

SECOND REGULAR SESSION
HOUSE COMMITTEE SUBSTITUTE FOR
SENATE BILL NO. 656
98TH GENERAL ASSEMBLY

4337H.04C

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 50.535, 563.031, 571.030, 571.101 571.104, 571.111, and 571.126, RSMo, and to enact in lieu thereof fifteen new sections relating to firearms, with penalty provisions and an emergency clause for a certain section.

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

Section A. Sections 50.535, 563.031, 571.030, 571.101 571.104, 571.111, and 571.126, RSMo, are repealed and fifteen new sections enacted in lieu thereof, to be known as sections 50.535, 57.281, 171.400, 563.031, 571.030, 571.101, 571.104, 571.111, 571.126, 571.205, 571.210, 571.215, 571.220, 571.225, and 571.230, to read as follows:

50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected pursuant to subsections 11 and 12 of section 571.101 shall be deposited by the county treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund" to be expended at the direction of the county or city sheriff or his or her designee as provided in this section.

2. No prior approval of the expenditures from this fund shall be required by the governing body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund be required before any expenditure is made by the sheriff from this fund. This fund shall only be used by law enforcement agencies for the purchase of equipment, to provide training, and to make necessary expenditures to process applications for concealed carry permits or renewals, including but not limited to the purchase of equipment, information and data exchange, training, fingerprinting and background checks, employment of additional personnel, and any expenditure necessitated by an action under section 571.114 or 571.117. **Except as provided in subsection 5 of this section**, if the moneys collected and deposited into this fund are not totally expended annually, then the unexpended balance [shall] **may** remain in

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.

16 said fund and the balance [shall] **may** be kept in said fund to accumulate from year to year. This
17 fund may be audited by the state auditor's office or the appropriate auditing agency. **The funds**
18 **received under section 571.101 shall be used only to supplement the sheriff's funding**
19 **received from other county, state, or general funds. The county commission shall not**
20 **reduce any sheriff's budget as a result of funds received under section 571.101.**

21 3. Notwithstanding any provision of this section to the contrary, the sheriff of every
22 county, regardless of classification, is authorized to pay, from the sheriff's revolving fund, all
23 reasonable and necessary costs and expenses for activities or services occasioned by compliance
24 with sections 571.101 to 571.121. Such was the intent of the general assembly in original
25 enactment of this section and sections 571.101 to 571.121, and it is made express by this section
26 in light of the decision in *Brooks v. State of Missouri*, (Mo. Sup. Ct. February 26, 2004). The
27 application and renewal fees to be charged pursuant to section 571.101 shall be based on the
28 sheriff's good faith estimate, made during regular budgeting cycles, of the actual costs and
29 expenses to be incurred by reason of compliance with sections 571.101 to 571.121. If the
30 maximum fee permitted by section 571.101 is inadequate to cover the actual reasonable and
31 necessary expenses in a given year, and there are not sufficient accumulated unexpended funds
32 in the revolving fund, a sheriff may present specific and verified evidence of the unreimbursed
33 expenses to the office of administration, which upon certification by the attorney general shall
34 reimburse such sheriff for those expenses from an appropriation made for that purpose.

35 4. If pursuant to subsection 13 of section 571.101, the sheriff of a county of the first
36 classification designates one or more chiefs of police of any town, city, or municipality within
37 such county to accept and process applications for concealed carry permits, then that sheriff shall
38 reimburse such chiefs of police, out of the moneys deposited into this fund, for any reasonable
39 expenses related to accepting and processing such applications.

40 **5. Any excess funds unnecessary to meet the mandate of subsection 3 of this section**
41 **may be expended for other purposes or transferred to discretionary funds for county**
42 **sheriffs; provided that, no claim for inadequate coverage under subsection 3 of this section**
43 **has been made within the last five years resulting in reimbursement from the office of**
44 **administration for expenses incurred implementing sections 571.101 to 571.121.**

57.281. 1. **This section shall only apply to sheriffs of counties of the third**
2 **classification. Under this section, a sheriff may elect, but is not mandated to elect, to utilize**
3 **the provisions of this section and provide a service authorized in this section. A sheriff may**
4 **discontinue a service authorized in this section at his or her discretion.**

5 2. **Any state agency listed in section 621.045; the division of professional**
6 **registration of the department of insurance, financial institutions and professional**
7 **registration; the department of social services; the supreme court of Missouri; the state**

8 courts administrator; the department of elementary and secondary education; the
9 department of natural resources; the Missouri lottery; the Missouri gaming commission;
10 or any state, municipal, or county agency which screens persons seeking employment with
11 such agencies or issues or renews a license, permit, certificate, or registration of authority
12 from such agencies; or any state, municipal, or county agency or committee, or state school
13 of higher education that is authorized by state statute or executive order, or local or county
14 ordinance to screen applicants or candidates seeking or considered for employment,
15 assignment, contracting, or appointment to a position within state, municipal, or county
16 government; or the Missouri peace officers standards and training (POST) commission
17 that screens persons not employed by a criminal justice agency who seek enrollment or
18 access into a certified POST training academy police school, or persons seeking a permit
19 to purchase or possess a firearm for employment as a watchman, security personnel, or
20 private investigator; or law enforcement agencies that screen persons seeking issuance or
21 renewal of a license, permit, certificate, or registration to purchase or possess a firearm
22 shall submit two sets of fingerprints to the sheriff of counties of the third classification for
23 the purpose of checking the person's criminal history. The first set of fingerprints shall be
24 used to search the Missouri criminal records repository, and the second set of fingerprints
25 shall be submitted to the Federal Bureau of Investigation to be used for searching the
26 federal criminal history files, if necessary. The fingerprints shall be submitted on forms
27 and in the manner prescribed by the sheriff of a county of the third classification. Fees
28 assessed for the searches shall be paid by the applicant or in the manner prescribed by the
29 sheriff and shall be deposited to the credit of the fund provided in subsection 3 of section
30 57.280 and subject to the limitations therein. Notwithstanding the provisions of section
31 610.120, all records related to any criminal history information discovered shall be
32 accessible and available to the state, municipal, or county agency making the record
33 request.

171.400. 1. No public school administrator, public school
2 teacher, or other employee of a public school district or charter school shall require a
3 student or the student's parent to provide information on firearm ownership by the
4 student's family.
5 2. No public school administrator or other employee of a public school district or
6 charter school shall require a public school teacher or other public school employee to
7 provide information on firearm ownership by the teacher or public school employee.
8 3. Any information on firearm ownership that is voluntarily provided by a student,
9 parent, teacher, or employee of a public school district or charter school shall not be the
10 basis for adverse disciplinary action against a public school student or adverse employment

11 **action against a public school teacher or employee of a public school district or charter**
12 **school; provided, however, that this subsection shall not prohibit adverse disciplinary or**
13 **employment action based on a violation of chapter 571.**

14 **4. For purposes of this section, "public school" shall include any charter school.**

563.031. 1. A person may, subject to the provisions of subsection 2 of this section, use
2 physical force upon another person when and to the extent he or she reasonably believes such
3 force to be necessary to defend himself or herself or a third person from what he or she
4 reasonably believes to be the use or imminent use of unlawful force by such other person, unless:

5 (1) The actor was the initial aggressor; except that in such case his or her use of force
6 is nevertheless justifiable provided:

7 (a) He or she has withdrawn from the encounter and effectively communicated such
8 withdrawal to such other person but the latter persists in continuing the incident by the use or
9 threatened use of unlawful force; or

10 (b) He or she is a law enforcement officer and as such is an aggressor pursuant to section
11 563.046; or

12 (c) The aggressor is justified under some other provision of this chapter or other
13 provision of law;

14 (2) Under the circumstances as the actor reasonably believes them to be, the person
15 whom he or she seeks to protect would not be justified in using such protective force;

16 (3) The actor was attempting to commit, committing, or escaping after the commission
17 of a forcible felony.

18 2. A person [may] **shall** not use deadly force upon another person under the
19 circumstances specified in subsection 1 of this section unless:

20 (1) He or she reasonably believes that such deadly force is necessary to protect himself,
21 or herself or her unborn child, or another against death, serious physical injury, or any forcible
22 felony;

23 (2) Such force is used against a person who unlawfully enters, remains after unlawfully
24 entering, or attempts to unlawfully enter a dwelling, residence, or vehicle lawfully occupied by
25 such person; or

26 (3) Such force is used against a person who unlawfully enters, remains after unlawfully
27 entering, or attempts to unlawfully enter private property that is owned or leased by an
28 individual, **or is occupied by an individual who has been given specific authority by the**
29 **property owner to occupy the property**, claiming a justification of using protective force under
30 this section.

31 3. A person does not have a duty to retreat:

32 (1) From a dwelling, residence, or vehicle where the person is not unlawfully entering
33 or unlawfully remaining[. A person does not have a duty to retreat] ;

34 (2) From private property that is owned or leased by such individual; or

35 (3) **If the person is in any other location such person has the right to be.**

36 4. The justification afforded by this section extends to the use of physical restraint as
37 protective force provided that the actor takes all reasonable measures to terminate the restraint
38 as soon as it is reasonable to do so.

39 5. The defendant shall have the burden of injecting the issue of justification under this
40 section. If a defendant asserts that his or her use of force is described under subdivision (2) of
41 subsection 2 of this section, the burden shall then be on the state to prove beyond a reasonable
42 doubt that the defendant did not reasonably believe that the use of such force was necessary to
43 defend against what he or she reasonably believed was the use or imminent use of unlawful
44 force.

571.030. 1. A person commits the crime of unlawful use of weapons, **except as**
2 **provided by sections 571.101 to 571.121**, if he or she knowingly:

3 (1) Carries concealed upon or about his or her person a knife, a firearm, a blackjack or
4 any other weapon readily capable of lethal use **into any area where firearms are restricted**
5 **under section 571.107**; or

6 (2) Sets a spring gun; or

7 (3) Discharges or shoots a firearm into a dwelling house, a railroad train, boat, aircraft,
8 or motor vehicle as defined in section 302.010, or any building or structure used for the
9 assembling of people; or

10 (4) Exhibits, in the presence of one or more persons, any weapon readily capable of
11 lethal use in an angry or threatening manner; or

12 (5) Has a firearm or projectile weapon readily capable of lethal use on his or her person,
13 while he or she is intoxicated, and handles or otherwise uses such firearm or projectile weapon
14 in either a negligent or unlawful manner or discharges such firearm or projectile weapon unless
15 acting in self-defense; or

16 (6) Discharges a firearm within one hundred yards of any occupied schoolhouse,
17 courthouse, or church building; or

18 (7) Discharges or shoots a firearm at a mark, at any object, or at random, on, along or
19 across a public highway or discharges or shoots a firearm into any outbuilding; or

20 (8) Carries a firearm or any other weapon readily capable of lethal use into any church
21 or place where people have assembled for worship, or into any election precinct on any election
22 day, or into any building owned or occupied by any agency of the federal government, state
23 government, or political subdivision thereof; or

24 (9) Discharges or shoots a firearm at or from a motor vehicle, as defined in section
25 301.010, discharges or shoots a firearm at any person, or at any other motor vehicle, or at any
26 building or habitable structure, unless the person was lawfully acting in self-defense; or

27 (10) Carries a firearm, whether loaded or unloaded, or any other weapon readily capable
28 of lethal use into any school, onto any school bus, or onto the premises of any function or activity
29 sponsored or sanctioned by school officials or the district school board; or

30 (11) Possesses a firearm while also knowingly in possession of a controlled substance
31 that is sufficient for a felony violation of section 195.202[.]; or

32 **(12) Carries a firearm or any other weapon readily capable of lethal use into any**
33 **meeting of the governing body of a unit of local government; or any meeting of the general**
34 **assembly or a committee of the general assembly.**

