

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 436, Page 4, Section 1.320, Line 93, by
2 inserting after all of said section and line, the following:

3
4 "160.665. 1. Any school district within the state may designate one or more elementary or
5 secondary school teachers or administrators as a school protection officer. The responsibilities and
6 duties of a school protection officer are voluntary and shall be in addition to the normal
7 responsibilities and duties of the teacher or administrator. Any compensation for additional duties
8 relating to service as a school protection officer shall be funded by the local school district, with no
9 state funds used for such purpose.

10 2. Any person designated by a school district as a school protection officer shall be
11 authorized to carry concealed firearms in any school in the district and shall be required to keep such
12 firearm on his or her person at all times while on school property. Any school protection officer who
13 violates this subsection shall be removed immediately from the classroom and subject to
14 employment termination proceedings.

15 3. Any person designated as a school protection officer may detain, on view, any person the
16 officer sees violating or who such officer has reasonable grounds to believe has violated any law of
17 this state, including a misdemeanor or infraction, or any policy of the school.

18 4. Any person detained by a school protection officer for violation of any state law shall, as
19 soon as practically possible, be turned over to a law enforcement officer. However, in no case shall a
20 person detained under the provisions of this section be detained by a school protection officer for
21 more than four hours.

22 5. Any person detained by a school protection officer for violation of any school policy shall,
23 as soon as practically possible, be turned over to a school administrator. However, in no case shall a
24 person detained under the provisions of this section be detained by a school protection officer for
25 more than four hours.

26 6. Any teacher or administrator of an elementary or secondary school who seeks to be
27 designated as a school protection officer shall request such designation, in writing, and submit it to
28 the superintendent of the school district which employs him or her as a teacher or administrator.
29 Along with this request the teacher or administrator shall also submit proof that he or she has a valid
30 concealed carry endorsement and shall submit a certificate of school protection officer training
31 program completion from a training program approved by the director of the department of public
32 safety which demonstrates that such person has successfully completed the training requirements

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1 established by the POST commission under chapter 590 for school protection officers.

2 7. No school district may designate a teacher or administrator as a school protection officer
3 unless such person has a valid concealed carry endorsement and has successfully completed a school
4 protection officer training program which has been approved by the director of the department of
5 public safety.

6 8. Any school district which designates a teacher or administrator as a school protection
7 officer shall, within thirty days, notify, in writing, the director of the department of public safety of
8 the designation which shall include the following:

9 (1) The full name, date of birth, and address of the officer;

10 (2) The name of the school district; and

11 (3) The date such person was designated as a school protection officer.

12
13 Notwithstanding any other law, any identifying information collected under the authority of this
14 subsection shall not be considered public information and shall not be subject to a sunshine request
15 made under chapter 610.

16 9. A school district may revoke the designation of a person as a school protection officer for
17 any reason and shall immediately notify the designated school protection officer, in writing, of the
18 revocation. The school district shall also within thirty days of the revocation notify the director of
19 the department of public safety, in writing, of the revocation of the designation of such person as a
20 school protection officer.

21 10. The director of the department of public safety shall maintain a listing of all persons
22 designated by school districts as school protection officers and shall make this list available to all law
23 enforcement agencies.

24 571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to 571.121
25 or a concealed carry endorsement or permit issued by another state or political subdivision of another
26 state shall authorize the person in whose name the permit or endorsement is issued to carry concealed
27 firearms on or about his or her person or vehicle throughout the state. No driver's license or
28 nondriver's license containing a concealed carry endorsement issued pursuant to sections 571.101 to
29 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision
30 of another state shall authorize any person to carry concealed firearms into:

31 (1) Any police, sheriff, or highway patrol office or station without the consent of the chief
32 law enforcement officer in charge of that office or station. Possession of a firearm in a vehicle on the
33 premises of the office or station shall not be a criminal offense so long as the firearm is not removed
34 from the vehicle or brandished while the vehicle is on the premises;

35 (2) Within twenty-five feet of any polling place on any election day. Possession of a firearm
36 in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm
37 is not removed from the vehicle or brandished while the vehicle is on the premises;

