

HOUSE JOINT RESOLUTION NO. 91

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MERIDETH.

4483H.011

DANA RADEMAN MILLER, Chief Clerk

JOINT RESOLUTION

Submitting to the qualified voters of Missouri an amendment repealing Section 23 of Article I of the Constitution of Missouri, and adopting one new section in lieu thereof relating to firearms.

Be it resolved by the House of Representatives, the Senate concurring therein:

That at the next general election to be held in the state of Missouri, on Tuesday next following the first Monday in November, 2020, or at a special election to be called by the governor for that purpose, there is hereby submitted to the qualified voters of this state, for adoption or rejection, the following amendment to Article I of the Constitution of the state of Missouri:

Section A. Section 23, Article I, Constitution of Missouri, is repealed and one new section adopted in lieu thereof, to be known as Section 23, to read as follows:

Section 23. **1.** That the right of every citizen to keep and bear arms, ammunition, and accessories typical to the normal function of such arms, in defense of his home, person, family and property, or when lawfully summoned in aid of the civil power, shall not be questioned. The rights guaranteed by this section shall be unalienable. Any restriction on these rights shall be subject to strict scrutiny, and the state of Missouri shall be obligated to uphold these rights and shall under no circumstances decline to protect against their infringement. Nothing in this section shall be construed to prevent the general assembly from enacting general laws which limit the rights of convicted violent felons or those adjudicated by a court to be a danger to self or others as result of a mental disorder or mental infirmity.

2. No transfer of ownership of a firearm shall be allowed unless the transfer is approved or facilitated by a licensed firearm dealer so that the recipient of the transfer is

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.

12 **subjected to a background check. If the background check indicates the recipient of the**
13 **transfer may possess the firearm or if the background check is not completed within a set**
14 **number of days as provided by law, the transfer shall be allowed. If the background check**
15 **indicates that the recipient of the transfer cannot possess the firearm, the transfer shall not**
16 **be allowed and shall be deemed illegal.**

17 **3. No person shall carry a concealed firearm in a public place unless the person**
18 **possesses a valid concealed carry permit.**

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