35 2. Subdivisions (1), (8), [and] (10), **and (12)** of subsection 1 of this section shall not
36 apply to the persons described in this subsection, regardless of whether such uses are reasonably
37 associated with or are necessary to the fulfillment of such person's official duties except as
38 otherwise provided in this subsection. Subdivisions (3), (4), (6), (7), and (9) of subsection 1 of
39 this section shall not apply to or affect any of the following persons, when such uses are
40 reasonably associated with or are necessary to the fulfillment of such person's official duties,
41 except as otherwise provided in this subsection:

42 (1) All state, county and municipal peace officers who have completed the training
43 required by the police officer standards and training commission pursuant to sections 590.030
44 to 590.050 and who possess the duty and power of arrest for violation of the general criminal
45 laws of the state or for violation of ordinances of counties or municipalities of the state, whether
46 such officers are on or off duty, and whether such officers are within or outside of the law
47 enforcement agency's jurisdiction, or all qualified retired peace officers, as defined in subsection
48 12 of this section, and who carry the identification defined in subsection 13 of this section, or
49 any person summoned by such officers to assist in making arrests or preserving the peace while
50 actually engaged in assisting such officer;

51 (2) Wardens, superintendents and keepers of prisons, penitentiaries, jails and other
52 institutions for the detention of persons accused or convicted of crime;

53 (3) Members of the Armed Forces or National Guard while performing their official
54 duty;

55 (4) Those persons vested by Article V, Section 1 of the Constitution of Missouri with
56 the judicial power of the state and those persons vested by Article III of the Constitution of the
57 United States with the judicial power of the United States, the members of the federal judiciary;

58 (5) Any person whose bona fide duty is to execute process, civil or criminal;

59 (6) Any federal probation officer or federal flight deck officer as defined under the
60 federal flight deck officer program, 49 U.S.C. Section 44921, regardless of whether such officers
61 are on duty, or within the law enforcement agency's jurisdiction;

62 (7) Any state probation or parole officer, including supervisors and members of the
63 board of probation and parole;

64 (8) Any corporate security advisor meeting the definition and fulfilling the requirements
65 of the regulations established by the department of public safety under section 590.750;

66 (9) Any coroner, deputy coroner, medical examiner, or assistant medical examiner;

67 (10) Any **municipal or county** prosecuting attorney or assistant prosecuting attorney[,]
68 ; circuit attorney or assistant circuit attorney[,] ; **municipal, associate, or circuit judge**; or any
69 person appointed by a court to be a special prosecutor who has completed the firearms safety
70 training course required under subsection 2 of section 571.111;

71 (11) Any member of a fire department or fire protection district who is employed on a
72 full-time basis as a fire investigator and who has a valid concealed carry endorsement issued
73 prior to August 28, 2013, or a valid concealed carry permit under section 571.111 when such
74 uses are reasonably associated with or are necessary to the fulfillment of such person's official
75 duties; and

76 (12) Upon the written approval of the governing body of a fire department or fire
77 protection district, any fire department or fire protection district [chief] **member** who is
78 employed on a full-time basis and who has a valid concealed carry endorsement issued prior to
79 August 28, 2013, or a valid concealed carry permit, when such uses are reasonably associated
80 with or are necessary to the fulfillment of such person's official duties.

81 3. Subdivisions (1), (5), (8), and (10) of subsection 1 of this section do not apply when
82 the actor is transporting such weapons in a nonfunctioning state or in an unloaded state when
83 ammunition is not readily accessible or when such weapons are not readily accessible.
84 Subdivision (1) of subsection 1 of this section does not apply to any person nineteen years of age
85 or older or eighteen years of age or older and a member of the United States Armed Forces, or
86 honorably discharged from the United States Armed Forces, transporting a concealable firearm
87 in the passenger compartment of a motor vehicle, so long as such concealable firearm is
88 otherwise lawfully possessed, nor when the actor is also in possession of an exposed firearm or
89 projectile weapon for the lawful pursuit of game, or is in his or her dwelling unit or upon
90 premises over which the actor has possession, authority or control, or is traveling in a continuous
91 journey peaceably through this state. Subdivision (10) of subsection 1 of this section does not
92 apply if the firearm is otherwise lawfully possessed by a person while traversing school premises
93 for the purposes of transporting a student to or from school, or possessed by an adult for the
94 purposes of facilitation of a school-sanctioned firearm-related event or club event.

95 4. Subdivisions (1), (8), and (10) of subsection 1 of this section shall not apply to any
96 person who has a valid concealed carry permit issued pursuant to sections 571.101 to 571.121,
97 a valid concealed carry endorsement issued before August 28, 2013, or a valid permit or
98 endorsement to carry concealed firearms issued by another state or political subdivision of
99 another state.

100 5. Subdivisions (3), (4), (5), (6), (7), (8), (9), and (10) of subsection 1 of this section shall
101 not apply to persons who are engaged in a lawful act of defense pursuant to section 563.031.

102 6. Notwithstanding any provision of this section to the contrary, the state shall not
103 prohibit any state employee from having a firearm in the employee's vehicle on the state's
104 property provided that the vehicle is locked and the firearm is not visible. This subsection shall
105 only apply to the state as an employer when the state employee's vehicle is on property owned
106 or leased by the state and the state employee is conducting activities within the scope of his or
107 her employment. For the purposes of this subsection, "state employee" means an employee of
108 the executive, legislative, or judicial branch of the government of the state of Missouri.

109 7. Nothing in this section shall make it unlawful for a student to actually participate in
110 school-sanctioned gun safety courses, student military or ROTC courses, or other
111 school-sponsored or club-sponsored firearm-related events, provided the student does not carry
112 a firearm or other weapon readily capable of lethal use into any school, onto any school bus, or
113 onto the premises of any other function or activity sponsored or sanctioned by school officials
114 or the district school board.

115 [8. Unlawful use of weapons is a class D felony unless committed pursuant to
116 subdivision (6), (7), or (8) of subsection 1 of this section, in which cases it is a class B
117 misdemeanor, or subdivision (5) or (10) of subsection 1 of this section, in which case it is a class
118 A misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded, or
119 subdivision (9) of subsection 1 of this section, in which case it is a class B felony, except that
120 if the violation of subdivision (9) of subsection 1 of this section results in injury or death to
121 another person, it is a class A felony.]

122 **8. A person who commits the crime of unlawful use of weapons under:**

123 **(1) Subdivision (2), (3) or (4) of subsection 1 of this section shall be guilty of a class**
124 **D felony;**

125 **(2) Subdivision (1), (6), (7), (8), (11) or (12) of subsection 1 of this section shall be**
126 **guilty of a class B misdemeanor, except when a concealed weapon is carried onto any**
127 **private property whose owner has posted the premises as being off-limits to concealed**
128 **firearms by means of one or more signs displayed in a conspicuous place of a minimum size**
129 **of eleven inches by fourteen inches with the writing thereon in letters of not less than one**
130 **inch, in which case the penalties of subsection 2 of section 571.107 shall apply;**

131 **(3) Subdivision (5) or (10) of subsection 1 of this section shall be guilty of a class A**
132 **misdemeanor if the firearm is unloaded and a class D felony if the firearm is loaded;**

133 **(4) Subdivision (9) of subsection 1 of this section shall be guilty of a class B felony,**
134 **except that if the violation of subdivision (9) of subsection 1 of this section results in injury**
135 **or death to another person, it is a class A felony.**

136 9. Violations of subdivision (9) of subsection 1 of this section shall be punished as
137 follows:

138 (1) For the first violation a person shall be sentenced to the maximum authorized term
139 of imprisonment for a class B felony;

140 (2) For any violation by a prior offender as defined in section 558.016, a person shall be
141 sentenced to the maximum authorized term of imprisonment for a class B felony without the
142 possibility of parole, probation or conditional release for a term of ten years;

143 (3) For any violation by a persistent offender as defined in section 558.016, a person
144 shall be sentenced to the maximum authorized term of imprisonment for a class B felony without
145 the possibility of parole, probation, or conditional release;

146 (4) For any violation which results in injury or death to another person, a person shall
147 be sentenced to an authorized disposition for a class A felony.

148 10. Any person knowingly aiding or abetting any other person in the violation of
149 subdivision (9) of subsection 1 of this section shall be subject to the same penalty as that
150 prescribed by this section for violations by other persons.

151 11. Notwithstanding any other provision of law, no person who pleads guilty to or is
152 found guilty of a felony violation of subsection 1 of this section shall receive a suspended
153 imposition of sentence if such person has previously received a suspended imposition of sentence
154 for any other firearms- or weapons-related felony offense.

155 12. As used in this section "qualified retired peace officer" means an individual who:

156 (1) Retired in good standing from service with a public agency as a peace officer, other
157 than for reasons of mental instability;

158 (2) Before such retirement, was authorized by law to engage in or supervise the
159 prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any
160 violation of law, and had statutory powers of arrest;

161 (3) Before such retirement, was regularly employed as a peace officer for an aggregate
162 of fifteen years or more, or retired from service with such agency, after completing any
163 applicable probationary period of such service, due to a service-connected disability, as
164 determined by such agency;

165 (4) Has a nonforfeitable right to benefits under the retirement plan of the agency if such
166 a plan is available;

167 (5) During the most recent twelve-month period, has met, at the expense of the
168 individual, the standards for training and qualification for active peace officers to carry firearms;

169 (6) Is not under the influence of alcohol or another intoxicating or hallucinatory drug or
170 substance; and

171 (7) Is not prohibited by federal law from receiving a firearm.

172 13. The identification required by subdivision (1) of subsection 2 of this section is:

173 (1) A photographic identification issued by the agency from which the individual retired
174 from service as a peace officer that indicates that the individual has, not less recently than one
175 year before the date the individual is carrying the concealed firearm, been tested or otherwise
176 found by the agency to meet the standards established by the agency for training and qualification
177 for active peace officers to carry a firearm of the same type as the concealed firearm; or

178 (2) A photographic identification issued by the agency from which the individual retired
179 from service as a peace officer; and

180 (3) A certification issued by the state in which the individual resides that indicates that
181 the individual has, not less recently than one year before the date the individual is carrying the
182 concealed firearm, been tested or otherwise found by the state to meet the standards established
183 by the state for training and qualification for active peace officers to carry a firearm of the same
184 type as the concealed firearm.

571.101. 1. All applicants for concealed carry permits issued pursuant to subsection 7
2 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant
3 can show qualification as provided by sections 571.101 to 571.121, the county or city sheriff
4 shall issue a concealed carry permit authorizing the carrying of a concealed firearm on or about
5 the applicant's person or within a vehicle. A concealed carry permit shall be valid from the date
6 of issuance or renewal until five years from the last day of the month in which the permit was
7 issued or renewed. The concealed carry permit is valid throughout this state. Although the
8 permit is considered valid in the state, a person who fails to renew his or her permit within five
9 years from the date of issuance or renewal shall not be eligible for an exception to a National
10 Instant Criminal Background Check under federal regulations currently codified under 27 CFR
11 478.102(d), relating to the transfer, sale, or delivery of firearms from licensed dealers. A
12 concealed carry endorsement issued prior to August 28, 2013, shall continue from the date of
13 issuance or renewal until three years from the last day of the month in which the endorsement
14 was issued or renewed to authorize the carrying of a concealed firearm on or about the applicant's
15 person or within a vehicle in the same manner as a concealed carry permit issued under
16 subsection 7 of this section on or after August 28, 2013.