38 (3) The facility of any adult or juvenile detention or correctional institution, prison or jail.
39 Possession of a firearm in a vehicle on the premises of any adult, juvenile detention, or correctional
40 institution, prison or jail shall not be a criminal offense so long as the firearm is not removed from
41 the vehicle or brandished while the vehicle is on the premises;

1 (4) Any courthouse solely occupied by the circuit, appellate or supreme court, or any
2 courtrooms, administrative offices, libraries or other rooms of any such court whether or not such
3 court solely occupies the building in question. This subdivision shall also include, but not be limited
4 to, any juvenile, family, drug, or other court offices, any room or office wherein any of the courts or
5 offices listed in this subdivision are temporarily conducting any business within the jurisdiction of
6 such courts or offices, and such other locations in such manner as may be specified by supreme court
7 rule pursuant to subdivision (6) of this subsection. Nothing in this subdivision shall preclude those
8 persons listed in subdivision (1) of subsection 2 of section 571.030 while within their jurisdiction
9 and on duty, those persons listed in subdivisions (2), (4), and (10) of subsection 2 of section 571.030,
10 or such other persons who serve in a law enforcement capacity for a court as may be specified by
11 supreme court rule pursuant to subdivision (6) of this subsection from carrying a concealed firearm
12 within any of the areas described in this subdivision. Possession of a firearm in a vehicle on the
13 premises of any of the areas listed in this subdivision shall not be a criminal offense so long as the
14 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

15 (5) Any meeting of the governing body of a unit of local government; or any meeting of the
16 general assembly or a committee of the general assembly, except that nothing in this subdivision
17 shall preclude a member of the body holding a valid concealed carry endorsement from carrying a
18 concealed firearm at a meeting of the body which he or she is a member. Possession of a firearm in a
19 vehicle on the premises shall not be a criminal offense so long as the firearm is not removed from the
20 vehicle or brandished while the vehicle is on the premises. Nothing in this subdivision shall preclude
21 a member of the general assembly, a full-time employee of the general assembly employed under
22 section 17, article III, Constitution of Missouri, legislative employees of the general assembly as
23 determined under section 21.155, or statewide elected officials and their employees, holding a valid
24 concealed carry endorsement, from carrying a concealed firearm in the state capitol building or at a
25 meeting whether of the full body of a house of the general assembly or a committee thereof, that is
26 held in the state capitol building;

27 (6) The general assembly, supreme court, county or municipality may by rule, administrative
28 regulation, or ordinance prohibit or limit the carrying of concealed firearms by endorsement holders
29 in that portion of a building owned, leased or controlled by that unit of government. Any portion of
30 a building in which the carrying of concealed firearms is prohibited or limited shall be clearly
31 identified by signs posted at the entrance to the restricted area. The statute, rule or ordinance shall
32 exempt any building used for public housing by private persons, highways or rest areas, firing
33 ranges, and private dwellings owned, leased, or controlled by that unit of government from any
34 restriction on the carrying or possession of a firearm. The statute, rule or ordinance shall not specify
35 any criminal penalty for its violation but may specify that persons violating the statute, rule or
36 ordinance may be denied entrance to the building, ordered to leave the building and if employees of
37 the unit of government, be subjected to disciplinary measures for violation of the provisions of the
38 statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of
39 government;

40 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
41 premises, which portion is primarily devoted to that purpose, without the consent of the owner or

1 manager. The provisions of this subdivision shall not apply to the licensee of said establishment.
2 The provisions of this subdivision shall not apply to any bona fide restaurant open to the general
3 public having dining facilities for not less than fifty persons and that receives at least fifty-one
4 percent of its gross annual income from the dining facilities by the sale of food. This subdivision
5 does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and
6 shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished
7 while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has
8 been issued a concealed carry endorsement to possess any firearm while intoxicated;

9 (8) Any area of an airport to which access is controlled by the inspection of persons and
10 property. Possession of a firearm in a vehicle on the premises of the airport shall not be a criminal
11 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
12 the premises;

