

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 1730

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE COSTLOW.

3988H.01P

JOSEPH ENGLER, Chief Clerk

AN ACT

To repeal sections 571.010 and 571.020, RSMo, and to enact in lieu thereof four new sections relating to firearm suppressors, with penalty provisions.

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

Section A. Sections 571.010 and 571.020, RSMo, are repealed and four new sections
2 enacted in lieu thereof, to be known as sections 571.010, 571.020, 571.935, and 571.940, to
3 read as follows:

571.010. As used in this chapter, the following terms shall mean:

2 (1) "Antique, curio or relic firearm", any firearm so defined by the National Gun
3 Control Act, 18 U.S.C. Title 26, Section 5845, and the United States Treasury/Bureau of
4 Alcohol Tobacco and Firearms, 27 CFR Section 178.11:

5 (a) "Antique firearm" is any firearm not designed or redesigned for using rim fire or
6 conventional center fire ignition with fixed ammunition and manufactured in or before 1898,
7 said ammunition not being manufactured any longer; this includes any matchlock, wheel
8 lock, flintlock, percussion cap or similar type ignition system, or replica thereof;

9 (b) "Curio or relic firearm" is any firearm deriving value as a collectible weapon due
10 to its unique design, ignition system, operation or at least fifty years old, associated with a
11 historical event, renown personage or major war;

12 (2) "Blackjack", any instrument that is designed or adapted for the purpose of
13 stunning or inflicting physical injury by striking a person, and which is readily capable of
14 lethal use;

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.

15 (3) "Blasting agent", any material or mixture, consisting of fuel and oxidizer that is
16 intended for blasting, but not otherwise defined as an explosive under this section, provided
17 that the finished product, as mixed for use of shipment, cannot be detonated by means of a
18 numbered 8 test blasting cap when unconfined;

19 (4) "Concealable firearm", any firearm with a barrel less than sixteen inches in length,
20 measured from the face of the bolt or standing breech;

21 (5) "Deface", to alter or destroy the manufacturer's or importer's serial number or any
22 other distinguishing number or identification mark;

23 (6) "Detonator", any device containing a detonating charge that is used for initiating
24 detonation in an explosive, including but not limited to, electric blasting caps of instantaneous
25 and delay types, nonelectric blasting caps for use with safety fuse or shock tube and
26 detonating cord delay connectors;

27 (7) "Explosive weapon", any explosive, incendiary, or poison gas bomb or similar
28 device designed or adapted for the purpose of inflicting death, serious physical injury, or
29 substantial property damage; or any device designed or adapted for delivering or shooting
30 such a weapon. For the purposes of this subdivision, the term "explosive" shall mean any
31 chemical compound mixture or device, the primary or common purpose of which is to
32 function by explosion, including but not limited to, dynamite and other high explosives, pellet
33 powder, initiating explosives, detonators, safety fuses, squibs, detonating cords, igniter cords,
34 and igniters or blasting agents;

35 (8) "Firearm", any weapon that is designed or adapted to expel a projectile by the
36 action of an explosive;

37 (9) "Firearm silencer" or **"firearm suppressor"**, any instrument, attachment, or
38 appliance that is designed or adapted to muffle the noise made by the firing of any firearm;

39 (10) "Gas gun", any gas ejection device, weapon, cartridge, container or contrivance
40 other than a gas bomb that is designed or adapted for the purpose of ejecting any poison gas
41 that will cause death or serious physical injury, but not any device that ejects a repellant or
42 temporary incapacitating substance;

43 (11) **"Generic and insignificant part", an item that has manufacturing or**
44 **consumer product applications other than inclusion in a firearm suppressor. The term**
45 **"generic and insignificant part" includes a spring, screw, nut, or pin;**

46 (12) "Intoxicated", substantially impaired mental or physical capacity resulting from
47 introduction of any substance into the body;

48 [~~12~~] (13) "Knife", any dagger, dirk, stiletto, or bladed hand instrument that is readily
49 capable of inflicting serious physical injury or death by cutting or stabbing a person. For
50 purposes of this chapter, knife does not include any ordinary pocketknife with no blade more
51 than four inches in length;

52 ~~[(13)]~~ (14) "Knuckles", any instrument that consists of finger rings or guards made of
53 a hard substance that is designed or adapted for the purpose of inflicting serious physical
54 injury or death by striking a person with a fist enclosed in the knuckles;

55 ~~[(14)]~~ (15) "Machine gun", any firearm that is capable of firing more than one shot
56 automatically, without manual reloading, by a single function of the trigger;