17 2. A concealed carry permit issued pursuant to subsection 7 of this section shall be issued
18 by the sheriff or his or her designee of the county or city in which the applicant resides, if the
19 applicant:

20 (1) Is at least nineteen years of age, is a citizen or permanent resident of the United States
21 and either:

22 (a) Has assumed residency in this state; or

23 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such
24 member of the military;

25 (2) Is at least nineteen years of age, or is at least eighteen years of age and a member of
26 the United States Armed Forces or honorably discharged from the United States Armed Forces,
27 and is a citizen of the United States and either:

28 (a) Has assumed residency in this state;

29 (b) Is a member of the Armed Forces stationed in Missouri; or

30 (c) The spouse of such member of the military stationed in Missouri and nineteen years
31 of age;

32 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a
33 crime punishable by imprisonment for a term exceeding one year under the laws of any state or
34 of the United States other than a crime classified as a misdemeanor under the laws of any state
35 and punishable by a term of imprisonment of two years or less that does not involve an explosive
36 weapon, firearm, firearm silencer or gas gun;

37 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one
38 or more misdemeanor offenses involving crimes of violence within a five-year period
39 immediately preceding application for a concealed carry permit or if the applicant has not been
40 convicted of two or more misdemeanor offenses involving driving while under the influence of
41 intoxicating liquor or drugs or the possession or abuse of a controlled substance within a
42 five-year period immediately preceding application for a concealed carry permit;

43 (5) Is not a fugitive from justice or currently charged in an information or indictment
44 with the commission of a crime punishable by imprisonment for a term exceeding one year under
45 the laws of any state of the United States other than a crime classified as a misdemeanor under
46 the laws of any state and punishable by a term of imprisonment of two years or less that does not
47 involve an explosive weapon, firearm, firearm silencer, or gas gun;

48 (6) Has not been discharged under dishonorable conditions from the United States
49 Armed Forces;

50 (7) Has not engaged in a pattern of behavior, documented in public or closed records,
51 that causes the sheriff to have a reasonable belief that the applicant presents a danger to himself
52 or others;

53 (8) Is not adjudged mentally incompetent at the time of application or for five years prior
54 to application, or has not been committed to a mental health facility, as defined in section
55 632.005, or a similar institution located in another state following a hearing at which the
56 defendant was represented by counsel or a representative;

57 (9) Submits a completed application for a permit as described in subsection 3 of this
58 section;

59 (10) Submits an affidavit attesting that the applicant complies with the concealed carry
60 safety training requirement pursuant to subsections 1 and 2 of section 571.111;

61 (11) Is not the respondent of a valid full order of protection which is still in effect;

62 (12) Is not otherwise prohibited from possessing a firearm under section 571.070 or 18
63 U.S.C. Section 922(g).

64 3. The application for a concealed carry permit issued by the sheriff of the county of the
65 applicant's residence shall contain only the following information:

66 (1) The applicant's name, address, telephone number, gender, date and place of birth,
67 and, if the applicant is not a United States citizen, the applicant's country of citizenship and any
68 alien or admission number issued by the Federal Bureau of Customs and Immigration
69 Enforcement or any successor agency;

70 (2) An affirmation that the applicant has assumed residency in Missouri or is a member
71 of the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces
72 and is a citizen or permanent resident of the United States;

73 (3) An affirmation that the applicant is at least nineteen years of age or is eighteen years
74 of age or older and a member of the United States Armed Forces or honorably discharged from
75 the United States Armed Forces;

76 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime
77 punishable by imprisonment for a term exceeding one year under the laws of any state or of the
78 United States other than a crime classified as a misdemeanor under the laws of any state and
79 punishable by a term of imprisonment of two years or less that does not involve an explosive
80 weapon, firearm, firearm silencer, or gas gun;

81 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered
82 a plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence
83 within a five-year period immediately preceding application for a permit or if the applicant has
84 not been convicted of two or more misdemeanor offenses involving driving while under the
85 influence of intoxicating liquor or drugs or the possession or abuse of a controlled substance
86 within a five-year period immediately preceding application for a permit;

87 (6) An affirmation that the applicant is not a fugitive from justice or currently charged
88 in an information or indictment with the commission of a crime punishable by imprisonment for

89 a term exceeding one year under the laws of any state or of the United States other than a crime
90 classified as a misdemeanor under the laws of any state and punishable by a term of
91 imprisonment of two years or less that does not involve an explosive weapon, firearm, firearm
92 silencer or gas gun;

93 (7) An affirmation that the applicant has not been discharged under dishonorable
94 conditions from the United States Armed Forces;

95 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time
96 of application or for five years prior to application, or has not been committed to a mental health
97 facility, as defined in section 632.005, or a similar institution located in another state, except that
98 a person whose release or discharge from a facility in this state pursuant to chapter 632, or a
99 similar discharge from a facility in another state, occurred more than five years ago without
100 subsequent recommitment may apply;

101 (9) An affirmation that the applicant has received firearms safety training that meets the
102 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

103 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is
104 not the respondent of a valid full order of protection which is still in effect;

105 (11) A conspicuous warning that false statements made by the applicant will result in
106 prosecution for perjury pursuant to the laws of the state of Missouri; and

107 (12) A government-issued photo identification. This photograph shall not be included
108 on the permit and shall only be used to verify the person's identity for permit renewal, or for the
109 issuance of a new permit due to change of address, or for a lost or destroyed permit.

110 4. An application for a concealed carry permit shall be made to the sheriff of the county
111 or any city not within a county in which the applicant resides. An application shall be filed in
112 writing, signed under oath and under the penalties of perjury, and shall state whether the
113 applicant complies with each of the requirements specified in subsection 2 of this section. In
114 addition to the completed application, the applicant for a concealed carry permit must also
115 submit the following:

116 (1) A photocopy of a firearms safety training certificate of completion or other evidence
117 of completion of a firearms safety training course that meets the standards established in
118 subsection 1 or 2 of section 571.111; and

119 (2) A nonrefundable permit fee as provided by subsection 11 or 12 of this section.

120 5. (1) Before an application for a concealed carry permit is approved, the sheriff shall
121 make only such inquiries as he or she deems necessary into the accuracy of the statements made
122 in the application. The sheriff may require that the applicant display a Missouri driver's license
123 or nondriver's license or military identification and orders showing the person being stationed
124 in Missouri. In order to determine the applicant's suitability for a concealed carry permit, the

125 applicant shall be fingerprinted. No other biometric data shall be collected from the applicant.
126 The sheriff shall conduct an inquiry of the National Instant Criminal Background Check System
127 within three working days after submission of the properly completed application for a concealed
128 carry permit. If no disqualifying record is identified by these checks at the state level, the
129 fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal
130 history record check. Upon receipt of the completed report from the National Instant Criminal
131 Background Check System and the response from the Federal Bureau of Investigation national
132 criminal history record check, the sheriff shall examine the results and, if no disqualifying
133 information is identified, shall issue a concealed carry permit within three working days.

134 (2) In the event the report from the National Instant Criminal Background Check System
135 and the response from the Federal Bureau of Investigation national criminal history record check
136 prescribed by subdivision (1) of this subsection are not completed within forty-five calendar days
137 and no disqualifying information concerning the applicant has otherwise come to the sheriff's
138 attention, the sheriff shall issue a provisional permit, clearly designated on the certificate as such,
139 which the applicant shall sign in the presence of the sheriff or the sheriff's designee. This permit,
140 when carried with a valid Missouri driver's or nondriver's license or a valid military
141 identification, shall permit the applicant to exercise the same rights in accordance with the same
142 conditions as pertain to a concealed carry permit issued under this section, provided that it shall
143 not serve as an alternative to an national instant criminal background check required by 18
144 U.S.C. Section 922(t). The provisional permit shall remain valid until such time as the sheriff
145 either issues or denies the certificate of qualification under subsection 6 or 7 of this section. The
146 sheriff shall revoke a provisional permit issued under this subsection within twenty-four hours
147 of receipt of any report that identifies a disqualifying record, and shall notify the concealed carry
148 permit system established under subsection 5 of section 650.350. The revocation of a
149 provisional permit issued under this section shall be proscribed in a manner consistent to the
150 denial and review of an application under subsection 6 of this section.

151 6. The sheriff may refuse to approve an application for a concealed carry permit if he or
152 she determines that any of the requirements specified in subsection 2 of this section have not
153 been met, or if he or she has a substantial and demonstrable reason to believe that the applicant
154 has rendered a false statement regarding any of the provisions of sections 571.101 to 571.121.
155 If the applicant is found to be ineligible, the sheriff is required to deny the application, and notify
156 the applicant in writing, stating the grounds for denial and informing the applicant of the right
157 to submit, within thirty days, any additional documentation relating to the grounds of the denial.
158 Upon receiving any additional documentation, the sheriff shall reconsider his or her decision and
159 inform the applicant within thirty days of the result of the reconsideration. The applicant shall
160 further be informed in writing of the right to appeal the denial pursuant to subsections 2, 3, 4,

161 and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person
162 submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section
163 571.114.

164 7. If the application is approved, the sheriff shall issue a concealed carry permit to the
165 applicant within a period not to exceed three working days after his or her approval of the
166 application. The applicant shall sign the concealed carry permit in the presence of the sheriff or
167 his or her designee.

168 8. The concealed carry permit shall specify only the following information:

169 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes, and
170 signature of the permit holder;

171 (2) The signature of the sheriff issuing the permit;

172 (3) The date of issuance; and

173 (4) The expiration date.

174

175 The permit shall be no larger than two and one-eighth inches wide by three and three-eighths
176 inches long and shall be of a uniform style prescribed by the department of public safety. The
177 permit shall also be assigned a concealed carry permit system county code and shall be stored
178 in sequential number.

179 9. (1) The sheriff shall keep a record of all applications for a concealed carry permit or
180 a provisional permit and his or her action thereon. Any record of an application that is
181 incomplete or denied for any reason shall be kept for a period not to exceed one year. Any
182 record of an application that was approved shall be kept for a period of one year after the
183 expiration and nonrenewal of the permit.

184 (2) The sheriff shall report the issuance of a concealed carry permit or provisional permit
185 to the concealed carry permit system. All information on any such permit that is protected
186 information on any driver's or nondriver's license shall have the same personal protection for
187 purposes of sections 571.101 to 571.121. An applicant's status as a holder of a concealed carry
188 permit, provisional permit, or a concealed carry endorsement issued prior to August 28, 2013,
189 shall not be public information and shall be considered personal protected information.
190 Information retained in the concealed carry permit system under this subsection shall not be
191 distributed to any federal, state, or private entities and shall only be made available for a single
192 entry query of an individual in the event the individual is a subject of interest in an active
193 criminal investigation or is arrested for a crime. A sheriff may access the concealed carry permit
194 system for administrative purposes to issue a permit, verify the accuracy of permit holder
195 information, change the name or address of a permit holder, suspend or revoke a permit, cancel
196 an expired permit, or cancel a permit upon receipt of a certified death certificate for the permit

197 holder. Any person who violates the provisions of this subdivision by disclosing protected
198 information shall be guilty of a class A misdemeanor.

199 10. Information regarding any holder of a concealed carry permit, or a concealed carry
200 endorsement issued prior to August 28, 2013, is a closed record. No bulk download or batch data
201 shall be distributed to any federal, state, or private entity, except to MoSMART or a designee
202 thereof. Any state agency that has retained any documents or records, including fingerprint
203 records provided by an applicant for a concealed carry endorsement prior to August 28, 2013,
204 shall destroy such documents or records, upon successful issuance of a permit.

205 11. For processing an application for a concealed carry permit pursuant to sections
206 571.101 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed one
207 hundred dollars which shall be paid to the treasury of the county to the credit of the sheriff's
208 revolving fund. **This fee shall include the cost to reimburse the Missouri state highway**
209 **patrol for the costs of fingerprinting and criminal background checks. An additional fee**
210 **shall be added to each credit card, debit card, or other electronic transaction equal to the**
211 **charge paid by the state or the applicant for the use of the credit card, debit card, or other**
212 **electronic payment method by the applicant.**

213 12. For processing a renewal for a concealed carry permit pursuant to sections 571.101
214 to 571.121, the sheriff in each county shall charge a nonrefundable fee not to exceed fifty dollars
215 which shall be paid to the treasury of the county to the credit of the sheriff's revolving fund.

216 13. For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the
217 sheriff of any county or city not within a county or his or her designee and in counties of the first
218 classification the sheriff may designate the chief of police of any city, town, or municipality
219 within such county.

