

**HOUSE AMENDMENT NO. \_\_\_\_\_**  
**TO**  
**HOUSE AMENDMENT NO. \_\_\_\_\_**

**Offered By**

---

1 AMEND House Amendment No. \_\_\_\_\_ to House Committee Substitute for House Bill No. 436 Page  
2 7 Line 17 by inserting after said line the following:  
3 "AMEND House Committee Substitute for House Bill No. 436, Page 4, Section, Line 93 by inserting  
4 after said line the following:  
5 "50.535. 1. Notwithstanding the provisions of sections 50.525 to 50.745, the fee collected  
6 pursuant to [subsections] subsection 10 [and 11] of section 571.101 shall be deposited by the county  
7 treasurer into a separate interest-bearing fund to be known as the "County Sheriff's Revolving Fund"  
8 to be expended at the direction of the county or city sheriff or his or her designee as provided in this  
9 section.  
10 2. No prior approval of the expenditures from this fund shall be required by the governing  
11 body of the county or city not within a county, nor shall any prior audit or encumbrance of the fund  
12 be required before any expenditure is made by the sheriff from this fund. This fund shall only be  
13 used by law enforcement agencies for the purchase of equipment, to provide training, and to make  
14 necessary expenditures to process applications for concealed carry endorsements [or renewals],  
15 including but not limited to the purchase of equipment, information and data exchange, training,  
16 fingerprinting and background checks, employment of additional personnel, and any expenditure  
17 necessitated by an action under section 571.114 or 571.117. If the moneys collected and deposited  
18 into this fund are not totally expended annually, then the unexpended balance shall remain in said  
19 fund and the balance shall be kept in said fund to accumulate from year to year. This fund may be  
20 audited by the state auditor's office or the appropriate auditing agency.  
21 3. Notwithstanding any provision of this section to the contrary, the sheriff of every county,  
22 regardless of classification, is authorized to pay, from the sheriff's revolving fund, all reasonable and  
23 necessary costs and expenses for activities or services occasioned by compliance with sections  
24 571.101 to 571.121. Such was the intent of the general assembly in original enactment of this  
25 section and sections 571.101 to 571.121, and it is made express by this section in light of the  
26 decision in Brooks v. State of Missouri, (Mo. Sup. Ct. February 26, 2004). The application [and  
27 renewal] fees to be charged pursuant to section 571.101 shall be based on the sheriff's good faith  
28 estimate, made during regular budgeting cycles, of the actual costs and expenses to be incurred by  
29 reason of compliance with sections 571.101 to 571.121. If the maximum fee permitted by section  
30 571.101 is inadequate to cover the actual reasonable and necessary expenses in a given year, and

Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 there are not sufficient accumulated unexpended funds in the revolving fund, a sheriff may present  
2 specific and verified evidence of the unreimbursed expenses to the office of administration, which  
3 upon certification by the attorney general shall reimburse such sheriff for those expenses from an  
4 appropriation made for that purpose.

5 4. If pursuant to subsection [12] 11 of section 571.101, the sheriff of a county of the first  
6 classification designates one or more chiefs of police of any town, city, or municipality within such  
7 county to accept and process applications for certificates of qualification to obtain a concealed carry  
8 endorsement, then that sheriff shall reimburse such chiefs of police, out of the moneys deposited into  
9 this fund, for any reasonable expenses related to accepting and processing such applications.

10 302.181. 1. The license issued pursuant to the provisions of sections 302.010 to 302.340  
11 shall be in such form as the director shall prescribe, but the license shall be a card made of plastic or  
12 other comparable material. All licenses shall be manufactured of materials and processes that will  
13 prohibit, as nearly as possible, the ability to reproduce, alter, counterfeit, forge, or duplicate any  
14 license without ready detection. All licenses shall bear the licensee's Social Security number, if the  
15 licensee has one, and if not, a notarized affidavit must be signed by the licensee stating that the  
16 licensee does not possess a Social Security number, or, if applicable, a certified statement must be  
17 submitted as provided in subsection 4 of this section. The license shall also bear the expiration date  
18 of the license, the classification of the license, the name, date of birth, residence address including  
19 the county of residence or a code number corresponding to such county established by the  
20 department, and brief description and colored photograph or digitized image of the licensee, and a  
21 facsimile of the signature of the licensee. The director shall provide by administrative rule the  
22 procedure and format for a licensee to indicate on the back of the license together with the  
23 designation for an anatomical gift as provided in section 194.240 the name and address of the person  
24 designated pursuant to sections 404.800 to 404.865 as the licensee's attorney in fact for the purposes  
25 of a durable power of attorney for health care decisions. No license shall be valid until it has been so  
26 signed by the licensee. If any portion of the license is prepared by a private firm, any contract with  
27 such firm shall be made in accordance with the competitive purchasing procedures as established by  
28 the state director of the division of purchasing. For all licenses issued or renewed after March 1,  
29 1992, the applicant's Social Security number shall serve as the applicant's license number. Where the  
30 licensee has no Social Security number, or where the licensee is issued a license without a Social  
31 Security number in accordance with subsection 4 of this section, the director shall issue a license  
32 number for the licensee and such number shall also include an indicator showing that the number is  
33 not a Social Security number.

