisance wildlife as permitted
19 by the department of conservation or the United States Fish
20 and Wildlife Service;

21 (5) By special permit of the chief of police of the
22 municipality;

23 (6) As required by an animal control officer in the
24 performance of his or her duties;

25 (7) Using blanks;

26 (8) More than one mile from any occupied structure;

27 (9) In self-defense or defense of another person
28 against an animal attack if a reasonable person would
29 believe that deadly physical force against the animal is
30 immediately necessary and reasonable under the circumstances
31 to protect oneself or the other person; or

32 (10) By law enforcement personnel, as defined in
33 section 590.1040, or a member of the United States Armed
34 Forces if acting in an official capacity.

35 4. A person who commits the offense of unlawful
36 discharge of a firearm shall be guilty of:

37 (1) For a first offense, a class A misdemeanor;

38 (2) For a second offense, a class E felony; and

39 (3) For a third or subsequent offense, a class D
40 felony.

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