13 (9) Any place where the carrying of a firearm is prohibited by federal law;

14 (10) Any higher education institution or elementary or secondary school facility without the
15 consent of the governing body of the higher education institution or a school official or the district
16 school board, unless the person with the concealed carry endorsement or permit is a teacher or
17 administrator of an elementary or secondary school who has been designated by his or her school
18 district as a school protection officer and is carrying a firearm in a school within that district, in
19 which case no consent is required. Possession of a firearm in a vehicle on the premises of any higher
20 education institution or elementary or secondary school facility shall not be a criminal offense so
21 long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
22 premises;

23 (11) Any portion of a building used as a child care facility without the consent of the
24 manager. Nothing in this subdivision shall prevent the operator of a child care facility in a family
25 home from owning or possessing a firearm or a driver's license or nondriver's license containing a
26 concealed carry endorsement;

27 (12) Any riverboat gambling operation accessible by the public without the consent of the
28 owner or manager pursuant to rules promulgated by the gaming commission. Possession of a
29 firearm in a vehicle on the premises of a riverboat gambling operation shall not be a criminal offense
30 so long as the firearm is not removed from the vehicle or brandished while the vehicle is on the
31 premises;

32 (13) Any gated area of an amusement park. Possession of a firearm in a vehicle on the
33 premises of the amusement park shall not be a criminal offense so long as the firearm is not removed
34 from the vehicle or brandished while the vehicle is on the premises;

35 (14) Any church or other place of religious worship without the consent of the minister or
36 person or persons representing the religious organization that exercises control over the place of
37 religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal
38 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
39 the premises;

40 (15) Any private property whose owner has posted the premises as being off-limits to
41 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum

1 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch.
2 The owner, business or commercial lessee, manager of a private business enterprise, or any other
3 organization, entity, or person may prohibit persons holding a concealed carry endorsement from
4 carrying concealed firearms on the premises and may prohibit employees, not authorized by the
5 employer, holding a concealed carry endorsement from carrying concealed firearms on the property
6 of the employer. If the building or the premises are open to the public, the employer of the business
7 enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited.
8 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the
9 firearm is not removed from the vehicle or brandished while the vehicle is on the premises. An
10 employer may prohibit employees or other persons holding a concealed carry endorsement from
11 carrying a concealed firearm in vehicles owned by the employer;

12 (16) Any sports arena or stadium with a seating capacity of five thousand or more.
13 Possession of a firearm in a vehicle on the premises shall not be a criminal offense so long as the
14 firearm is not removed from the vehicle or brandished while the vehicle is on the premises;

15 (17) Any hospital accessible by the public. Possession of a firearm in a vehicle on the
16 premises of a hospital shall not be a criminal offense so long as the firearm is not removed from the
17 vehicle or brandished while the vehicle is on the premises.

18 2. Carrying of a concealed firearm in a location specified in subdivisions (1) to (17) of
19 subsection 1 of this section by any individual who holds a concealed carry endorsement issued
20 pursuant to sections 571.101 to 571.121 shall not be a criminal act but may subject the person to
21 denial to the premises or removal from the premises. If such person refuses to leave the premises
22 and a peace officer is summoned, such person may be issued a citation for an amount not to exceed
23 one hundred dollars for the first offense. If a second citation for a similar violation occurs within a
24 six-month period, such person shall be fined an amount not to exceed two hundred dollars and his or
25 her endorsement to carry concealed firearms shall be suspended for a period of one year. If a third
26 citation for a similar violation is issued within one year of the first citation, such person shall be
27 fined an amount not to exceed five hundred dollars and shall have his or her concealed carry
28 endorsement revoked and such person shall not be eligible for a concealed carry endorsement for a
29 period of three years. Upon conviction of charges arising from a citation issued pursuant to this
30 subsection, the court shall notify the sheriff of the county which issued the certificate of qualification
31 for a concealed carry endorsement and the department of revenue. The sheriff shall suspend or
32 revoke the certificate of qualification for a concealed carry endorsement and the department of
33 revenue shall issue a notice of such suspension or revocation of the concealed carry endorsement and
34 take action to remove the concealed carry endorsement from the individual's driving record. The
35 director of revenue shall notify the licensee that he or she must apply for a new license pursuant to
36 chapter 302 which does not contain such endorsement. A concealed carry endorsement suspension
37 pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her
38 driver's license. The notice issued by the department of revenue shall be mailed to the last known
39 address shown on the individual's driving record. The notice is deemed received three days after
40 mailing.