34 2. All film involved in the production of photographs for licenses shall become the property  
35 of the department of revenue.

36 3. The license issued shall be carried at all times by the holder thereof while driving a motor  
37 vehicle, and shall be displayed upon demand of any officer of the highway patrol, or any police  
38 officer or peace officer, or any other duly authorized person, for inspection when demand is made  
39 therefor. Failure of any operator of a motor vehicle to exhibit his or her license to any duly  
40 authorized officer shall be presumptive evidence that such person is not a duly licensed operator.

41 4. The director of revenue shall issue a commercial or noncommercial driver's license

1 without a Social Security number to an applicant therefor, who is otherwise qualified to be licensed,  
2 upon presentation to the director of a certified statement that the applicant objects to the display of  
3 the Social Security number on the license. The director shall assign an identification number, that is  
4 not based on a Social Security number, to the applicant which shall be displayed on the license in  
5 lieu of the Social Security number.

6 5. The director of revenue shall not issue a license without a facial photograph or digital  
7 image of the license applicant, except as provided pursuant to subsection 8 of this section. A  
8 photograph or digital image of the applicant's full facial features shall be taken in a manner  
9 prescribed by the director. No photograph or digital image will be taken wearing anything which  
10 cloaks the facial features of the individual.

11 6. The department of revenue may issue a temporary license or a full license without the  
12 photograph or with the last photograph or digital image in the department's records to members of  
13 the Armed Forces, except that where such temporary license is issued it shall be valid only until the  
14 applicant shall have had time to appear and have his or her picture taken and a license with his or her  
15 photograph issued.

16 7. The department of revenue shall issue upon request a nondriver's license card containing  
17 essentially the same information and photograph or digital image, except as provided pursuant to  
18 subsection 8 of this section, as the driver's license upon payment of six dollars. All nondriver's  
19 licenses shall expire on the applicant's birthday in the sixth year after issuance. A person who has  
20 passed his or her seventieth birthday shall upon application be issued a nonexpiring nondriver's  
21 license card. [Notwithstanding any other provision of this chapter, a nondriver's license containing a  
22 concealed carry endorsement shall expire three years from the date the certificate of qualification  
23 was issued pursuant to section 571.101.] The fee for nondriver's licenses issued for a period  
24 exceeding three years is six dollars [or three dollars for nondriver's licenses issued for a period of  
25 three years or less]. The nondriver's license card shall be used for identification purposes only and  
26 shall not be valid as a license.

27 8. If otherwise eligible, an applicant may receive a driver's license or nondriver's license  
28 without a photograph or digital image of the applicant's full facial features except that such  
29 applicant's photograph or digital image shall be taken and maintained by the director and not printed  
30 on such license.

31 In order to qualify for a license without a photograph or digital image pursuant to this section the  
32 applicant must:

33 (1) Present a form provided by the department of revenue requesting the applicant's  
34 photograph be omitted from the license or nondriver's license due to religious affiliations. The form  
35 shall be signed by the applicant and another member of the religious tenant verifying the photograph  
36 or digital image exemption on the license or nondriver's license is required as part of their religious  
37 affiliation. The required signatures on the prescribed form shall be properly notarized;

38 (2) Provide satisfactory proof to the director that the applicant has been a [U.S.] United  
39 States citizen for at least five years and a resident of this state for at least one year, except that an  
40 applicant moving to this state possessing a valid driver's license from another state without a  
41 photograph shall be exempt from the one-year state residency requirement. The director may

1 establish rules necessary to determine satisfactory proof of citizenship and residency pursuant to this  
2 section;

3 (3) Applications for a driver's license or nondriver's license without a photograph or digital  
4 image must be made in person at a license office determined by the director. The director is  
5 authorized to limit the number of offices that may issue a driver's or nondriver's license without a  
6 photograph or digital image pursuant to this section.

7 9. The department of revenue shall make available, at one or more locations within the state,  
8 an opportunity for individuals to have their full facial photograph taken by an employee of the  
9 department of revenue, or their designee, who is of the same sex as the individual being  
10 photographed, in a segregated location.

11 10. Beginning July 1, 2005, the director shall not issue a driver's license or a nondriver's  
12 license for a period that exceeds an applicant's lawful presence in the United States. The director  
13 may, by rule or regulation, establish procedures to verify the lawful presence of the applicant and  
14 establish the duration of any driver's license or nondriver's license issued under this section.