57 ~~[(15)]~~ (16) **"Manufacture", forging, casting, machining, or another process for**
58 **working a material;**

59 (17) "Projectile weapon", any bow, crossbow, pellet gun, slingshot or other weapon
60 that is not a firearm, which is capable of expelling a projectile that could inflict serious
61 physical injury or death by striking or piercing a person;

62 ~~[(16)]~~ (18) "Rifle", any firearm designed or adapted to be fired from the shoulder and
63 to use the energy of the explosive in a fixed metallic cartridge to fire a projectile through a
64 rifled bore by a single function of the trigger;

65 ~~[(17)]~~ (19) "School", any charter school, as such term is defined in section 160.400,
66 any private school, as such term is defined in section 166.700, or any public school, as such
67 term is defined in section 160.011;

68 ~~[(18)]~~ (20) "Short barrel", a barrel length of less than sixteen inches for a rifle and
69 eighteen inches for a shotgun, both measured from the face of the bolt or standing breech, or
70 an overall rifle or shotgun length of less than twenty-six inches;

71 ~~[(19)]~~ (21) "Shotgun", any firearm designed or adapted to be fired from the shoulder
72 and to use the energy of the explosive in a fixed shotgun shell to fire a number of shot or a
73 single projectile through a smooth bore barrel by a single function of the trigger;

74 ~~[(20)]~~ (22) "Spring gun", any fused, timed or nonmanually controlled trap or device
75 designed or adapted to set off an explosion for the purpose of inflicting serious physical injury
76 or death;

77 ~~[(21)]~~ (23) "Switchblade knife", any knife which has a blade that folds or closes into
78 the handle or sheath, and:

79 (a) That opens automatically by pressure applied to a button or other device located
80 on the handle; or

81 (b) That opens or releases from the handle or sheath by the force of gravity or by the
82 application of centrifugal force.

 571.020. 1. A person commits an offense if such person knowingly possesses,
2 manufactures, transports, repairs, or sells:

3 (1) An explosive weapon;

4 (2) An explosive, incendiary or poison substance or material with the purpose to
5 possess, manufacture or sell an explosive weapon;

6 (3) A gas gun;

7 (4) A bullet or projectile which explodes or detonates upon impact because of an
8 independent explosive charge after having been shot from a firearm; ~~or~~

9 (5) Knuckles; or

10 (6) Any of the following in violation of federal law:

11 (a) A machine gun;

12 (b) A short-barreled rifle or shotgun; **or**

13 (c) ~~A firearm silencer; or~~

14 ~~(d)~~ A switchblade knife.

15 2. A person does not commit an offense pursuant to this section if his or her conduct
16 involved any of the items in subdivisions (1) to (5) of subsection 1 **of this section**, the item
17 was possessed in conformity with any applicable federal law, and the conduct:

18 (1) Was incident to the performance of official duty by the Armed Forces, National
19 Guard, a governmental law enforcement agency, or a penal institution; or

20 (2) Was incident to engaging in a lawful commercial or business transaction with an
21 organization enumerated in subdivision (1) of this ~~section~~ **subsection**; or

22 (3) Was incident to using an explosive weapon in a manner reasonably related to a
23 lawful industrial or commercial enterprise; or

24 (4) Was incident to displaying the weapon in a public museum or exhibition; or

25 (5) Was incident to using the weapon in a manner reasonably related to a lawful
26 dramatic performance.

27 3. An offense pursuant to subdivision (1), (2), (3) or (6) of subsection 1 of this section
28 is a class D felony; a crime pursuant to subdivision (4) or (5) of subsection 1 of this section is
29 a class A misdemeanor.

30 **4. The offense of knowingly possessing, manufacturing, transporting, repairing,**
31 **or selling a firearm silencer, as it existed immediately before August 28, 2026, shall not**
32 **be prosecuted on or after August 28, 2026. If on August 28, 2026, a criminal action is**
33 **pending for such offense, the action is dismissed on that date. However, a final**
34 **conviction for such offense that exists on August 28, 2026, shall not be affected.**

571.935. 1. (1) For the purposes of this section, a firearm suppressor is
2 manufactured in this state if the item is manufactured:

3 (a) In this state from basic materials; and

4 (b) Without the inclusion of any part imported from another state other than a
5 generic and insignificant part.

6 (2) For the purposes of this section, a firearm suppressor is manufactured in this
7 state if it is manufactured as described in subdivision (1) of this subsection without
8 regard to whether a firearm imported into this state from another state is attached to or
9 used in conjunction with the suppressor.

