

FIRST REGULAR SESSION

# SENATE BILL NO. 318

99TH GENERAL ASSEMBLY

INTRODUCED BY SENATORS SIFTON AND HUMMEL.

Read 1st time January 19, 2017, and ordered printed.

ADRIANE D. CROUSE, Secretary.

1458S.01I

## AN ACT

To repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to unlawful possession of firearms, with penalty provisions.

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

Section A. Section 571.070, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 571.070, to read as follows:

571.070. 1. A person commits the offense of unlawful possession of a  
2 firearm if such person knowingly has any firearm in his or her possession and:

3 (1) Such person has been convicted of a felony under the laws of this  
4 state, or of a crime under the laws of any state or of the United States which, if  
5 committed within this state, would be a felony, **or has been convicted in any**  
6 **court of a misdemeanor crime of domestic violence; [or]**

7 (2) Such person is a fugitive from justice, is habitually in an intoxicated  
8 or drugged condition, or is currently adjudged mentally incompetent, **is illegally**  
9 **or unlawfully in the United States, or having been a citizen of the**  
10 **United States, has renounced United States citizenship; or**

11 (3) Such person is subject to a court order that:

12 (a) Was issued after a hearing of which such person received  
13 actual notice, and at which such person had an opportunity to  
14 participate;

15 (b) Restrains such person from harassing, stalking, or  
16 threatening a petitioner, as defined in subdivision (11) of section  
17 455.010, or a child of such petitioner, or engaging in other conduct that  
18 would place such petitioner in reasonable fear of bodily injury to the  
19 petitioner or child; and

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

20           **a. Includes a finding that such person represents a credible**  
21 **threat to the physical safety of such petitioner or child; or**

22           **b. By its terms explicitly prohibits the use, attempted use, or**  
23 **threatened use of physical force against such petitioner or child that**  
24 **would reasonably be expected to cause bodily injury.**

25           2. Unlawful possession of a firearm is a class D felony.

26           3. The provisions of subdivision (1) of subsection 1 of this section shall not  
27 apply to the possession of an antique firearm.

✓  
Unofficial

Bill

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