15 11. No rule or portion of a rule promulgated pursuant to the authority of this chapter shall  
16 become effective unless it is promulgated pursuant to the provisions of chapter 536.

17 571.101. 1. All applicants for concealed carry endorsements issued pursuant to subsection 7  
18 of this section must satisfy the requirements of sections 571.101 to 571.121. If the said applicant can  
19 show qualification as provided by sections 571.101 to 571.121, the county or city sheriff shall issue a  
20 certificate of qualification for a concealed carry endorsement. Upon receipt of such certificate, the  
21 certificate holder shall apply for a driver's license or nondriver's license with the director of revenue  
22 in order to obtain a concealed carry endorsement. Any person who has been issued a concealed carry  
23 endorsement on a driver's license or nondriver's license and such endorsement or license has not been  
24 suspended, revoked, cancelled, or denied may carry concealed firearms on or about his or her person  
25 or within a vehicle. A concealed carry endorsement shall be valid for [a period of three years from  
26 the date of issuance or renewal] life unless it is suspended or revoked. The concealed carry  
27 endorsement is valid throughout this state.

28 2. A certificate of qualification for a concealed carry endorsement issued pursuant to  
29 subsection 7 of this section shall be issued by the sheriff or his or her designee of the county or city  
30 in which the applicant resides, if the applicant:

31 (1) Is at least twenty-one years of age, is a citizen of the United States and either:

32 (a) Has assumed residency in this state; or

33 (b) Is a member of the Armed Forces stationed in Missouri, or the spouse of such member of  
34 the military;

35 (2) Is at least twenty-one years of age, or is at least eighteen years of age and a member of  
36 the United States Armed Forces or honorably discharged from the United States Armed Forces, and  
37 is a citizen of the United States and either:

38 (a) Has assumed residency in this state;

39 (b) Is a member of the Armed Forces stationed in Missouri; or

40 (c) The spouse of such member of the military stationed in Missouri and twenty-one years of  
41 age;

1 (3) Has not pled guilty to or entered a plea of nolo contendere or been convicted of a crime  
2 punishable by imprisonment for a term exceeding one year under the laws of any state or of the  
3 United States other than a crime classified as a misdemeanor under the laws of any state and  
4 punishable by a term of imprisonment of one year or less that does not involve an explosive weapon,  
5 firearm, firearm silencer or gas gun;

6 (4) Has not been convicted of, pled guilty to or entered a plea of nolo contendere to one or  
7 more misdemeanor offenses involving crimes of violence within a five-year period immediately  
8 preceding application for a certificate of qualification for a concealed carry endorsement or if the  
9 applicant has not been convicted of two or more misdemeanor offenses involving driving while  
10 under the influence of intoxicating liquor or drugs or the possession or abuse of a controlled  
11 substance within a five-year period immediately preceding application for a certificate of  
12 qualification for a concealed carry endorsement;

13 (5) Is not a fugitive from justice or currently charged in an information or indictment with  
14 the commission of a crime punishable by imprisonment for a term exceeding one year under the laws  
15 of any state of the United States other than a crime classified as a misdemeanor under the laws of any  
16 state and punishable by a term of imprisonment of two years or less that does not involve an  
17 explosive weapon, firearm, firearm silencer, or gas gun;

18 (6) Has not been discharged under dishonorable conditions from the United States Armed  
19 Forces;

20 (7) Has not engaged in a pattern of behavior, documented in public records, that causes the  
21 sheriff to have a reasonable belief that the applicant presents a danger to himself or others;

22 (8) Is not adjudged mentally incompetent at the time of application or for five years prior to  
23 application, or has not been committed to a mental health facility, as defined in section 632.005, or a  
24 similar institution located in another state following a hearing at which the defendant was  
25 represented by counsel or a representative;

26 (9) Submits a completed application for a certificate of qualification as described in  
27 subsection 3 of this section;

28 (10) Submits an affidavit attesting that the applicant complies with the concealed carry  
29 safety training requirement pursuant to subsections 1 and 2 of section 571.111;

30 (11) Is not the respondent of a valid full order of protection which is still in effect.

