

# HOUSE BILL NO. 1535

## 102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE BARINGER.

3542H.011

DANA RADEMAN MILLER, Chief Clerk

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### AN ACT

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

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

Section A. Section 571.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.070, to read as follows:

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

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

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

**(3) Such person is under eighteen years of age and is on public property. However, possession under this subdivision is not an offense if such person possesses the firearm:**

**(a) While accompanied by a person twenty-one years of age or older;**

**(b) For the purposes of a school-sanctioned, firearm-related event or club event;**

**(c) For the lawful pursuit of game; or**

**(d) As otherwise authorized by law.**

2. Unlawful possession of a firearm is a class D felony, unless a person has been convicted of a dangerous felony as defined in section 556.061, in which case it is a class C felony.

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

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