220 14. For the purposes of this chapter, "concealed carry permit" shall include any
221 concealed carry endorsement issued by the department of revenue before January 1, 2014, and
222 any concealed carry document issued by any sheriff or under the authority of any sheriff after
223 December 31, 2013.

571.104. 1. A concealed carry endorsement issued prior to August 28, 2013, shall be
2 suspended or revoked if the concealed carry endorsement holder becomes ineligible for such
3 endorsement under the criteria established in subdivisions (3), (4), (5), (8), and (11) of subsection
4 2 of section 571.101 or upon the issuance of a valid full order of protection. The following
5 procedures shall be followed:

6 (1) When a valid full order of protection, or any arrest warrant, discharge, or
7 commitment for the reasons listed in subdivision (3), (4), (5), (8), or (11) of subsection 2 of
8 section 571.101, is issued against a person holding a concealed carry endorsement issued prior
9 to August 28, 2013, upon notification of said order, warrant, discharge or commitment or upon

10 an order of a court of competent jurisdiction in a criminal proceeding, a commitment proceeding
11 or a full order of protection proceeding ruling that a person holding a concealed carry
12 endorsement presents a risk of harm to themselves or others, then upon notification of such
13 order, the holder of the concealed carry endorsement shall surrender the driver's license or
14 nondriver's license containing the concealed carry endorsement to the court, officer, or other
15 official serving the order, warrant, discharge, or commitment. The official to whom the driver's
16 license or nondriver's license containing the concealed carry endorsement is surrendered shall
17 issue a receipt to the licensee for the license upon a form, approved by the director of revenue,
18 that serves as a driver's license or a nondriver's license and clearly states the concealed carry
19 endorsement has been suspended. The official shall then transmit the driver's license or a
20 nondriver's license containing the concealed carry endorsement to the circuit court of the county
21 issuing the order, warrant, discharge, or commitment. The concealed carry endorsement issued
22 prior to August 28, 2013, shall be suspended until the order is terminated or until the arrest
23 results in a dismissal of all charges. The official to whom the endorsement is surrendered shall
24 administratively suspend the endorsement in the concealed carry permit system established under
25 subsection 5 of section 650.350 until such time as the order is terminated or until the charges are
26 dismissed. Upon dismissal, the court holding the driver's license or nondriver's license
27 containing the concealed carry endorsement shall return such license to the individual, and the
28 official to whom the endorsement was surrendered shall administratively return the endorsement
29 to good standing within the concealed carry permit system.

30 (2) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
31 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
32 action and the driver's license or nondriver's license with the concealed carry endorsement to the
33 department of revenue. The department of revenue shall notify the sheriff of the county which
34 issued the certificate of qualification for a concealed carry endorsement. The sheriff who issued
35 the certificate of qualification prior to August 28, 2013, shall report the change in status of the
36 endorsement to the concealed carry permit system established under subsection 5 of section
37 650.350. The director of revenue shall immediately remove the endorsement issued prior to
38 August 28, 2013, from the individual's driving record within three days of the receipt of the
39 notice from the court. The director of revenue shall notify the licensee that he or she must apply
40 for a new license pursuant to chapter 302 which does not contain such endorsement. This
41 requirement does not affect the driving privileges of the licensee. The notice issued by the
42 department of revenue shall be mailed to the last known address shown on the individual's
43 driving record. The notice is deemed received three days after mailing.

44 2. A concealed carry permit issued pursuant to sections 571.101 to 571.121 after August
45 28, 2013, shall be suspended or revoked if the concealed carry permit holder becomes ineligible

46 for such permit or endorsement under the criteria established in subdivisions (3), (4), (5), (8), and
47 (11) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.
48 The following procedures shall be followed:

49 (1) When a valid full order of protection or any arrest warrant, discharge, or commitment
50 for the reasons listed in subdivision (3), (4), (5), (8), or (11) of subsection 2 of section 571.101
51 is issued against a person holding a concealed carry permit, upon notification of said order,
52 warrant, discharge, or commitment or upon an order of a court of competent jurisdiction in a
53 criminal proceeding, a commitment proceeding, or a full order of protection proceeding ruling
54 that a person holding a concealed carry permit presents a risk of harm to themselves or others,
55 then upon notification of such order, the holder of the concealed carry permit shall surrender the
56 permit to the court, officer, or other official serving the order, warrant, discharge, or
57 commitment. The permit shall be suspended until the order is terminated or until the arrest
58 results in a dismissal of all charges. The official to whom the permit is surrendered shall
59 administratively suspend the permit in the concealed carry permit system until the order is
60 terminated or the charges are dismissed. Upon dismissal, the court holding the permit shall
61 return such permit to the individual and the official to whom the permit was surrendered shall
62 administratively return the permit to good standing within the concealed carry permit system;

63 (2) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121
64 shall result in a revocation. Upon conviction, the court shall forward a notice of conviction or
65 action and the permit to the issuing county sheriff. The sheriff who issued the concealed carry
66 permit shall report the change in status of the concealed carry permit to the concealed carry
67 permit system.

68 3. A concealed carry permit shall be renewed for a qualified applicant upon receipt of
69 the properly completed renewal application and the required renewal fee by the sheriff of the
70 county of the applicant's residence. The renewal application shall contain the same required
71 information as set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint
72 requirement of subsection 5 of section 571.101 and the firearms safety training, the applicant
73 need only display his or her current concealed carry permit. A name-based inquiry of the
74 National Instant Criminal Background Check System shall be completed for each renewal
75 application. The sheriff shall review the results of the report from the National Instant Criminal
76 Background Check System, and when the sheriff has determined the applicant has successfully
77 completed all renewal requirements and is not disqualified under any provision of section
78 571.101, the sheriff shall issue a new concealed carry permit which contains the date such permit
79 was renewed. The process for renewing a concealed carry endorsement issued prior to August
80 28, 2013, shall be the same as the process for renewing a permit, except that in lieu of the
81 fingerprint requirement of subsection 5 of section 571.101 and the firearms safety training, the

82 applicant need only display his or her current driver's license or nondriver's license containing
83 an endorsement. Upon successful completion of all renewal requirements, the sheriff shall issue
84 a new concealed carry permit as provided under this subsection.

85 4. A person who has been issued a concealed carry permit, or a certificate of
86 qualification for a concealed carry endorsement prior to August 28, 2013, who fails to file a
87 renewal application for a concealed carry permit on or before its expiration date must pay an
88 additional late fee of ten dollars per month for each month it is expired for up to six months.
89 After six months, the sheriff who issued the expired concealed carry permit or certificate of
90 qualification shall notify the concealed carry permit system that such permit is expired and
91 cancelled. If the person has a concealed carry endorsement issued prior to August 28, 2013, the
92 sheriff who issued the certificate of qualification for the endorsement shall notify the director of
93 revenue that such certificate is expired regardless of whether the endorsement holder has applied
94 for a concealed carry permit under subsection 3 of this section. The director of revenue shall
95 immediately remove such endorsement from the individual's driving record and notify the
96 individual that his or her driver's license or nondriver's license has expired. The notice shall be
97 conducted in the same manner as described in subsection 1 of this section. Any person who has
98 been issued a concealed carry permit pursuant to sections 571.101 to 571.121, or a concealed
99 carry endorsement issued prior to August 28, 2013, who fails to renew his or her application
100 within the six-month period must reapply for a new concealed carry permit and pay the fee for
101 a new application.

102 5. Any person issued a concealed carry permit pursuant to sections 571.101 to 571.121,
103 or a concealed carry endorsement issued prior to August 28, 2013, shall notify the sheriff of the
104 new jurisdiction of the permit or endorsement holder's change of residence within thirty days
105 after the changing of a permanent residence to a location outside the county of permit issuance.
106 The permit or endorsement holder shall furnish proof to the sheriff in the new jurisdiction that
107 the permit or endorsement holder has changed his or her residence. The sheriff in the new
108 jurisdiction shall notify the sheriff in the old jurisdiction of the permit holder's change of address
109 and the sheriff in the old jurisdiction shall transfer any information on file for the permit holder
110 to the sheriff in the new jurisdiction within thirty days. The sheriff of the new jurisdiction may
111 charge a processing fee of not more than ten dollars for any costs associated with notification of
112 a change in residence. The sheriff shall report the residence change to the concealed carry permit
113 system, take possession and destroy the old permit, and then issue a new permit to the permit
114 holder. The new address shall be accessible by the concealed carry permit system within three
115 days of receipt of the information. If the person has a concealed carry endorsement issued prior
116 to August 28, 2013, the endorsement holder shall also furnish proof to the department of revenue

117 of his or her residence change. In such cases, the change of residence shall be made by the
118 department of revenue onto the individual's driving record.

119 6. Any person issued a concealed carry permit pursuant to sections 571.101 to 571.121,
120 or a concealed carry endorsement issued prior to August 28, 2013, shall notify the sheriff or his
121 or her designee of the permit or endorsement holder's county or city of residence within seven
122 days after actual knowledge of the loss or destruction of his or her permit or driver's license or
123 nondriver's license containing a concealed carry endorsement. The permit or endorsement holder
124 shall furnish a statement to the sheriff that the permit or driver's license or nondriver's license
125 containing the concealed carry endorsement has been lost or destroyed. After notification of the
126 loss or destruction of a permit or driver's license or nondriver's license containing a concealed
127 carry endorsement, the sheriff may charge a processing fee of ten dollars for costs associated
128 with replacing a lost or destroyed permit or driver's license or nondriver's license containing a
129 concealed carry endorsement and shall reissue a new concealed carry permit within three
130 working days of being notified by the concealed carry permit or endorsement holder of its loss
131 or destruction. The new concealed carry permit shall contain the same personal information,
132 including expiration date, as the original concealed carry permit.

133 7. If a person issued a concealed carry permit, or endorsement issued prior to August 28,
134 2013, changes his or her name, the person to whom the permit or endorsement was issued shall
135 obtain a corrected or new concealed carry permit with a change of name from the sheriff who
136 issued the original concealed carry permit or the original certificate of qualification for an
137 endorsement upon the sheriff's verification of the name change. The sheriff may charge a
138 processing fee of not more than ten dollars for any costs associated with obtaining a corrected
139 or new concealed carry permit. The permit or endorsement holder shall furnish proof of the
140 name change to the sheriff within thirty days of changing his or her name and display his or her
141 concealed carry permit or current driver's license or nondriver's license containing a concealed
142 carry endorsement. The sheriff shall report the name change to the concealed carry permit
143 system, and the new name shall be accessible by the concealed carry permit system within three
144 days of receipt of the information.

145 8. The person with a concealed carry permit, or endorsement issued prior to August 28,
146 2013, shall notify the sheriff of a name or address change within thirty days of the change. A
147 concealed carry permit and, if applicable, endorsement shall be automatically invalid after one
148 hundred eighty days if the permit or endorsement holder has changed his or her name or changed
149 his or her residence and not notified the sheriff as required in subsections 5 and 7 of this section.
150 The sheriff shall assess a late penalty of ten dollars per month for each month, up to six months
151 and not to exceed sixty dollars, for the failure to notify the sheriff of the change of name or
152 address within thirty days.