31 3. The application for a certificate of qualification for a concealed carry endorsement issued  
32 by the sheriff of the county of the applicant's residence shall contain only the following information:

33 (1) The applicant's name, address, telephone number, gender, and date and place of birth;

34 (2) An affirmation that the applicant has assumed residency in Missouri or is a member of  
35 the Armed Forces stationed in Missouri or the spouse of such a member of the Armed Forces and is a  
36 citizen of the United States;

37 (3) An affirmation that the applicant is at least twenty-one years of age or is eighteen years  
38 of age or older and a member of the United States Armed Forces or honorably discharged from the  
39 United States Armed Forces;

40 (4) An affirmation that the applicant has not pled guilty to or been convicted of a crime  
41 punishable by imprisonment for a term exceeding one year under the laws of any state or of the

1 United States other than a crime classified as a misdemeanor under the laws of any state and  
2 punishable by a term of imprisonment of one year or less that does not involve an explosive weapon,  
3 firearm, firearm silencer, or gas gun;

4 (5) An affirmation that the applicant has not been convicted of, pled guilty to, or entered a  
5 plea of nolo contendere to one or more misdemeanor offenses involving crimes of violence within a  
6 five-year period immediately preceding application for a certificate of qualification to obtain a  
7 concealed carry endorsement or if the applicant has not been convicted of two or more misdemeanor  
8 offenses involving driving while under the influence of intoxicating liquor or drugs or the possession  
9 or abuse of a controlled substance within a five-year period immediately preceding application for a  
10 certificate of qualification to obtain a concealed carry endorsement;

11 (6) An affirmation that the applicant is not a fugitive from justice or currently charged in an  
12 information or indictment with the commission of a crime punishable by imprisonment for a term  
13 exceeding one year under the laws of any state or of the United States other than a crime classified as  
14 a misdemeanor under the laws of any state and punishable by a term of imprisonment of two years or  
15 less that does not involve an explosive weapon, firearm, firearm silencer or gas gun;

16 (7) An affirmation that the applicant has not been discharged under dishonorable conditions  
17 from the United States Armed Forces;

18 (8) An affirmation that the applicant is not adjudged mentally incompetent at the time of  
19 application or for five years prior to application, or has not been committed to a mental health  
20 facility, as defined in section 632.005, or a similar institution located in another state, except that a  
21 person whose release or discharge from a facility in this state pursuant to chapter 632, or a similar  
22 discharge from a facility in another state, occurred more than five years ago without subsequent  
23 recommitment may apply;

24 (9) An affirmation that the applicant has received firearms safety training that meets the  
25 standards of applicant firearms safety training defined in subsection 1 or 2 of section 571.111;

26 (10) An affirmation that the applicant, to the applicant's best knowledge and belief, is not the  
27 respondent of a valid full order of protection which is still in effect; and

28 (11) A conspicuous warning that false statements made by the applicant will result in  
29 prosecution for perjury pursuant to the laws of the state of Missouri.

30 4. An application for a certificate of qualification for a concealed carry endorsement shall be  
31 made to the sheriff of the county or any city not within a county in which the applicant resides. An  
32 application shall be filed in writing, signed under oath and under the penalties of perjury, and shall  
33 state whether the applicant complies with each of the requirements specified in subsection 2 of this  
34 section. In addition to the completed application, the applicant for a certificate of qualification for a  
35 concealed carry endorsement must also submit the following:

36 (1) A photocopy of a firearms safety training certificate of completion or other evidence of  
37 completion of a firearms safety training course that meets the standards established in subsection 1 or  
38 2 of section 571.111; and

39 (2) A nonrefundable certificate of qualification fee as provided by subsection 10 [or 11] of  
40 this section.

41 5. Before an application for a certificate of qualification for a concealed carry endorsement

1 is approved, the sheriff shall make only such inquiries as he or she deems necessary into the accuracy  
2 of the statements made in the application. The sheriff may require that the applicant display a  
3 Missouri driver's license or nondriver's license or military identification and orders showing the  
4 person being stationed in Missouri. In order to determine the applicant's suitability for a certificate  
5 of qualification for a concealed carry endorsement, the applicant shall be fingerprinted. The sheriff  
6 shall request a criminal background check through the appropriate law enforcement agency within  
7 three working days after submission of the properly completed application for a certificate of  
8 qualification for a concealed carry endorsement. If no disqualifying record is identified by the  
9 fingerprint check at the state level, the fingerprints shall be forwarded to the Federal Bureau of  
10 Investigation for a national criminal history record check. Upon receipt of the completed  
11 background check, the sheriff shall issue a certificate of qualification for a concealed carry  
12 endorsement within three working days. The sheriff shall issue the certificate within forty-five  
13 calendar days if the criminal background check has not been received, provided that the sheriff shall  
14 revoke any such certificate and endorsement within twenty-four hours of receipt of any background  
15 check that results in a disqualifying record, and shall notify the department of revenue.

16 6. The sheriff may refuse to approve an application for a certificate of qualification for a  
17 concealed carry endorsement if he or she determines that any of the requirements specified in  
18 subsection 2 of this section have not been met, or if he or she has a substantial and demonstrable  
19 reason to believe that the applicant has rendered a false statement regarding any of the provisions of  
20 sections 571.101 to 571.121. If the applicant is found to be ineligible, the sheriff is required to deny  
21 the application, and notify the applicant in writing, stating the grounds for denial and informing the  
22 applicant of the right to submit, within thirty days, any additional documentation relating to the  
23 grounds of the denial. Upon receiving any additional documentation, the sheriff shall reconsider his  
24 or her decision and inform the applicant within thirty days of the result of the reconsideration. The  
25 applicant shall further be informed in writing of the right to appeal the denial pursuant to subsections  
26 2, 3, 4, and 5 of section 571.114. After two additional reviews and denials by the sheriff, the person  
27 submitting the application shall appeal the denial pursuant to subsections 2, 3, 4, and 5 of section  
28 571.114.