10 **2. (1) A firearm suppressor that is manufactured in this state and remains in**
11 **this state is not subject to federal law or federal regulation, including registration, under**
12 **the authority of the United States Congress to regulate interstate commerce.**

13 **(2) A basic material from which a firearm suppressor is manufactured in this**
14 **state, including unmachined steel, is not a firearm suppressor and is not subject to**
15 **federal regulation under the authority of the United States Congress to regulate**
16 **interstate commerce as if it actually were a firearm suppressor.**

17 **3. A firearm suppressor manufactured and sold in this state shall have the words**
18 **"Made in Missouri" clearly stamped on it.**

19 **4. On written notification to the attorney general by a United States citizen who**
20 **resides in this state of the citizen's intent to manufacture a firearm suppressor to which**
21 **subsection 2 of this section applies, the attorney general shall seek a declaratory**
22 **judgment from a federal district court in this state that subsection 2 of this section is**
23 **consistent with the Constitution of the United States.**

24 **5. The provisions of this section shall apply only to firearm suppressors that are**
25 **manufactured on or after August 28, 2026.**

571.940. 1. The provisions of this section shall apply to:

2 **(1) The state of Missouri, including an agency, department, commission, bureau,**
3 **board, office, council, court, or other entity that is in any branch of state government**
4 **and that is created by the constitution or a statute of this state, including a university**
5 **system or a system of higher education;**

6 **(2) The governing body of a municipality, county, or special district or authority;**

7 **(3) An officer, employee, or other body that is part of a municipality, county, or**
8 **special district or authority, including a sheriff, municipal police department, municipal**
9 **attorney, or county attorney; and**

10 **(4) A prosecuting attorney, county counselor, or circuit attorney.**

11 **2. (1) An entity described in subsection 1 of this section shall not adopt a rule,**
12 **order, ordinance, or policy under which the entity enforces, or by consistent action**
13 **allows the enforcement of, a federal statute, order, rule, or regulation that purports to**
14 **regulate a firearm suppressor if the statute, order, rule, or regulation imposes a**
15 **prohibition, restriction, or other regulation that does not exist under the laws of this**
16 **state.**

17 **(2) No entity described in subsection 1 of this section and no person employed by**
18 **or otherwise under the direction or control of the entity shall enforce or attempt to**
19 **enforce any federal statute, order, rule, or regulation described in subdivision (1) of this**
20 **subsection.**

21 **3. (1) An entity described in subsection 1 of this section shall not receive state**
22 **grant funds if the entity adopts a rule, order, ordinance, or policy under which the entity**
23 **enforces a federal law described in subdivision (1) of subsection 2 of this section or, by**
24 **consistent action, allows the enforcement of a federal law described in subdivision (1) of**
25 **subsection 2 of this section.**

26 **(2) State grant funds for the entity shall be denied for the fiscal year following**
27 **the year in which a final judicial determination in an action brought under this section is**
28 **made that the entity has violated subdivision (1) of subsection 2 of this section.**

29 **4. (1) Any citizen residing in the jurisdiction of an entity described in subsection**
30 **1 of this section may file a complaint with the attorney general if the citizen offers**
31 **evidence to support an allegation that the entity has adopted a rule, order, ordinance, or**
32 **policy under which the entity enforces a federal law described in subdivision (1) of**
33 **subsection 2 of this section or that the entity, by consistent action, allows the**
34 **enforcement of a federal law described in subdivision (1) of subsection 2 of this section.**
35 **The citizen shall include with the complaint any evidence the citizen has in support of**
36 **the complaint.**

37 **(2) If the attorney general determines that a complaint filed under subdivision**
38 **(1) of this subsection against an entity described in subsection 1 of this section is valid, to**
39 **compel the entity's compliance with this section, the attorney general may file a petition**
40 **for a writ of mandamus or apply for other appropriate equitable relief in the circuit**
41 **court of Cole County or the circuit court in any county in which the principal office of**
42 **the entity is located. The attorney general may recover reasonable expenses incurred**
43 **obtaining relief under this subdivision, including court costs, reasonable attorney's fees,**
44 **investigative costs, witness fees, and deposition costs.**

45 **(3) In any appeal of a suit brought under subdivision (2) of this subsection, the**
46 **appellate court shall expedite the case by entering such scheduling orders as are**
47 **necessary to ensure that a final order or judgment will be entered with the least possible**
48 **delay.**

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