

SECOND REGULAR SESSION

HOUSE BILL NO. 2896

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COOK.

5713H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 650.030, RSMo, and to enact in lieu thereof one new section relating to retired law enforcement officers carrying concealed weapons.

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

Section A. Section 650.030, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 650.030, to read as follows:

650.030. **1.** The director of public safety shall ~~[have authority to]~~ establish a state firearms training and qualification standard for retired law enforcement officers carrying concealed firearms pursuant to 18 U.S.C. 926C of the Law Enforcement Officers Safety Act of 2004[,] and shall promulgate rules for the implementation of this state standard as required by 18 U.S.C. Section 926C(d)(2)(B). Any rule or portion of a rule, as that term is defined in section 536.010, that is created under the authority delegated in this section shall become effective only if it complies with and is subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable and if any of the powers vested with the general assembly pursuant to chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after August 28, 2005, shall be invalid and void.

2. A retired law enforcement officer satisfies the federal certification requirements if he or she possesses a valid firearms qualification certificate that:

(1) Uses the model certificate created under subsection 4 of this section;

(2) Provides that either a law enforcement agency or an individual or entity certified to provide firearms training acknowledges that the bearer has been found

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.

18 **qualified or otherwise found to satisfy the standards established by the peace officer**
19 **standards and training commission for firearms qualification for the basic training of**
20 **peace officers; and**

21 **(3) Complies with the time restrictions provided under subsection 3 of this**
22 **section.**

23 **3. The firearms certificate is valid for a period of one year from the date that the**
24 **law enforcement agency, individual, or entity certified to provide firearms training**
25 **determines that the bearer is qualified or otherwise found to satisfy the standards**
26 **established by the peace officer standards and training commission for firearms**
27 **qualification for the basic training of peace officers, and the certificate shall state the**
28 **date the determination was made.**

29 **4. The department of public safety shall develop a model certificate that shall**
30 **serve as the required firearms qualification certificate once the certificate is valid under**
31 **subsection 2 of this section. The department shall make the model certificate accessible**
32 **on its website. The model certificate shall state that the retired law enforcement officer**
33 **bearing the certificate is qualified or otherwise found to satisfy the standards**
34 **established by the peace officer standards and training commission for firearms**
35 **qualification for the basic training of peace officers.**

36 **5. The retired law enforcement officer is responsible for paying the costs of the**
37 **firearms qualification required under subsection 2 of this section.**

38 **6. Nothing in this section shall be deemed to require a local law enforcement**
39 **agency to complete the certificate.**

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