29 7. If the application is approved, the sheriff shall issue a certificate of qualification for a  
30 concealed carry endorsement to the applicant within a period not to exceed three working days after  
31 his or her approval of the application. The applicant shall sign the certificate of qualification in the  
32 presence of the sheriff or his or her designee and shall within seven days of receipt of the certificate  
33 of qualification take the certificate of qualification to the department of revenue. Upon verification  
34 of the certificate of qualification and completion of a driver's license or nondriver's license  
35 application pursuant to chapter 302, the director of revenue shall issue a new driver's license or  
36 nondriver's license with an endorsement which identifies that the applicant has received a certificate  
37 of qualification to carry concealed weapons issued pursuant to sections 571.101 to 571.121 if the  
38 applicant is otherwise qualified to receive such driver's license or nondriver's license.  
39 [Notwithstanding any other provision of chapter 302, a nondriver's license with a concealed carry  
40 endorsement shall expire three years from the date the certificate of qualification was issued pursuant  
41 to this section.] The requirements for the director of revenue to issue a concealed carry endorsement

1 pursuant to this subsection shall not be effective until July 1, 2004, and the certificate of qualification  
2 issued by a county sheriff pursuant to subsection 1 of this section shall allow the person issued such  
3 certificate to carry a concealed weapon pursuant to the requirements of subsection 1 of section  
4 571.107 in lieu of the concealed carry endorsement issued by the director of revenue from October  
5 11, 2003, until the concealed carry endorsement is issued by the director of revenue on or after July  
6 1, 2004, unless such certificate of qualification has been suspended or revoked for cause.

7 8. The sheriff shall keep a record of all applications for a certificate of qualification for a  
8 concealed carry endorsement and his or her action thereon. The sheriff shall report the issuance of a  
9 certificate of qualification to the Missouri uniform law enforcement system. All information on any  
10 such certificate that is protected information on any driver's or nondriver's license shall have the  
11 same personal protection for purposes of sections 571.101 to 571.121. An applicant's status as a  
12 holder of a certificate of qualification or a concealed carry endorsement shall not be public  
13 information and shall be considered personal protected information. Any person who violates the  
14 provisions of this subsection by disclosing protected information shall be guilty of a class A  
15 misdemeanor.

16 9. Information regarding any holder of a certificate of qualification or a concealed carry  
17 endorsement is a closed record.

18 10. For processing an application for a certificate of qualification for a concealed carry  
19 endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a  
20 nonrefundable fee not to exceed one hundred dollars which shall be paid to the treasury of the county  
21 to the credit of the sheriff's revolving fund.

22 11. [For processing a renewal for a certificate of qualification for a concealed carry  
23 endorsement pursuant to sections 571.101 to 571.121, the sheriff in each county shall charge a  
24 nonrefundable fee not to exceed fifty dollars which shall be paid to the treasury of the county to the  
25 credit of the sheriff's revolving fund.

26 12.] For the purposes of sections 571.101 to 571.121, the term "sheriff" shall include the  
27 sheriff of any county or city not within a county or his or her designee and in counties of the first  
28 classification the sheriff may designate the chief of police of any city, town, or municipality within  
29 such county.

30 571.104. 1. (1) A concealed carry endorsement issued pursuant to sections 571.101 to  
31 571.121 shall be suspended or revoked if the concealed carry endorsement holder becomes ineligible  
32 for such concealed carry endorsement under the criteria established in subdivisions (2), (3), (4), (5),  
33 and (7) of subsection 2 of section 571.101 or upon the issuance of a valid full order of protection.

34 (2) When a valid full order of protection, or any arrest warrant, discharge, or commitment  
35 for the reasons listed in subdivision (2), (3), (4), (5), or (7) of subsection 2 of section 571.101, is  
36 issued against a person holding a concealed carry endorsement issued pursuant to sections 571.101 to  
37 571.121 upon notification of said order, warrant, discharge or commitment or upon an order of a  
38 court of competent jurisdiction in a criminal proceeding, a commitment proceeding or a full order of  
39 protection proceeding ruling that a person holding a concealed carry endorsement presents a risk of  
40 harm to themselves or others, then upon notification of such order, the holder of the concealed carry  
41 endorsement shall surrender the driver's license or nondriver's license containing the concealed carry



1 endorsement to the court, to the officer, or other official serving the order, warrant, discharge, or  
2 commitment.

