

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for House Bill No. 859, Page 3, Section 50.535, Line 41, 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

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1 safety which demonstrates that such person has successfully completed the training requirements
 2 established by the POST commission under chapter 590 for school protection officers.

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

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

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

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

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

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

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

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

25
 26 Further amend said bill, Section 571.030, Page 7, Line 151, by inserting after all of said Section and
 27 Line the following:

28
 29 "571.107. 1. A concealed carry endorsement issued pursuant to sections 571.101 to 571.121
 30 or a concealed carry endorsement or permit issued by another state or political subdivision of another
 31 state shall authorize the person in whose name the permit or endorsement is issued to carry concealed
 32 firearms on or about his or her person or vehicle throughout the state. No driver's license or
 33 nondriver's license containing a concealed carry endorsement issued pursuant to sections 571.101 to
 34 571.121 or a concealed carry endorsement or permit issued by another state or political subdivision
 35 of another state shall authorize any person to carry concealed firearms into:

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

40 (2) Within twenty-five feet of any polling place on any election day. Possession of a firearm
 41 in a vehicle on the premises of the polling place shall not be a criminal offense so long as the firearm

1 is not removed from the vehicle or brandished while the vehicle is on the premises;

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

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

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

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

1 the unit of government, be subjected to disciplinary measures for violation of the provisions of the
2 statute, rule or ordinance. The provisions of this subdivision shall not apply to any other unit of
3 government;

4 (7) Any establishment licensed to dispense intoxicating liquor for consumption on the
5 premises, which portion is primarily devoted to that purpose, without the consent of the owner or
6 manager. The provisions of this subdivision shall not apply to the licensee of said establishment.
7 The provisions of this subdivision shall not apply to any bona fide restaurant open to the general
8 public having dining facilities for not less than fifty persons and that receives at least fifty-one
9 percent of its gross annual income from the dining facilities by the sale of food. This subdivision
10 does not prohibit the possession of a firearm in a vehicle on the premises of the establishment and
11 shall not be a criminal offense so long as the firearm is not removed from the vehicle or brandished
12 while the vehicle is on the premises. Nothing in this subdivision authorizes any individual who has
13 been issued a concealed carry endorsement to possess any firearm while intoxicated;

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

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

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

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

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

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

40 (14) Any church or other place of religious worship without the consent of the minister or
41 person or persons representing the religious organization that exercises control over the place of

1 religious worship. Possession of a firearm in a vehicle on the premises shall not be a criminal
2 offense so long as the firearm is not removed from the vehicle or brandished while the vehicle is on
3 the premises;

4 (15) Any private property whose owner has posted the premises as being off-limits to
5 concealed firearms by means of one or more signs displayed in a conspicuous place of a minimum
6 size of eleven inches by fourteen inches with the writing thereon in letters of not less than one inch.
7 The owner, business or commercial lessee, manager of a private business enterprise, or any other
8 organization, entity, or person may prohibit persons holding a concealed carry endorsement from
9 carrying concealed firearms on the premises and may prohibit employees, not authorized by the
10 employer, holding a concealed carry endorsement from carrying concealed firearms on the property
11 of the employer. If the building or the premises are open to the public, the employer of the business
12 enterprise shall post signs on or about the premises if carrying a concealed firearm is prohibited.
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. An
15 employer may prohibit employees or other persons holding a concealed carry endorsement from
16 carrying a concealed firearm in vehicles owned by the employer;

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

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

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

1 pursuant to sections 571.101 to 571.121 shall be reinstated at the time of the renewal of his or her
 2 driver's license. The notice issued by the department of revenue shall be mailed to the last known
 3 address shown on the individual's driving record. The notice is deemed received three days after
 4 mailing."; and

5
 6 Further amend said bill, Section 571.198, Page 25, Line 2, by inserting after all of said Section and
 7 Line the following:

8
 9 "590.010. As used in this chapter, the following terms mean:

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

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

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

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

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

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

22 590.200. 1. The POST commission shall:

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

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

25 and

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

27 2. At a minimum this training shall include:

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

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

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

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

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

33 590.205. 1. The POST commission shall establish minimum standards for school protection
 34 officer training instructors, training centers, and training programs.

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

41 3. Each person seeking entrance into a school protection officer training center or training

1 program shall submit a fingerprint card and authorization for a criminal history background check to
2 include the records of the Federal Bureau of Investigation to the training center or training program
3 where such person is seeking entrance. The training center or training program shall cause a
4 criminal history background check to be made and shall cause the resulting report to be forwarded to
5 the school district where the elementary school teacher or administrator is seeking to be designated
6 as a school protection officer.

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

10 5. A certificate of school protection officer training program completion may be issued to
11 any applicant by any approved school protection officer training instructor. On the certificate of
12 program completion the approved school protection officer training instructor shall affirm that the
13 individual receiving instruction has taken and passed a school protection officer training program
14 that meets the requirements of this section and section 590.200 and that the individual has a valid
15 concealed carry endorsement. The instructor shall also provide a copy of such certificate to the
16 director of the department of public safety.

17 590.207. 1. Notwithstanding any other provision of law, any person designated as a school
18 protection officer under the provisions of section 160.665 who fails to properly carry his or her
19 concealed weapon on his or her person at all times while on school property as proscribed under
20 subsection 2 of section 160.655 shall be guilty of a class A misdemeanor and shall be subject to
21 employment termination proceedings within the school district.

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

27
28 Further amend said bill by amending the title, enacting clause, and intersectional references
29 accordingly.