

SECOND REGULAR SESSION

# HOUSE BILL NO. 2663

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MOON.

6152H.02I

D. ADAM CRUMBLISS, Chief Clerk

## AN ACT

To amend chapter 571, RSMo, by adding thereto one new section relating to liability for firearm exclusion in certain locations.

*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 known as section 571.068, to read as follows:

- 571.068. 1. Any person or entity authorized to post signage on property prohibiting the possession of a firearm by a person authorized to carry a firearm under sections 571.101 to 571.121 shall assume absolute custodial responsibility for the safety and defense of the endorsement or permit holder while on the such property and while on any property the endorsement or permit holder is required to traverse in order to travel to and from the location where the endorsement or permit holder's firearm is stored.**
- 2. The responsibility of the person or entity posting for the safety and defense of the endorsement or permit holder shall extend to the conduct of other invitees, trespassers, or employees of the person or entity.**
- 3. (1) Any firearm carry endorsement or permit holder who is injured, suffers bodily injury or death, incurs economic loss or expense, property damage, or any other compensable loss as a result of the conduct occurring on property where signage is posted prohibiting firearms shall have a cause of action against the person or entity posting such signage so long as such person is an invitee on such property. In addition to damages, such person shall be entitled to reasonable attorney's fees, expert witness costs, and other costs necessary to bring the cause of action.**

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           **(2) The statute of limitations for an action under this subsection shall be two years**  
18 **from the date of the occurrence giving rise to the damages, loss, or injury.**

19           **4. Any notice or signage prohibiting firearms on the property shall also contain**  
20 **language citing the provisions of this section and stating that any endorsement or permit**  
21 **holder on the posted property is under the custodial responsibility of the posting person**  
22 **or entity.**

23           **5. To prevail in an action brought under this section, the plaintiff shall show by a**  
24 **preponderance of the evidence that:**

25           **(1) The plaintiff was authorized to carry a firearm under sections 571.101 to**  
26 **571.121 at the time of the incident giving rise to the action;**

27           **(2) The plaintiff was prohibited from carrying a firearm on the property where the**  
28 **incident occurred because signage was posted prohibiting firearms on the property; and**

29           **(3) The property was not required to post signage prohibiting firearms on the**  
30 **property by state or federal law but was posted by choice of the defendant.**

31           **6. This section shall be liberally construed to effectuate its purpose.**

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