3 (3) The official to whom the driver's license or nondriver's license containing the concealed  
4 carry endorsement is surrendered shall issue a receipt to the licensee for the license upon a form,  
5 approved by the director of revenue, that serves as a driver's license or a nondriver's license and  
6 clearly states the concealed carry endorsement has been suspended. The official shall then transmit  
7 the driver's license or a nondriver's license containing the concealed carry endorsement to the circuit  
8 court of the county issuing the order, warrant, discharge, or commitment. The concealed carry  
9 endorsement issued pursuant to sections 571.101 to 571.121 shall be suspended until the order is  
10 terminated or until the arrest results in a dismissal of all charges. Upon dismissal, the court holding  
11 the driver's license or nondriver's license containing the concealed carry endorsement shall return it  
12 to the individual.

13 (4) Any conviction, discharge, or commitment specified in sections 571.101 to 571.121 shall  
14 result in a revocation. Upon conviction, the court shall forward a notice of conviction or action and  
15 the driver's license or nondriver's license with the concealed carry endorsement to the department of  
16 revenue. The department of revenue shall notify the sheriff of the county which issued the certificate  
17 of qualification for a concealed carry endorsement and shall report the change in status of the  
18 concealed carry endorsement to the Missouri uniform law enforcement system. The director of  
19 revenue shall immediately remove the endorsement issued pursuant to sections 571.101 to 571.121  
20 from the individual's driving record within three days of the receipt of the notice from the court. The  
21 director of revenue shall notify the licensee that he or she must apply for a new license pursuant to  
22 chapter 302 which does not contain such endorsement. This requirement does not affect the driving  
23 privileges of the licensee. The notice issued by the department of revenue shall be mailed to the last  
24 known address shown on the individual's driving record. The notice is deemed received three days  
25 after mailing.

26 2. [A concealed carry endorsement shall be renewed for a qualified applicant upon receipt of  
27 the properly completed renewal application and the required renewal fee by the sheriff of the county  
28 of the applicant's residence. The renewal application shall contain the same required information as  
29 set forth in subsection 3 of section 571.101, except that in lieu of the fingerprint requirement of  
30 subsection 5 of section 571.101 and the firearms safety training, the applicant need only display his  
31 or her current driver's license or nondriver's license containing a concealed carry endorsement. Upon  
32 successful completion of all renewal requirements, the sheriff shall issue a certificate of qualification  
33 which contains the date such certificate was renewed.

34 3. A person who has been issued a certificate of qualification for a concealed carry  
35 endorsement who fails to file a renewal application on or before its expiration date must pay an  
36 additional late fee of ten dollars per month for each month it is expired for up to six months. After  
37 six months, the sheriff who issued the expired certificate shall notify the director of revenue that such  
38 certificate is expired. The director of revenue shall immediately cancel the concealed carry  
39 endorsement and remove such endorsement from the individual's driving record and notify the  
40 individual of such cancellation. The notice of cancellation of the endorsement shall be conducted in  
41 the same manner as described in subsection 1 of this section. Any person who has been issued a

1 certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to  
2 571.121 who fails to renew his or her application within the six-month period must reapply for a new  
3 certificate of qualification for a concealed carry endorsement and pay the fee for a new application.  
4 The director of revenue shall not issue an endorsement on a renewed driver's license or renewed  
5 nondriver's license unless the applicant for such license provides evidence that he or she has renewed  
6 the certification of qualification for a concealed carry endorsement in the manner provided for such  
7 renewal pursuant to sections 571.101 to 571.121.] If an applicant for renewal of a driver's license or  
8 nondriver's license containing a concealed carry endorsement does not want to maintain the  
9 concealed carry endorsement, the applicant shall inform the director at the time of license renewal of  
10 his or her desire to remove the endorsement. When a driver's or nondriver's license applicant  
11 informs the director of his or her desire to remove the concealed carry endorsement, the director  
12 shall renew the driver's license or nondriver's license without the endorsement appearing on the  
13 license if the applicant is otherwise qualified for such renewal.

14 [4.] 3. Any person issued a concealed carry endorsement pursuant to sections 571.101 to  
15 571.121 shall notify the department of revenue and the sheriffs of both the old and new jurisdictions  
16 of the endorsement holder's change of residence within thirty days after the changing of a permanent  
17 residence. The endorsement holder shall furnish proof to the department of revenue and the sheriff  
18 in the new jurisdiction that the endorsement holder has changed his or her residence. The sheriff of  
19 the new jurisdiction may charge a processing fee of not more than ten dollars for any costs associated  
20 with notification of a change in residence. The change of residence shall be made by the department  
21 of revenue onto the individual's driving record and the new address shall be accessible by the  
22 Missouri uniform law enforcement system within three days of receipt of the information.

