

FIRST REGULAR SESSION

SENATE BILL NO. 94

100TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SIFTON.

Pre-filed December 1, 2018, and ordered printed.

ADRIANE D. CROUSE, Secretary.

0411S.011

AN ACT

To repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to the unlawful possession of 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Section A. Section 571.070, RSMo, is repealed and one new section
2 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
2 firearm if such 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
4 state, or of a crime under the laws of any state or of the United States which, if
5 committed within this state, would be a felony, **or has been convicted in any**
6 **court of a misdemeanor crime of domestic violence; [or]**

7 (2) Such person is a fugitive from justice, is habitually in an intoxicated
8 or drugged condition, or is currently adjudged mentally incompetent, **is illegally**
9 **or unlawfully in the United States, or having been a citizen of the**
10 **United States, has renounced United States citizenship; or**

11 (3) Such person is subject to a court order that:

12 (a) Was issued after a hearing of which such person received
13 actual notice, and at which such person had an opportunity to
14 participate;

15 (b) Restrains such person from harassing, stalking, or
16 threatening a petitioner, as defined in subdivision (11) of section
17 455.010, or a child of such petitioner, or engaging in other conduct that
18 would place such petitioner in reasonable fear of bodily injury to the
19 petitioner or child; and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 **a. Includes a finding that such person represents a credible**
21 **threat to the physical safety of such petitioner or child; or**

22 **b. By its terms explicitly prohibits the use, attempted use, or**
23 **threatened use of physical force against such petitioner or child that**
24 **would reasonably be expected to cause bodily injury.**

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

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

Unofficial

Bill

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