41 590.010. As used in this chapter, the following terms mean:

1 (1) "Commission", when not obviously referring to the POST commission, means a grant of
2 authority to act as a peace officer;

3 (2) "Director", the director of the Missouri department of public safety or his or her
4 designated agent or representative;

5 (3) "Peace officer", a law enforcement officer of the state or any political subdivision of the
6 state with the power of arrest for a violation of the criminal code or declared or deemed to be a peace
7 officer by state statute;

8 (4) "POST commission", the peace officer standards and training commission;

9 (5) "Reserve peace officer", a peace officer who regularly works less than thirty hours per
10 week;

11 (6) "School protection officer", an elementary or secondary school teacher or administrator
12 who has been designated as a school protection officer by a school district.

13 590.200. 1. The POST commission shall:

14 (1) Establish minimum standards for the training of school protection officers;

15 (2) Set the minimum number of hours of training required for a school protection officer;

16 and

17 (3) Set the curriculum for school protection officer training programs.

18 2. At a minimum this training shall include:

19 (1) Instruction specific to the prevention of incidents of violence in schools;

20 (2) The handling of emergency or violent crisis situations in school settings;

21 (3) A review of all state criminal laws;

22 (4) Training involving the use of defensive force; and

23 (5) Training involving the use of deadly force.

24 590.205. 1. The POST commission shall establish minimum standards for school protection
25 officer training instructors, training centers, and training programs.

26 2. The director shall develop and maintain a list of approved school protection officer
27 training instructors, training centers, and training programs. The director shall not place any
28 instructor, training center, or training program on its approved list unless such instructor, training
29 center, or training program meets all of the POST commission requirements under this section and
30 section 590.200. The director shall make this approved list available to every school district in the
31 state.

32 3. Each person seeking entrance into a school protection officer training center or training
33 program shall submit a fingerprint card and authorization for a criminal history background check to
34 include the records of the Federal Bureau of Investigation to the training center or training program
35 where such person is seeking entrance. The training center or training program shall cause a
36 criminal history background check to be made and shall cause the resulting report to be forwarded to
37 the school district where the elementary school teacher or administrator is seeking to be designated
38 as a school protection officer.

39 4. No person shall be admitted to a school protection officer training center or training
40 program unless such person submits proof to the training center or training program that he or she
41 has a valid concealed carry endorsement.

1 5. A certificate of school protection officer training program completion may be issued to
2 any applicant by any approved school protection officer training instructor. On the certificate of
3 program completion the approved school protection officer training instructor shall affirm that the
4 individual receiving instruction has taken and passed a school protection officer training program
5 that meets the requirements of this section and section 590.200 and that the individual has a valid
6 concealed carry endorsement. The instructor shall also provide a copy of such certificate to the
7 director of the department of public safety.

8 590.207. 1. Notwithstanding any other provision of law, any person designated as a school
9 protection officer under the provisions of section 160.665 who fails to properly carry his or her
10 concealed weapon on his or her person at all times while on school property as proscribed under
11 subsection 2 of section 160.655 shall be guilty of a class A misdemeanor and shall be subject to
12 employment termination proceedings within the school district.

13 2. Any school employee who discloses any information collected under subsection 8 of
14 section 160.655 that contains identifying personal information about any person designated as a
15 school protection officer to anyone other than those authorized to receive the information under
16 subsection 8 of section 160.655 shall be guilty of a class B misdemeanor and shall be subject to
17 employment termination proceedings within the school district."; and

18
19 Further amend said bill by amending the title, enacting clause, and intersectional references
20 accordingly.