23 [5.] 4. Any person issued a driver's license or nondriver's license containing a concealed  
24 carry endorsement pursuant to sections 571.101 to 571.121 shall notify the sheriff or his or her  
25 designee of the endorsement holder's county or city of residence within seven days after actual  
26 knowledge of the loss or destruction of his or her driver's license or nondriver's license containing a  
27 concealed carry endorsement. The endorsement holder shall furnish a statement to the sheriff that  
28 the driver's license or nondriver's license containing the concealed carry endorsement has been lost  
29 or destroyed. After notification of the loss or destruction of a driver's license or nondriver's license  
30 containing a concealed carry endorsement, the sheriff shall reissue a new certificate of qualification  
31 within three working days of being notified by the concealed carry endorsement holder of its loss or  
32 destruction. The reissued certificate of qualification shall contain the same personal information,  
33 including expiration date, as the original certificate of qualification. The applicant shall then take the  
34 certificate to the department of revenue, and the department of revenue shall proceed on the  
35 certificate in the same manner as provided in subsection 7 section 571.101. Upon application for a  
36 license pursuant to chapter 302, the director of revenue shall issue a driver's license or nondriver's  
37 license containing a concealed carry endorsement if the applicant is otherwise eligible to receive  
38 such license.

39 [6.] 5. If a person issued a concealed carry endorsement changes his or her name, the person  
40 to whom the endorsement was issued shall obtain a corrected certificate of qualification for a

1 concealed carry endorsement with a change of name from the sheriff who issued such certificate  
2 upon the sheriff's verification of the name change. The sheriff may charge a processing fee of not  
3 more than ten dollars for any costs associated with obtaining a corrected certificate of qualification.  
4 The endorsement holder shall furnish proof of the name change to the department of revenue and the  
5 sheriff within thirty days of changing his or her name and display his or her current driver's license  
6 or nondriver's license containing a concealed carry endorsement. The endorsement holder shall  
7 apply for a new driver's license or nondriver's license containing his or her new name. Such  
8 application for a driver's license or nondriver's license shall be made pursuant to chapter 302. The  
9 director of revenue shall issue a driver's license or nondriver's license with concealed carry  
10 endorsement with the endorsement holder's new name if the applicant is otherwise eligible for such  
11 license. The director of revenue shall take custody of the old driver's license or nondriver's license.  
12 The name change shall be made by the department of revenue onto the individual's driving record  
13 and the new name shall be accessible by the Missouri uniform law enforcement system within three  
14 days of receipt of the information.

15 [7.] 6. A concealed carry endorsement shall be automatically invalid after thirty days if the  
16 endorsement holder has changed his or her name or changed his or her residence and not notified the  
17 department of revenue and sheriff of a change of name or residence as required in subsections 4 and  
18 6 of this section.

19 571.117. 1. Any person who has knowledge that another person, who was issued a  
20 certificate of qualification for a concealed carry endorsement pursuant to sections 571.101 to  
21 571.121, never was or no longer is eligible for such endorsement under the criteria established in  
22 sections 571.101 to 571.121 may file a petition with the clerk of the small claims court to revoke that  
23 person's certificate of qualification for a concealed carry endorsement and such person's concealed  
24 carry endorsement. The petition shall be in a form substantially similar to the petition for revocation  
25 of concealed carry endorsement provided in this section. Appeal forms shall be provided by the  
26 clerk of the small claims court free of charge to any person:

27 SMALL CLAIMS COURT

28 In the Circuit Court of ....., Missouri

29 ....., PLAINTIFF

30 )

31 )

32 vs. ) Case Number .....

33 )

34 ....., DEFENDANT,

35 Carry Endorsement Holder

36 ....., DEFENDANT,

37 Sheriff of Issuance

38 PETITION FOR REVOCATION

39 OF CERTIFICATE OF QUALIFICATION

40 OR CONCEALED CARRY ENDORSEMENT

1 Plaintiff states to the court that the defendant, ....., has a certificate of qualification or a  
2 concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo, and that the  
3 defendant's certificate of qualification or concealed carry endorsement should now be revoked  
4 because the defendant either never was or no longer is eligible for such a certificate or endorsement  
5 pursuant to the provisions of sections 571.101 to 571.121, RSMo, specifically plaintiff states that  
6 defendant, ....., never was or no longer is eligible for such certificate or endorsement for one or  
7 more of the following reasons:

8 (CHECK BELOW EACH REASON  
9 THAT APPLIES TO THIS DEFENDANT)

10  Defendant is not at least twenty-one years of age or at least eighteen years of age and a  
11 member of the United States Armed Forces or honorably discharged from the United States Armed  
12 Forces.

13  Defendant is not a citizen of the United States.

14  Defendant had not resided in this state prior to issuance of the permit and does not qualify  
15 as a military member or spouse of a military member stationed in Missouri.