153 **9. Notwithstanding any provision of this section to the contrary, if a concealed**
154 **carry permit, or endorsement issued prior to August 28, 2013, expires while the person**
155 **issued the permit or endorsement is on active duty in the armed forces, on active state duty,**
156 **full-time National Guard duty under Title 32, or active duty under Title 10 with the**
157 **National Guard, or is physically incapacitated due to an injury incurred while in the**
158 **services of the National Guard or armed forces, the permit shall be renewed if the person**
159 **completes the renewal requirements under subsection 3 of this section within two months**
160 **of returning to Missouri after discharge from such duty or recovery from such**
161 **incapacitation. Once the two-month period has expired, the provisions of subsection 4 of**
162 **this section shall apply except the penalties shall begin to accrue upon the expiration of the**
163 **two-month period described in this subsection rather than on the expiration date of the**
164 **permit or endorsement.**

571.111. 1. An applicant for a concealed carry permit shall demonstrate knowledge of
2 firearms safety training. This requirement shall be fully satisfied if the applicant for a concealed
3 carry permit:

4 (1) Submits a photocopy of a certificate of firearms safety training course completion,
5 as defined in subsection 2 of this section, signed by a qualified firearms safety instructor as
6 defined in subsection 5 of this section; or

7 (2) Submits a photocopy of a certificate that shows the applicant completed a firearms
8 safety course given by or under the supervision of any state, county, municipal, or federal law
9 enforcement agency; or

10 (3) Is a qualified firearms safety instructor as defined in subsection 5 of this section; or

11 (4) Submits proof that the applicant currently holds any type of valid peace officer
12 license issued under the requirements of chapter 590; or

13 (5) Submits proof that the applicant is currently allowed to carry firearms in accordance
14 with the certification requirements of section 217.710; or

15 (6) Submits proof that the applicant is currently certified as any class of corrections
16 officer by the Missouri department of corrections and has passed at least one eight-hour firearms
17 training course, approved by the director of the Missouri department of corrections under the
18 authority granted to him or her, that includes instruction on the justifiable use of force as
19 prescribed in chapter 563; or

20 (7) Submits a photocopy of a certificate of firearms safety training course completion
21 that was issued on August 27, 2011, or earlier so long as the certificate met the requirements of
22 subsection 2 of this section that were in effect on the date it was issued.

23 2. A certificate of firearms safety training course completion may be issued to any
24 applicant by any qualified firearms safety instructor. On the certificate of course completion the

25 qualified firearms safety instructor shall affirm that the individual receiving instruction has taken
26 and passed a firearms safety course of at least eight hours in length taught by the instructor that
27 included:

28 (1) Handgun safety in the classroom, at home, on the firing range and while carrying the
29 firearm;

30 (2) A physical demonstration performed by the applicant that demonstrated his or her
31 ability to safely load and unload either a revolver or a semiautomatic pistol and demonstrated his
32 or her marksmanship with either firearm;

33 (3) The basic principles of marksmanship;

34 (4) Care and cleaning of concealable firearms;

35 (5) Safe storage of firearms at home;

36 (6) The requirements of this state for obtaining a concealed carry permit from the sheriff
37 of the individual's county of residence;

38 (7) The laws relating to firearms as prescribed in this chapter;

39 (8) The laws relating to the justifiable use of force as prescribed in chapter 563;

40 (9) A live firing exercise of sufficient duration for each applicant to fire either a revolver
41 or a semiautomatic pistol, from a standing position or its equivalent, a minimum of twenty
42 rounds from the handgun at a distance of seven yards from a B-27 silhouette target or an
43 equivalent target;

44 (10) A live-fire test administered to the applicant while the instructor was present of
45 twenty rounds from either a revolver or a semiautomatic pistol from a standing position or its
46 equivalent at a distance from a B-27 silhouette target, or an equivalent target, of seven yards.

47 **3. A certificate of firearms safety training course completion may also be issued to**
48 **an applicant who presents proof to a qualified firearms safety instructor that the applicant**
49 **has passed a regular or online course on firearm safety conducted by an instructor certified**
50 **by the National Rifle Association that is at least one hour in length and who also passes the**
51 **requirements of subdivisions (1), (2), (6), (7), (8), (9), and (10) of subsection 2 of this section**
52 **in a course, not restricted by a period of hours, that is taught by a qualified firearms safety**
53 **instructor.**

54 **4.** A qualified firearms safety instructor shall not give a grade of passing to an applicant
55 for a concealed carry permit who:

56 (1) Does not follow the orders of the qualified firearms instructor or cognizant range
57 officer; or

58 (2) Handles a firearm in a manner that, in the judgment of the qualified firearm safety
59 instructor, poses a danger to the applicant or to others; or

60 (3) During the live-fire testing portion of the course fails to hit the silhouette portion of
61 the targets with at least fifteen rounds.

62 [4.] 5. Qualified firearms safety instructors who provide firearms safety instruction to
63 any person who applies for a concealed carry permit shall:

64 (1) Make the applicant's course records available upon request to the sheriff of the
65 county in which the applicant resides;

66 (2) Maintain all course records on students for a period of no less than four years from
67 course completion date; and

68 (3) Not have more than forty students per certified instructor in the classroom portion
69 of the course or more than five students per range officer engaged in range firing.

70 [5.] 6. A firearms safety instructor shall be considered to be a qualified firearms safety
71 instructor by any sheriff issuing a concealed carry permit pursuant to sections 571.101 to 571.121
72 if the instructor:

73 (1) Is a valid firearms safety instructor certified by the National Rifle Association
74 holding a rating as a personal protection instructor or pistol marksmanship instructor; or

75 (2) Submits a photocopy of a notarized certificate from a firearms safety instructor's
76 course offered by a local, state, or federal governmental agency; or

77 (3) Submits a photocopy of a notarized certificate from a firearms safety instructor
78 course approved by the department of public safety; or

79 (4) Has successfully completed a firearms safety instructor course given by or under the
80 supervision of any state, county, municipal, or federal law enforcement agency; or

81 (5) Is a certified police officer firearms safety instructor.

82 [6.] 7. Any firearms safety instructor qualified under subsection [5] 6 of this section may
83 submit a copy of a training instructor certificate, course outline bearing the notarized signature
84 of the instructor, and a recent photograph of the instructor to the sheriff of the county in which
85 the instructor resides. The sheriff shall review the training instructor certificate along with the
86 course outline and verify the firearms safety instructor is qualified and the course meets the
87 requirements provided under this section. If the sheriff verifies the firearms safety instructor is
88 qualified and the course meets the requirements provided under this section, the sheriff shall
89 collect an annual registration fee of ten dollars from each qualified instructor who chooses to
90 submit such information and submit the registration to the Missouri sheriff methamphetamine
91 relief taskforce. The Missouri sheriff methamphetamine relief taskforce, or its designated agent,
92 shall create and maintain a statewide database of qualified instructors. This information shall
93 be a closed record except for access by any sheriff. Firearms safety instructors may register
94 annually and the registration is only effective for the calendar year in which the instructor
95 registered. Any sheriff may access the statewide database maintained by the Missouri sheriff

96 methamphetamine relief taskforce to verify the firearms safety instructor is qualified and the
97 course offered by the instructor meets the requirements provided under this section. Unless a
98 sheriff has reason to believe otherwise, a sheriff shall presume a firearms safety instructor is
99 qualified to provide firearms safety instruction in counties throughout the state under this section
100 if the instructor is registered on the statewide database of qualified instructors.

101 [7.] **8.** Any firearms safety instructor who knowingly provides any sheriff with any false
102 information concerning an applicant's performance on any portion of the required training and
103 qualification shall be guilty of a class C misdemeanor. A violation of the provisions of this
104 section shall result in the person being prohibited from instructing concealed carry permit classes
105 and issuing certificates.

571.126. Notwithstanding any other state law to the contrary, no state agency shall
2 disclose to the federal government the statewide list of persons who have obtained a concealed
3 carry endorsement or permit, **including Missouri lifetime and extended concealed carry**
4 **permits**. Nothing in this section shall be construed to restrict access to individual records by any
5 criminal justice agency authorized to access the Missouri uniform law enforcement system.

571.205. 1. Upon request and payment of the required fee, the sheriff shall issue
2 **a concealed carry permit that is valid through the state of Missouri for the lifetime of the**
3 **permit holder to a Missouri resident who meets the requirements of sections 571.205 to**
4 **571.230, known as a Missouri lifetime concealed carry permit. A person may also request,**
5 **and the sheriff shall issue upon payment of the required fee, a concealed carry permit that**
6 **is valid through the state of Missouri for a period of either ten years or twenty-five years**
7 **from the date of issuance or renewal to a Missouri resident who meets the requirements**
8 **of sections 571.205 to 571.230. Such permit shall be known as a Missouri extended**
9 **concealed carry permit. A person issued a Missouri lifetime or extended concealed carry**
10 **permit shall be required to comply with the provisions of sections 571.205 to 571.230. If**
11 **the applicant can show qualification as provided by sections 571.205 to 571.230, the sheriff**
12 **shall issue a Missouri lifetime or extended concealed carry permit authorizing the carrying**
13 **of a concealed firearm on or about the applicant's person or within a vehicle.**

14 **2. A Missouri lifetime or extended concealed carry permit shall be suspended if the**
15 **permit holder becomes a resident of another state. The permit may be reactivated upon**
16 **reestablishment of Missouri residency if the applicant meets the requirements of sections**
17 **571.205 to 571.230, and upon successful completion of a name-based inquiry of the**
18 **National Instant Background Check System.**

19 **3. A Missouri lifetime or extended concealed carry permit shall be issued by the**
20 **sheriff or his or her designee of the county or city in which the applicant resides, if the**
21 **applicant:**

22 **(1) Is at least nineteen years of age, is a citizen or permanent resident of the United**
23 **States and has assumed residency in this state, or is at least eighteen years of age and a**
24 **member of the United States Armed Forces or honorably discharged from the United**
25 **States Armed Forces, and is a citizen of the United States and has assumed residency in this**
26 **state;**

27 **(2) Has not pled guilty to or entered a plea of nolo contendere or been convicted of**
28 **a crime punishable by imprisonment for a term exceeding one year under the laws of any**
29 **state or of the United States, other than a crime classified as a misdemeanor under the laws**
30 **of any state and punishable by a term of imprisonment of two years or less that does not**
31 **involve an explosive weapon, firearm, firearm silencer, or gas gun;**

32 **(3) Has not been convicted of, pled guilty to or entered a plea of nolo contendere**
33 **to one or more misdemeanor offenses involving crimes of violence within a five-year period**
34 **immediately preceding application for a Missouri lifetime or extended concealed carry**
35 **permit or if the applicant has not been convicted of two or more misdemeanor offenses**
36 **involving driving while under the influence of intoxicating liquor or drugs or the**
37 **possession or abuse of a controlled substance within a five-year period immediately**
38 **preceding application for a Missouri lifetime or extended concealed carry permit;**

39 **(4) Is not a fugitive from justice or currently charged in an information or**
40 **indictment with the commission of a crime punishable by imprisonment for a term**
41 **exceeding one year under the laws of any state of the United States, other than a crime**
42 **classified as a misdemeanor under the laws of any state and punishable by a term of**
43 **imprisonment of two years or less that does not involve an explosive weapon, firearm,**
44 **firearm silencer, or gas gun;**

45 **(5) Has not been discharged under dishonorable conditions from the United States**
46 **Armed Forces;**

47 **(6) Has not engaged in a pattern of behavior, documented in public or closed**
48 **records, that causes the sheriff to have a reasonable belief that the applicant presents a**
49 **danger to himself or herself or others;**

50 **(7) Is not adjudged mentally incompetent at the time of application or for five years**
51 **prior to application, or has not been committed to a mental health facility, as defined in**
52 **section 632.005, or a similar institution located in another state following a hearing at**
53 **which the defendant was represented by counsel or a representative;**

54 **(8) Submits a completed application for a permit as described in subsection 4 of this**
55 **section;**

56 **(9) Submits an affidavit attesting that the applicant complies with the concealed**
57 **carry safety training requirement under subsections 1 and 2 of section 571.111;**

58 (10) Is not the respondent of a valid full order of protection which is still in effect;
59 (11) Is not otherwise prohibited from possessing a firearm under section 571.070
60 or 18 U.S.C. Section 922(g).

