

FIRST REGULAR SESSION

HOUSE BILL NO. 364

99TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE NEWMAN.

0232H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 571.070, RSMo, and to enact in lieu thereof two new sections relating to permits to purchase firearms, with penalty provisions.

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

Section A. Section 571.070, RSMo, is repealed and two new sections enacted in lieu thereof, to be known as sections 571.011 and 571.070, to read as follows:

571.011. 1. In order to purchase a firearm in the state, a person shall first obtain a firearms purchase permit issued by the sheriff's department in which he or she resides. Permit applications shall be available in each county sheriff's department and the secretary of state shall administer a website allowing for electronic submission of application materials. Firearms purchase permits issued under this section shall be valid for a period of ten years.

2. Applications shall require the submission of the following:

(1) The applicant's name, social security number, and address of residence;

(2) The applicant's criminal history; and

(3) The number of persons and dependents living in the applicant's residence.

3. The sheriff of any county may elect to also require an applicant to submit the following additional information to the department at the time of his or her application:

(1) The applicant's psychiatric history; and

(2) Character references.

4. Any person who moves from one county to another county within this state shall alert the sheriff's department of the county to which he or she is moving that he or she has a firearms purchase permit.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **5. The following persons shall not be issued a firearms purchase permit:**

19 **(1) Any person ineligible to own a firearm under existing Missouri law;**

20 **(2) Any person who is under an existing order of protection due to domestic**
21 **violence, stalking, or a sexual offense;**

22 **(3) Any person having multiple charges for violent felonies or misdemeanors, at the**
23 **discretion of the sheriff;**

24 **(4) Any person on the Federal Bureau of Investigation's domestic terrorist watch**
25 **list;**

26 **(5) Any person listed by the Federal Bureau of Investigation as a member of a**
27 **violent criminal gang;**

28 **(6) Any person who has not completed a certified firearms safety course;**

29 **(7) Any person having a persistent history of aggressive or self-destructive behavior**
30 **as documented by a psychiatrist, psychologist, counselor, or social worker; or**

31 **(8) Any person who has not passed a federal background check.**

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

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

6 **(2) Such person is a fugitive from justice, is habitually in an intoxicated or drugged**
7 **condition, or is currently adjudged mentally incompetent;**

8 **(3) Such person is under an existing order of protection due to domestic violence,**
9 **stalking, or a sexual offense;**

10 **(4) Such person is currently on the Federal Bureau of Investigation's domestic**
11 **terrorist watch list;**

12 **(5) Such person is currently listed by the Federal Bureau of Investigation as a**
13 **member of a violent criminal gang;**

14 **(6) Such person has not completed a certified firearms safety course;**

15 **(7) Such person has a persistent history of aggressive or self-destructive behavior**
16 **as documented by a psychiatrist, psychologist, counselor, or social worker; or**

17 **(8) Such person has not passed a federal background check.**

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

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

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