16  Defendant has pled guilty to or been convicted of a crime punishable by imprisonment for  
17 a term exceeding one year under the laws of any state or of the United States other than a crime  
18 classified as a misdemeanor under the laws of any state and punishable by a term of imprisonment of  
19 one year or less that does not involve an explosive weapon, firearm, firearm silencer, or gas gun.

20  Defendant has been convicted of, pled guilty to or entered a plea of nolo contendere to one  
21 or more misdemeanor offenses involving crimes of violence within a five-year period immediately  
22 preceding application for a certificate of qualification or concealed carry endorsement issued  
23 pursuant to sections 571.101 to 571.121, RSMo, or if the applicant has been convicted of two or  
24 more misdemeanor offenses involving driving while under the influence of intoxicating liquor or  
25 drugs or the possession or abuse of a controlled substance within a five-year period immediately  
26 preceding application for a certificate of qualification or a concealed carry endorsement issued  
27 pursuant to sections 571.101 to 571.121, RSMo.

28  Defendant is a fugitive from justice or currently charged in an information or indictment  
29 with the commission of a crime punishable by imprisonment for a term exceeding one year under the  
30 laws of any state of the United States other than a crime classified as a misdemeanor under the laws  
31 of any state and punishable by a term of imprisonment of one year or less that does not involve an  
32 explosive weapon, firearm, firearm silencer, or gas gun.

33  Defendant has been discharged under dishonorable conditions from the United States  
34 Armed Forces.

35  Defendant is reasonably believed by the sheriff to be a danger to self or others based on  
36 previous, documented pattern.

37  Defendant is adjudged mentally incompetent at the time of application or for five years  
38 prior to application, or has been committed to a mental health facility, as defined in section 632.005,  
39 RSMo, or a similar institution located in another state, except that a person whose release or  
40 discharge from a facility in this state pursuant to chapter 632, RSMo, or a similar discharge from a

1 facility in another state, occurred more than five years ago without subsequent recommitment may  
2 apply.

3 [ ] Defendant failed to submit a completed application for a certificate of qualification or  
4 concealed carry endorsement issued pursuant to sections 571.101 to 571.121, RSMo.

5 [ ] Defendant failed to submit to or failed to clear the required background check.

6 [ ] Defendant failed to submit an affidavit attesting that the applicant complies with the  
7 concealed carry safety training requirement pursuant to subsection 1 of section 571.111, RSMo.

8  
9 The plaintiff subject to penalty for perjury states that the information contained in this petition is true  
10 and correct to the best of the plaintiff's knowledge, is reasonably based upon the petitioner's personal  
11 knowledge and is not primarily intended to harass the defendant/respondent named herein.

12  
13 ....., PLAINTIFF

14 2. If at the hearing the plaintiff shows that the defendant was not eligible for the certificate of  
15 qualification or the concealed carry endorsement issued pursuant to sections 571.101 to 571.121 at  
16 the time of issuance [or renewal] or is no longer eligible for a certificate of qualification or the  
17 concealed carry endorsement issued pursuant to the provisions of sections 571.101 to 571.121, the  
18 court shall issue an appropriate order to cause the revocation of the certificate of qualification or  
19 concealed carry endorsement. Costs shall not be assessed against the sheriff.

20 3. The finder of fact, in any action brought against an endorsement holder pursuant to  
21 subsection 1 of this section, shall make findings of fact and the court shall make conclusions of law  
22 addressing the issues at dispute. If it is determined that the plaintiff in such an action acted without  
23 justification or with malice or primarily with an intent to harass the endorsement holder or that there  
24 was no reasonable basis to bring the action, the court shall order the plaintiff to pay the  
25 defendant/respondent all reasonable costs incurred in defending the action including, but not limited  
26 to, attorney's fees, deposition costs, and lost wages. Once the court determines that the plaintiff is  
27 liable to the defendant/respondent for costs and fees, the extent and type of fees and costs to be  
28 awarded should be liberally calculated in defendant/respondent's favor. Notwithstanding any other  
29 provision of law, reasonable attorney's fees shall be presumed to be at least one hundred fifty dollars  
30 per hour.

31 4. Any person aggrieved by any final judgment rendered by a small claims court in a petition  
32 for revocation of a certificate of qualification or concealed carry endorsement may have a right to  
33 trial de novo as provided in sections 512.180 to 512.320.

34 5. The office of the county sheriff or any employee or agent of the county sheriff shall not be  
35 liable for damages in any civil action arising from alleged wrongful or improper granting, renewing,  
36 or failure to revoke a certificate of qualification or a concealed carry endorsement issued pursuant to  
37 sections 571.101 to 571.121, so long as the sheriff acted in good faith."; and"; and

38  
39 Further amend said bill by amending the title, enacting clause, and intersectional references  
40 accordingly.