61 4. The application for a Missouri lifetime or extended concealed carry permit
62 issued by the sheriff of the county of the applicant's residence shall contain only the
63 following information:

64 (1) The applicant's name, address, telephone number, gender, date and place of
65 birth, and, if the applicant is not a United States citizen, the applicant's country of
66 citizenship and any alien or admission number issued by the United States Immigration
67 and Customs Enforcement or any successor agency;

68 (2) An affirmation that the applicant has assumed residency in Missouri and is a
69 citizen or permanent resident of the United States;

70 (3) An affirmation that the applicant is at least nineteen years of age or is eighteen
71 years of age or older and a member of the United States Armed Forces or honorably
72 discharged from the United States Armed Forces;

73 (4) An affirmation that the applicant has not pled guilty to or been convicted of a
74 crime punishable by imprisonment for a term exceeding one year under the laws of any
75 state or of the United States other than a crime classified as a misdemeanor under the laws
76 of any state and punishable by a term of imprisonment of two years or less that does not
77 involve an explosive weapon, firearm, firearm silencer, or gas gun;

78 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or
79 entered a plea of nolo contendere to one or more misdemeanor offenses involving crimes
80 of violence within a five-year period immediately preceding application for a permit or that
81 the applicant has not been convicted of two or more misdemeanor offenses involving
82 driving while under the influence of intoxicating liquor or drugs or the possession or abuse
83 of a controlled substance within a five-year period immediately preceding application for
84 a permit;

85 (6) An affirmation that the applicant is not a fugitive from justice or currently
86 charged in an information or indictment with the commission of a crime punishable by
87 imprisonment for a term exceeding one year under the laws of any state or of the United
88 States other than a crime classified as a misdemeanor under the laws of any state and
89 punishable by a term of imprisonment of two years or less that does not involve an
90 explosive weapon, firearm, firearm silencer, or gas gun;

91 (7) An affirmation that the applicant has not been discharged under dishonorable
92 conditions from the United States Armed Forces;

93 **(8) An affirmation that the applicant is not adjudged mentally incompetent at the**
94 **time of application or for five years prior to application, or has not been committed to a**
95 **mental health facility, as defined in section 632.005, or a similar institution located in**
96 **another state, except that a person whose release or discharge from a facility in this state**
97 **under chapter 632, or a similar discharge from a facility in another state, occurred more**
98 **than five years ago without subsequent recommitment may apply;**

99 **(9) An affirmation that the applicant has received firearms safety training that**
100 **meets the standards of applicant firearms safety training defined in subsection 1 or 2 of**
101 **section 571.111;**

102 **(10) An affirmation that the applicant, to the applicant's best knowledge and belief,**
103 **is not the respondent of a valid full order of protection which is still in effect;**

104 **(11) A conspicuous warning that false statements made by the applicant will result**
105 **in prosecution for perjury under the laws of the state of Missouri; and**

106 **(12) A government-issued photo identification. This photograph shall not be**
107 **included on the permit and shall only be used to verify the person's identity for the**
108 **issuance of a new permit, issuance of a new permit due to change of name or address,**
109 **renewal of an extended permit, or for a lost or destroyed permit, or reactivation under**
110 **subsection 2 of this section.**

111 **5. An application for a Missouri lifetime or extended concealed carry permit shall**
112 **be made to the sheriff of the county in which the applicant resides. An application shall**
113 **be filed in writing, signed under oath and under the penalties of perjury, and shall state**
114 **whether the applicant complies with each of the requirements specified in subsection 3 of**
115 **this section. In addition to the completed application, the applicant for a Missouri lifetime**
116 **or extended concealed carry permit shall also submit the following:**

117 **(1) A photocopy of a firearms safety training certificate of completion or other**
118 **evidence of completion of a firearms safety training course that meets the standards**
119 **established in subsection 1 or 2 of section 571.111; and**

120 **(2) A nonrefundable permit fee as provided by subsection 12 of this section.**

121 **6. (1) Before an application for a Missouri lifetime or extended concealed carry**
122 **permit is approved, the sheriff shall make only such inquiries as he or she deems necessary**
123 **into the accuracy of the statements made in the application. The sheriff may require that**
124 **the applicant display a Missouri driver's license or nondriver's license or military**
125 **identification. In order to determine the applicant's suitability for a Missouri lifetime or**
126 **extended concealed carry permit, the applicant shall be fingerprinted. No other biometric**
127 **data shall be collected from the applicant. The sheriff shall conduct an inquiry of the**
128 **National Instant Criminal Background Check System within three working days after**

129 submission of the properly completed application for a Missouri lifetime or extended
130 concealed carry permit. If no disqualifying record is identified by these checks at the state
131 level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a
132 national criminal history record check. Upon receipt of the completed report from the
133 National Instant Criminal Background Check System and the response from the Federal
134 Bureau of Investigation national criminal history record check, the sheriff shall examine
135 the results and, if no disqualifying information is identified, shall issue a Missouri lifetime
136 or extended concealed carry permit within three working days.

137 (2) In the event the report from the National Instant Criminal Background Check
138 System and the response from the Federal Bureau of Investigation national criminal
139 history record check prescribed by subdivision (1) of this subsection are not completed
140 within forty-five calendar days and no disqualifying information concerning the applicant
141 has otherwise come to the sheriff's attention, the sheriff shall issue a provisional permit,
142 clearly designated on the certificate as such, which the applicant shall sign in the presence
143 of the sheriff or the sheriff's designee. This permit, when carried with a valid Missouri
144 driver's or nondriver's license, shall permit the applicant to exercise the same rights in
145 accordance with the same conditions as pertain to a Missouri lifetime or extended
146 concealed carry permit issued under this section, provided that it shall not serve as an
147 alternative to a national instant criminal background check required by 18 U.S.C. Section
148 922(t). The provisional permit shall remain valid until such time as the sheriff either issues
149 or denies the permit under subsection 7 or 8 of this section. The sheriff shall revoke a
150 provisional permit issued under this subsection within twenty-four hours of receipt of any
151 report that identifies a disqualifying record, and shall notify the concealed carry permit
152 system established under subsection 5 of section 650.350. The revocation of a provisional
153 permit issued under this section shall be proscribed in a manner consistent to the denial
154 and review of an application under subsection 7 of this section.

155 7. The sheriff may refuse to approve an application for a Missouri lifetime or
156 extended concealed carry permit if he or she determines that any of the requirements
157 specified in subsection 3 of this section have not been met, or if he or she has a substantial
158 and demonstrable reason to believe that the applicant has rendered a false statement
159 regarding any of the provisions of sections 571.205 to 571.230. If the applicant is found to
160 be ineligible, the sheriff is required to deny the application, and notify the applicant in
161 writing, stating the grounds for denial and informing the applicant of the right to submit,
162 within thirty days, any additional documentation relating to the grounds of the denial.
163 Upon receiving any additional documentation, the sheriff shall reconsider his or her
164 decision and inform the applicant within thirty days of the result of the reconsideration.

165 The applicant shall further be informed in writing of the right to appeal the denial under
166 section 571.220. After two additional reviews and denials by the sheriff, the person
167 submitting the application shall appeal the denial under section 571.220.

168 8. If the application is approved, the sheriff shall issue a Missouri lifetime or
169 extended concealed carry permit to the applicant within a period not to exceed three
170 working days after his or her approval of the application. The applicant shall sign the
171 Missouri lifetime or extended concealed carry permit in the presence of the sheriff or his
172 or her designee.

173 9. The Missouri lifetime or extended concealed carry permit shall specify only the
174 following information:

175 (1) Name, address, date of birth, gender, height, weight, color of hair, color of eyes,
176 and signature of the permit holder;

177 (2) The signature of the sheriff issuing the permit;

178 (3) The date of issuance;

179 (4) A clear statement indicating that the permit is only valid within the state of
180 Missouri; and

181 (5) If the permit is a Missouri extended concealed carry permit, the expiration date.

182

183 The permit shall be no larger than two and one-eighth inches wide by three and
184 three-eighths inches long and shall be of a uniform style prescribed by the department of
185 public safety. The permit shall also be assigned a concealed carry permit system county
186 code and shall be stored in sequential number.

187 10. (1) The sheriff shall keep a record of all applications for a Missouri lifetime or
188 extended concealed carry permit or a provisional permit and his or her action thereon.
189 Any record of an application that is incomplete or denied for any reason shall be kept for
190 a period not to exceed one year.

191 (2) The sheriff shall report the issuance of a Missouri lifetime or extended
192 concealed carry permit or provisional permit to the concealed carry permit system. All
193 information on any such permit that is protected information on any driver's or
194 nondriver's license shall have the same personal protection for purposes of sections 571.205
195 to 571.230. An applicant's status as a holder of a Missouri lifetime or extended concealed
196 carry permit or provisional permit shall not be public information and shall be considered
197 personal protected information. Information retained in the concealed carry permit
198 system under this subsection shall not be distributed to any federal, state, or private
199 entities and shall only be made available for a single entry query of an individual in the
200 event the individual is a subject of interest in an active criminal investigation or is arrested

201 for a crime. A sheriff may access the concealed carry permit system for administrative
202 purposes to issue a permit, verify the accuracy of permit holder information, change the
203 name or address of a permit holder, suspend or revoke a permit, cancel an expired permit,
204 or cancel a permit upon receipt of a certified death certificate for the permit holder. Any
205 person who violates the provisions of this subdivision by disclosing protected information
206 shall be guilty of a class A misdemeanor.

207 **11. Information regarding any holder of a Missouri lifetime or extended concealed**
208 **carry permit is a closed record. No bulk download or batch data shall be distributed to**
209 **any federal, state, or private entity, except to MoSMART or a designee thereof.**

210 **12. For processing an application, the sheriff in each county shall charge a**
211 **nonrefundable fee not to exceed:**

212 **(1) Two hundred dollars for a new Missouri extended concealed carry permit that**
213 **is valid for ten years from the date of issuance or renewal;**

214 **(2) Two hundred fifty dollars for a new Missouri extended concealed carry permit**
215 **that is valid for twenty-five years from the date of issuance or renewal;**

216 **(3) Fifty dollars for a renewal of a Missouri extended concealed carry permit;**

217 **(4) Five hundred dollars for a Missouri lifetime concealed carry permit, which shall**
218 **be paid to the treasury of the county to the credit of the sheriff's revolving fund.**

571.210. 1. A Missouri lifetime or extended concealed carry permit issued under
2 **sections 571.205 to 571.230 shall be suspended or revoked if the Missouri lifetime or**
3 **extended concealed carry permit holder becomes ineligible for such permit under the**
4 **criteria established in subdivisions (2), (3), (4), (5), (7), or (10) of subsection 3 of section**
5 **571.205. The following procedures shall be followed:**

6 **(1) When a valid full order of protection or any arrest warrant, discharge, or**
7 **commitment for the reasons listed in subdivision (2), (3), (4), (5), (7), or (10) of subsection**
8 **3 of section 571.205 is issued against a person holding a Missouri lifetime or extended**
9 **concealed carry permit, upon notification of said order, warrant, discharge, or**
10 **commitment or upon an order of a court of competent jurisdiction in a criminal**
11 **proceeding, a commitment proceeding, or a full order of protection proceeding ruling that**
12 **a person holding a Missouri lifetime or extended concealed carry permit presents a risk of**
13 **harm to themselves or others, then upon notification of such order, the holder of the**
14 **Missouri lifetime or extended concealed carry permit shall surrender the permit to the**
15 **court, officer, or other official serving the order, warrant, discharge, or commitment. The**
16 **permit shall be suspended until the order is terminated or until the arrest results in a**
17 **dismissal of all charges. The official to whom the permit is surrendered shall**
18 **administratively suspend the permit in the concealed carry permit system until the order**

19 is terminated or the charges are dismissed. Upon dismissal, the court holding the permit
20 shall return such permit to the individual and the official to whom the permit was
21 surrendered shall administratively return the permit to good standing within the concealed
22 carry permit system;

23 (2) Any conviction, discharge, or commitment specified in sections 571.205 to
24 571.230 shall result in a revocation. Upon conviction, the court shall forward a notice of
25 conviction or action and the permit to the issuing county sheriff. The sheriff who issued
26 the Missouri lifetime or extended concealed carry permit shall report the change in status
27 of the concealed carry permit to the concealed carry permit system.

