

SECOND REGULAR SESSION

HOUSE BILL NO. 1938

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HICKS.

5456H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal sections 577.703, 577.712, 578.305, and 578.320, RSMo, and to enact in lieu thereof five new sections relating to the carrying of concealed firearms on public transportation systems, with penalty provisions.

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

Section A. Sections 577.703, 577.712, 578.305, and 578.320, RSMo, are repealed and
2 five new sections enacted in lieu thereof, to be known as sections 571.525, 577.703, 577.712,
3 578.305, and 578.320, to read as follows:

**571.525. 1. Notwithstanding any provision of this chapter, chapter 577, or chapter
2 578 to the contrary, a person carrying a firearm concealed on or about his or her person
3 who is lawfully in possession of a valid concealed carry permit or endorsement shall not
4 be prohibited or impeded from accessing or using any publicly funded transportation
5 system, including systems providing bus or train service, nor shall such person be harassed
6 or detained for carrying a concealed firearm on the property of such systems.**

7 **2. Subsection 1 of this section shall not apply to:**

8 **(1) Any bus operated by or under contract with a public or private elementary,
9 secondary, or vocational school or higher education institution unless the governing body
10 of the higher education institution, school official, or the district school board has
11 consented to the carrying of concealed firearms on the bus; or**

12 **(2) The property of any corporation that provides intercity passenger train service
13 on railroads throughout the United States or any private partnership that the corporation
14 engages 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.

15 **3. A person carrying a concealed firearm on a transportation system in accordance**
16 **with this section shall not be prohibited from acting in self defense or defense of others, as**
17 **authorized under chapter 563, while on the property of the transportation system.**

 577.703. 1. A person commits the offense of bus hijacking if he or she seizes or
2 exercises control, by force or violence or threat of force or violence, of any bus. The offense of
3 bus hijacking is a class B felony.

4 2. The offense of "assault with the intent to commit bus hijacking" is defined as an
5 intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to
6 interfere with the performance of duties by such person. Assault to commit bus hijacking is a
7 class D felony.

8 3. Any person, who, in the commission of such intimidation, threat, assault or battery
9 with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means
10 capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

11 4. **Except as otherwise provided under section 571.525**, any passenger who boards a
12 bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury
13 concealed upon his or her person or effects is guilty of the felony of "possession and concealment
14 of a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and
15 deadly weapon by a passenger upon a bus is a class D felony. The provisions of this subsection
16 shall not apply to:

17 **(1)** Duly elected or appointed law enforcement officers or commercial security personnel
18 who are in possession of weapons used within the course and scope of their employment; [nor
19 shall the provisions of this subsection apply to]

20 **(2)** Persons who are in possession of weapons or other means of inflicting serious bodily
21 injury with the consent of the owner of such bus, his or her agent, or the lessee or bailee of such
22 bus; **or**

23 **(3) Persons carrying concealed firearms who lawfully possess a valid concealed**
24 **carry permit or endorsement in accordance with section 571.525.**

 577.712. 1. In order to provide for the safety, comfort, and well-being of passengers and
2 others having a bona fide business interest in any terminal, a bus transportation company may
3 refuse admission to terminals to any person not having bona fide business within the terminal.
4 Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations
5 pursuant thereto, or to any ordinance of the political subdivision in which such terminal is
6 located. A duly authorized company representative may ask any person in a terminal or on the
7 premises of a terminal to identify himself or herself and state his or her business. Failure to
8 comply with such request or failure to state an acceptable business purpose shall be grounds for
9 the company representative to request that such person leave the terminal. Refusal to comply

10 with such request shall constitute disorderly conduct. Disorderly conduct shall be a class C
11 misdemeanor.

12 2. **Except as otherwise provided under section 571.525**, it is unlawful for any person
13 to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal
14 or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material
15 shall be a class D felony. Upon the discovery of any such item or material, the company may
16 obtain possession and retain custody of such item or material until it is transferred to the custody
17 of law enforcement officers.

578.305. 1. The offense of "bus hijacking" is defined as the seizure or exercise of
2 control, by force or violence or threat of force or violence, of any bus within the jurisdiction of
3 this state. Bus hijacking shall be a class B felony.

4 2. The offense of "assault with the intent to commit bus hijacking" is defined as an
5 intimidation, threat, assault or battery toward any driver, attendant or guard of a bus so as to
6 interfere with the performance of duties by such person. Assault to commit bus hijacking shall
7 be a class C felony.

8 3. Any person, who, in the commission of such intimidation, threat, assault or battery
9 with the intent to commit bus hijacking, employs a dangerous or deadly weapon or other means
10 capable of inflicting serious bodily injury shall, upon conviction, be guilty of a class A felony.

11 4. **Except as otherwise provided under section 571.525**, any passenger who boards a
12 bus with a dangerous or deadly weapon or other means capable of inflicting serious bodily injury
13 concealed upon his person or effects is guilty of the felony of "possession and concealment of
14 a dangerous or deadly weapon" upon a bus. Possession and concealment of a dangerous and
15 deadly weapon by a passenger upon a bus shall be a class C felony. The provisions of this
16 subsection shall not apply to:

17 (1) Duly elected or appointed law enforcement officers or commercial security personnel
18 who are in possession of weapons used within the course and scope of their employment; [nor
19 shall the provisions of this subsection apply to]

20 (2) Persons who are in possession of weapons or other means of inflicting serious bodily
21 injury with the consent of the owner of such bus, or his agent, or the lessee or bailee of such bus;
22 **or**

23 (3) **Persons carrying concealed firearms who lawfully possess a valid concealed**
24 **carry permit or endorsement in accordance with section 571.525.**

578.320. 1. In order to provide for the safety, comfort, and well-being of passengers and
2 others having a bona fide business interest in any terminal, a bus transportation company may
3 refuse admission to terminals to any person not having bona fide business within the terminal.
4 Any such refusal shall not be inconsistent or contrary to state or federal laws, regulations

5 pursuant thereto, or to any ordinance of the political subdivision in which such terminal is
6 located. A duly authorized company representative may ask any person in a terminal or on the
7 premises of a terminal to identify himself and state his business. Failure to comply with such
8 request or failure to state an acceptable business purpose shall be grounds for the company
9 representative to request that such person leave the terminal. Refusal to comply with such
10 request shall constitute disorderly conduct. Disorderly conduct shall be a class C misdemeanor.

11 2. **Except as otherwise provided under section 571.525**, it is unlawful for any person
12 to carry a deadly or dangerous weapon or any explosives or hazardous material into a terminal
13 or aboard a bus. Possession of a deadly or dangerous weapon, explosive or hazardous material
14 shall be a class C felony. Upon the discovery of any such item or material, the company may
15 obtain possession and retain custody of such item or material until it is transferred to the custody
16 of law enforcement officers.

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