28 2. A Missouri lifetime or extended concealed carry permit shall be reactivated for
29 a qualified applicant upon receipt of the properly completed application by the sheriff of
30 the county of the applicant's residence and in accordance with subsection 2 of section
31 571.205. A name-based inquiry of the National Instant Criminal Background Check
32 System shall be completed for each reactivation application. The sheriff shall review the
33 results of the report from the National Instant Criminal Background Check System, and
34 when the sheriff has determined the applicant has successfully completed all reactivation
35 requirements and is not disqualified under any provision of section 571.205, the sheriff
36 shall issue a new Missouri lifetime or extended concealed carry permit, which contains the
37 date such permit was reactivated.

38 3. Any person issued a Missouri lifetime or extended concealed carry permit shall
39 notify the sheriff or his or her designee where the permit was issued within seven days after
40 actual knowledge of the loss or destruction of his or her permit. The permit holder shall
41 furnish a statement to the sheriff that the permit has been lost or destroyed. After
42 notification of the loss or destruction of a permit, the sheriff may charge a processing fee
43 of ten dollars for costs associated with replacing a lost or destroyed permit and shall
44 reissue a new Missouri lifetime or extended concealed carry permit within three working
45 days of being notified by the permit holder of its loss or destruction. The new Missouri
46 lifetime or extended concealed carry permit shall contain the same personal information
47 as the original concealed carry permit.

48 4. If a person issued a Missouri lifetime or extended concealed carry permit
49 changes his or her name, the person to whom the permit was issued shall obtain a corrected
50 or new Missouri lifetime or extended concealed carry permit with a change of name from
51 the sheriff who issued the Missouri lifetime or extended concealed carry permit or upon
52 the sheriff's verification of the name change. The sheriff may charge a processing fee of
53 not more than ten dollars for any costs associated with obtaining a corrected or new
54 Missouri lifetime or extended concealed carry permit. The permit holder shall furnish

55 proof of the name change to the sheriff within thirty days of changing his or her name and
56 display his or her Missouri lifetime or extended concealed carry permit. The sheriff shall
57 report the name change to the concealed carry permit system, and the new name shall be
58 accessible by the concealed carry permit system within three days of receipt of the
59 information.

60 5. Any person issued a Missouri lifetime or extended concealed carry permit shall
61 notify the sheriff of the new jurisdiction of the permit holder's change of residence within
62 thirty days after the changing of a permanent residence to a location outside the county of
63 permit issuance. The permit holder shall furnish proof to the sheriff in the new
64 jurisdiction that the permit holder has changed his or her residence. The sheriff shall
65 report the residence change to the concealed carry permit system, take possession and
66 destroy the old permit, and then issue a new permit to the permit holder. The new address
67 shall be accessible by the concealed carry permit system within three days of receipt of the
68 information.

69 6. A Missouri extended concealed carry permit shall be renewed for a qualified
70 applicant upon receipt of the properly completed renewal application and payment of the
71 required fee. The renewal application shall contain the same required information as set
72 forth in subsection 3 of section 571.205, except that in lieu of the fingerprint requirement
73 of subsection 6 of section 571.205 and the firearms safety training, the applicant need only
74 display his or her current Missouri extended concealed carry permit. A name-based
75 inquiry of the National Instant Criminal Background Check System shall be completed for
76 each renewal application. The sheriff shall review the results of the report from the
77 National Instant Criminal Background Check System, and when the sheriff has
78 determined the applicant has successfully completed all renewal requirements and is not
79 disqualified under any provision of section 571.205, the sheriff shall issue a new Missouri
80 extended concealed carry permit which contains the date such permit was renewed. Upon
81 successful completion of all renewal requirements, the sheriff shall issue a new Missouri
82 extended concealed carry permit as provided under this subsection.

83 7. A person who has been issued a Missouri extended concealed carry permit who
84 fails to file a renewal application for a Missouri extended concealed carry permit on or
85 before its expiration date shall pay an additional late fee of ten dollars per month for each
86 month it is expired for up to six months. After six months, the sheriff who issued the
87 expired Missouri extended concealed carry permit shall notify the concealed carry permit
88 system that such permit is expired and cancelled. Any person who has been issued a
89 Missouri extended concealed carry permit under sections 571.101 to 571.121 who fails to

90 renew his or her application within the six-month period shall reapply for a concealed
91 carry permit and pay the fee for a new application.

92 8. The sheriff of the county that issued the Missouri lifetime or extended concealed
93 carry permit shall conduct a name-based inquiry of the National Instant Criminal
94 Background Check System once every five years from the date of issuance or renewal of
95 the permit. The sheriff shall review the results of the report from the National Instant
96 Criminal Background Check System. If the sheriff determines the permit holder is
97 disqualified under any provision of section 571.205, the sheriff shall revoke the Missouri
98 lifetime or extended concealed carry permit and shall report the revocation to the
99 concealed carry permit system.

 571.215. 1. A Missouri lifetime or extended concealed carry permit issued under
2 sections 571.205 to 571.230 shall authorize the person in whose name the permit is issued
3 to carry concealed firearms on or about his or her person or vehicle throughout the state.
4 No Missouri lifetime or extended concealed carry permit shall authorize any person to
5 carry concealed firearms into:

6 (1) Any police, sheriff, or highway patrol office or station without the consent of
7 the chief law enforcement officer in charge of that office or station. Possession of a firearm
8 in a vehicle on the premises of the office or station shall not be a criminal offense so long
9 as the firearm is not removed from the vehicle or brandished while the vehicle is on the
10 premises;

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

15 (3) The facility of any adult or juvenile detention or correctional institution, prison
16 or jail. Possession of a firearm in a vehicle on the premises of any adult, juvenile detention,
17 or correctional institution, prison or jail shall not be a criminal offense so long as the
18 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

19 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or
20 any courtrooms, administrative offices, libraries, or other rooms of any such court whether
21 or not such court solely occupies the building in question. This subdivision shall also
22 include, but not be limited to, any juvenile, family, drug, or other court offices, any room
23 or office wherein any of the courts or offices listed in this subdivision are temporarily
24 conducting any business within the jurisdiction of such courts or offices, and such other
25 locations in such manner as may be specified by supreme court rule under subdivision (6)
26 of this subsection. Nothing in this subdivision shall preclude those persons listed in

27 subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction and on
28 duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section
29 571.030, or such other persons who serve in a law enforcement capacity for a court as may
30 be specified by supreme court rule under subdivision (6) of this subsection from carrying
31 a concealed firearm within any of the areas described in this subdivision. Possession of a
32 firearm in a vehicle on the premises of any of the areas listed in this subdivision shall not
33 be a criminal offense so long as the firearm is not removed from the vehicle or brandished
34 while the vehicle is on the premises;

35 (5) Any meeting of the governing body of a unit of local government, or any
36 meeting of the general assembly or a committee of the general assembly, except that
37 nothing in this subdivision shall preclude a member of the body holding a valid Missouri
38 lifetime or extended concealed carry permit from carrying a concealed firearm at a meeting
39 of the body which he or she is a member. Possession of a firearm in a vehicle on the
40 premises shall not be a criminal offense so long as the firearm is not removed from the
41 vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall
42 preclude a member of the general assembly, a full-time employee of the general assembly
43 employed under Section 17, Article III, Constitution of Missouri, legislative employees of
44 the general assembly as determined under section 21.155, or statewide elected officials and
45 their employees, holding a valid Missouri lifetime or extended concealed carry permit,
46 from carrying a concealed firearm in the state capitol building or at a meeting whether of
47 the full body of a house of the general assembly or a committee thereof, that is held in the
48 state capitol building;

49 (6) The general assembly, supreme court, county, or municipality may by rule,
50 administrative regulation, or ordinance prohibit or limit the carrying of concealed firearms
51 by permit holders in that portion of a building owned, leased, or controlled by that unit of
52 government. Any portion of a building in which the carrying of concealed firearms is
53 prohibited or limited shall be clearly identified by signs posted at the entrance to the
54 restricted area. The statute, rule, or ordinance shall exempt any building used for public
55 housing by private persons, highways or rest areas, firing ranges, and private dwellings
56 owned, leased, or controlled by that unit of government from any restriction on the
57 carrying or possession of a firearm. The statute, rule, or ordinance shall not specify any
58 criminal penalty for its violation but may specify that persons violating the statute, rule,
59 or ordinance may be denied entrance to the building, ordered to leave the building and if
60 employees of the unit of government, be subjected to disciplinary measures for violation
61 of the provisions of the statute, rule, or ordinance. The provisions of this subdivision shall
62 not apply to any other unit of government;

63 **(7) Any establishment licensed to dispense intoxicating liquor for consumption on**
64 **the premises, which portion is primarily devoted to that purpose, without the consent of**
65 **the owner or manager. The provisions of this subdivision shall not apply to the licensee**
66 **of said establishment. The provisions of this subdivision shall not apply to any bona fide**
67 **restaurant open to the general public having dining facilities for not less than fifty persons**
68 **and that receives at least fifty-one percent of its gross annual income from the dining**
69 **facilities by the sale of food. This subdivision does not prohibit the possession of a firearm**
70 **in a vehicle on the premises of the establishment and shall not be a criminal offense so long**
71 **as the firearm is not removed from the vehicle or brandished while the vehicle is on the**
72 **premises. Nothing in this subdivision authorizes any individual who has been issued a**
73 **Missouri lifetime or extended concealed carry permit to possess any firearm while**
74 **intoxicated;**

75 **(8) Any area of an airport to which access is controlled by the inspection of persons**
76 **and property. Possession of a firearm in a vehicle on the premises of the airport shall not**
77 **be a criminal offense so long as the firearm is not removed from the vehicle or brandished**
78 **while the vehicle is on the premises;**

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

80 **(10) Any higher education institution or elementary or secondary school facility**
81 **without the consent of the governing body of the higher education institution or a school**
82 **official or the district school board, unless the person with the Missouri lifetime or**
83 **extended concealed carry permit is a teacher or administrator of an elementary or**
84 **secondary school who has been designated by his or her school district as a school**
85 **protection officer and is carrying a firearm in a school within that district, in which case**
86 **no consent is required. Possession of a firearm in a vehicle on the premises of any higher**
87 **education institution or elementary or secondary school facility shall not be a criminal**
88 **offense so long as the firearm is not removed from the vehicle or brandished while the**
89 **vehicle is on the premises;**

90 **(11) Any portion of a building used as a child care facility without the consent of**
91 **the manager. Nothing in this subdivision shall prevent the operator of a child care facility**
92 **in a family home from owning or possessing a firearm or a Missouri lifetime or extended**
93 **concealed carry permit;**

94 **(12) Any riverboat gambling operation accessible by the public without the consent**
95 **of the owner or manager under rules promulgated by the gaming commission. Possession**
96 **of a firearm in a vehicle on the premises of a riverboat gambling operation shall not be a**
97 **criminal offense so long as the firearm is not removed from the vehicle or brandished while**
98 **the vehicle is on the premises;**

99 **(13) Any gated area of an amusement park. Possession of a firearm in a vehicle on**
100 **the premises of the amusement park shall not be a criminal offense so long as the firearm**
101 **is not removed from the vehicle or brandished while the vehicle is on the premises;**

102 **(14) Any church or other place of religious worship without the consent of the**
103 **minister or person or persons representing the religious organization that exercises control**
104 **over the place of religious worship. Possession of a firearm in a vehicle on the premises**
105 **shall not be a criminal offense so long as the firearm is not removed from the vehicle or**
106 **brandished while the vehicle is on the premises;**

107 **(15) Any private property whose owner has posted the premises as being off-limits**
108 **to concealed firearms by means of one or more signs displayed in a conspicuous place of**
109 **a minimum size of eleven inches by fourteen inches with the writing thereon in letters of**
110 **not less than one inch. The owner, business or commercial lessee, manager of a private**
111 **business enterprise, or any other organization, entity, or person may prohibit persons**
112 **holding a Missouri lifetime or extended concealed carry permit from carrying concealed**
113 **firearms on the premises and may prohibit employees, not authorized by the employer,**
114 **holding a Missouri lifetime or extended concealed carry permit from carrying concealed**
115 **firearms on the property of the employer. If the building or the premises are open to the**
116 **public, the employer of the business enterprise shall post signs on or about the premises if**
117 **carrying a concealed firearm is prohibited. Possession of a firearm in a vehicle on the**
118 **premises shall not be a criminal offense so long as the firearm is not removed from the**
119 **vehicle or brandished while the vehicle is on the premises. An employer may prohibit**
120 **employees or other persons holding a Missouri lifetime or extended concealed carry permit**
121 **from carrying a concealed firearm in vehicles owned by the employer;**

122 **(16) Any sports arena or stadium with a seating capacity of five thousand or more.**
123 **Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long**
124 **as the firearm is not removed from the vehicle or brandished while the vehicle is on the**
125 **premises;**

126 **(17) Any hospital accessible by the public. Possession of a firearm in a vehicle on**
127 **the premises of a hospital shall not be a criminal offense so long as the firearm is not**
128 **removed from the vehicle or brandished while the vehicle is on the premises.**

129 **2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17)**
130 **of subsection 1 of this section by any individual who holds a Missouri lifetime or extended**
131 **concealed carry permit shall not be a criminal act but may subject the person to denial to**
132 **the premises or removal from the premises. If such person refuses to leave the premises**
133 **and a peace officer is summoned, such person may be issued a citation for an amount not**
134 **to exceed one hundred dollars for the first offense. If a second citation for a similar**

135 violation occurs within a six-month period, such person shall be fined an amount not to
 136 exceed two hundred dollars and his or her permit to carry concealed firearms shall be
 137 suspended for a period of one year. If a third citation for a similar violation is issued
 138 within one year of the first citation, such person shall be fined an amount not to exceed five
 139 hundred dollars and shall have his or her Missouri lifetime or extended concealed carry
 140 permit revoked and such person shall not be eligible for a Missouri lifetime or extended
 141 concealed carry permit or a concealed carry permit issued under sections 571.101 to
 142 571.121 for a period of three years. Upon conviction of charges arising from a citation
 143 issued under this subsection, the court shall notify the sheriff of the county which issued
 144 the Missouri lifetime or extended concealed carry permit. The sheriff shall suspend or
 145 revoke the Missouri lifetime or extended concealed carry permit.

571.220. 1. In any case when the sheriff refuses to issue a Missouri lifetime or
 2 extended concealed carry permit or to act on an application for such permit, the denied
 3 applicant shall have the right to appeal the denial within thirty days of receiving written
 4 notice of the denial. Such appeals shall be heard in small claims court as defined in section
 5 482.300, and the provisions of sections 482.300, 482.310, and 482.335 shall apply to such
 6 appeals.

2. A denial of or refusal to act on an application for a Missouri lifetime or extended
 8 concealed carry permit may be appealed by filing with the clerk of the small claims court
 9 a copy of the sheriff's written refusal and a form substantially similar to the appeal form
 10 provided in this section. Appeal forms shall be provided by the clerk of the small claims
 11 court free of charge to any person:

12 **SMALL CLAIMS COURT**

13 **In the Circuit Court of, Missouri**

14 **....., Denied Applicant**

15)

16)

17 **vs.) Case Number**

18)

19)

20 **....., Sheriff**

21 **Return Date**

22 **APPEAL OF A DENIAL OF A MISSOURI**

23 **LIFETIME OR EXTENDED CONCEALED CARRY PERMIT**

24 **The denied applicant states that his or her properly completed application for a**
 25 **Missouri lifetime or extended concealed carry permit was denied by the sheriff of**

26 County, Missouri, without just cause. The denied applicant affirms that all of the
27 statements in the application are true.

28, Denied Applicant

29 3. The notice of appeal in a denial of a Missouri lifetime or extended concealed
30 carry permit appeal shall be made to the sheriff in a manner and form determined by the
31 small claims court judge.

32 4. If at the hearing the person shows he or she is entitled to the requested Missouri
33 lifetime or extended concealed carry permit, the court shall issue an appropriate order to
34 cause the issuance of the Missouri lifetime or extended concealed carry permit. Costs shall
35 not be assessed against the sheriff unless the action of the sheriff is determined by the judge
36 to be arbitrary and capricious.

37 5. Any person aggrieved by any final judgment rendered by a small claims court
38 in a denial of a Missouri lifetime or extended concealed carry permit appeal may have a
39 right to trial de novo as provided in sections 512.180 to 512.320.

571.225. 1. Any person who has knowledge that another person, who was issued
2 a Missouri lifetime or extended concealed carry permit under sections 571.205 to 571.230,
3 never was or no longer is eligible for such permit under the criteria established in sections
4 571.205 to 571.230 may file a petition with the clerk of the small claims court to revoke that
5 person's Missouri lifetime or extended concealed carry permit. The petition shall be in a
6 form substantially similar to the petition for revocation of a Missouri lifetime or extended
7 concealed carry permit provided in this section. Appeal forms shall be provided by the
8 clerk of the small claims court free of charge to any person:

9 **SMALL CLAIMS COURT**

10 **In the Circuit Court ofMissouri**

11, **PLAINTIFF**

12)

13)

14 vs.) **Case Number**

15)

16)

17, **DEFENDANT,**

18 **Lifetime or Extended Carry Permit Holder**

19, **DEFENDANT,**

20 **Sheriff of Issuance**

21 **PETITION FOR REVOCATION OF A**
22 **MISSOURI LIFETIME OR EXTENDED CONCEALED CARRY PERMIT**

23 Plaintiff states to the court that the defendant,, has a Missouri lifetime or
24 extended concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo,
25 and that the defendant's Missouri lifetime or extended concealed carry permit should now
26 be revoked because the defendant either never was or no longer is eligible for such a permit
27 pursuant to the provisions of sections 571.205 to 571.230, RSMo, specifically plaintiff states
28 that defendant,, never was or no longer is eligible for such permit for one or more
29 of the following reasons:

30 (CHECK BELOW EACH REASON THAT APPLIES
31 TO THIS DEFENDANT)

- 32 Defendant is not at least nineteen years of age or at least eighteen years of age and
33 a member of the United States Armed Forces or honorably discharged from the
34 United States Armed Forces.
- 35 Defendant is not a citizen or permanent resident of the United States.
- 36 Defendant had not resided in this state prior to issuance of the permit or is not a
37 current resident of this state.
- 38 Defendant has pled guilty to or been convicted of a crime punishable by
39 imprisonment for a term exceeding two years under the laws of any state or of the
40 United States other than a crime classified as a misdemeanor under the laws of any
41 state and punishable by a term of imprisonment of one year or less that does not
42 involve an explosive weapon, firearm, firearm silencer, or gas gun.
- 43 Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere
44 to one or more misdemeanor offenses involving crimes of violence within a five-year
45 period immediately preceding application for a Missouri lifetime or extended
46 concealed carry permit issued pursuant to sections 571.205 to 571.230, RSMo, or
47 the defendant has been convicted of two or more misdemeanor offenses involving
48 driving while under the influence of intoxicating liquor or drugs or the possession
49 or abuse of a controlled substance within a five-year period immediately preceding
50 application for a concealed carry permit issued pursuant to sections 571.205 to
51 571.230, RSMo.
- 52 Defendant is a fugitive from justice or currently charged in an information or
53 indictment with the commission of a crime punishable by imprisonment for a term
54 exceeding one year under the laws of any state of the United States other than a
55 crime classified as a misdemeanor under the laws of any state and punishable by
56 a term of imprisonment of two years or less that does not involve an explosive
57 weapon, firearm, firearm silencer, or gas gun. Defendant has been discharged
58 under dishonorable conditions from the United States Armed Forces.

59 Defendant is reasonably believed by the sheriff to be a danger to self or others
60 based on previous, documented pattern.

61 Defendant is adjudged mentally incompetent at the time of application or for five
62 years prior to application, or has been committed to a mental health facility, as
63 defined in section 632.005 or a similar institution located in another state, except
64 that a person whose release or discharge from a facility in this state pursuant to
65 chapter 632, RSMo, or a similar discharge from a facility in another state, occurred
66 more than five years ago without subsequent recommitment may apply.

67 Defendant failed to submit a completed application for a concealed carry permit
68 issued pursuant to sections 571.205 to 571.230, RSMo.

69 Defendant failed to submit to or failed to clear the required background check.
70 (Note: This does not apply if the defendant has submitted to a background check
71 and been issued a provisional permit pursuant to subdivision (2) of subsection 6 of
72 section 571.205, RSMo, and the results of the background check are still pending.)

73 Defendant failed to submit an affidavit attesting that the applicant complies with
74 the concealed carry safety training requirement pursuant to subsections 1 and 2 of
75 section 571.111, RSMo.

76 Defendant is otherwise disqualified from possessing a firearm pursuant to 18 U.S.C.
77 Section 922(g) or section 571.070, RSMo, because (specify reason):

78 The plaintiff subject to penalty for perjury states that the information contained in this
79 petition is true and correct to the best of the plaintiff's knowledge, is reasonably based
80 upon the petitioner's personal knowledge and is not primarily intended to harass the
81 defendant/respondent named herein.

82, PLAINTIFF

83 2. If at the hearing the plaintiff shows that the defendant was not eligible for the
84 Missouri lifetime or extended concealed carry permit issued under sections 571.205 to
85 571.230 at the time of issuance or renewal or is no longer eligible for a Missouri lifetime or
86 extended concealed carry permit the court shall issue an appropriate order to cause the
87 revocation of the Missouri lifetime or extended concealed carry permit. Costs shall not be
88 assessed against the sheriff.

89 3. The finder of fact, in any action brought against a permit holder under
90 subsection 1 of this section, shall make findings of fact and the court shall make
91 conclusions of law addressing the issues at dispute. If it is determined that the plaintiff in
92 such an action acted without justification or with malice or primarily with an intent to
93 harass the permit holder or that there was no reasonable basis to bring the action, the
94 court shall order the plaintiff to pay the defendant/respondent all reasonable costs

95 incurred in defending the action including, but not limited to, attorney's fees, deposition
96 costs, and lost wages. Once the court determines that the plaintiff is liable to the
97 defendant/respondent for costs and fees, the extent and type of fees and costs to be
98 awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding
99 any other provision of law, reasonable attorney's fees shall be presumed to be at least one
100 hundred fifty dollars per hour.

101 4. Any person aggrieved by any final judgment rendered by a small claims court
102 in a petition for revocation of a Missouri lifetime or extended concealed carry permit may
103 have a right to trial de novo as provided in sections 512.180 to 512.320.

104 5. The office of the county sheriff or any employee or agent of the county sheriff
105 shall not be liable for damages in any civil action arising from alleged wrongful or
106 improper granting, renewing, or failure to revoke a Missouri lifetime or extended
107 concealed carry permit issued under sections 571.205 to 571.230 so long as the sheriff acted
108 in good faith.

571.230. Any person issued a Missouri lifetime or extended concealed carry permit
2 under sections 571.205 to 571.230, shall carry the permit at all times the person is carrying
3 a concealed firearm and shall display the permit and a state or federal government-issued
4 photo identification upon the request of any peace officer. Failure to comply with this
5 section shall not be a criminal offense but the Missouri lifetime or extended concealed
6 carry permit holder may be issued a citation for an amount not to exceed thirty-five
7 dollars.

Section B. Because of the need to ensure members of the armed services and National
2 Guard are not penalized under the concealed carry laws as a result of their service to the country,
3 the repeal and reenactment of section 571.104 of this act is deemed necessary for the immediate
4 preservation of the public health, welfare, peace and safety, and is hereby declared to be an
5 emergency act within the meaning of the constitution, and the repeal and reenactment of section
6 571.104 of this act shall be in full force and effect upon its passage and approval.

✓