

SENATE AMENDMENT NO. _____

Offered by _____ of _____

Amend SS/SCS/HCS/House Bill No. 301, Page 227, Section 571.031, Line 40,

2 by inserting after all of said line the following:

3 "571.060. 1. A person commits the offense of unlawful
4 transfer of weapons if he or she:

5 (1) Knowingly sells, leases, loans, gives away or
6 delivers a firearm or ammunition for a firearm to any person
7 who, under the provisions of section 571.070, is not
8 lawfully entitled to possess such;

9 (2) Knowingly sells, leases, loans, gives away or
10 delivers a blackjack to a person less than eighteen years
11 old without the consent of the child's custodial parent or
12 guardian, or recklessly, as defined in section 562.016,
13 sells, leases, loans, gives away or delivers any firearm to
14 a person less than eighteen years old without the consent of
15 the child's custodial parent or guardian; provided, that
16 this does not prohibit the delivery of such weapons to any
17 peace officer or member of the Armed Forces or National
18 Guard while performing his or her official duty; [or]

19 (3) Recklessly, as defined in section 562.016, sells,
20 leases, loans, gives away or delivers a firearm or
21 ammunition for a firearm to a person who is intoxicated;

22 (4) Knowingly sells, leases, loans, gives away, or
23 delivers a firearm to any person whose name appears on the
24 Terrorist Screening Center's No Fly List; or

25 (5) Knowingly sells, leases, loans, gives away, or
26 delivers a firearm to any person who is a member of a group

27 of two or more individuals, regardless if organized, that
28 engages in or has a subgroup that engages in international
29 or domestic terrorism.

30 2. Unlawful transfer of weapons under subdivision (1)
31 of subsection 1 of this section is a class E felony;
32 unlawful transfer of weapons under subdivisions (2) [and],
33 (3), (4), and (5) of subsection 1 of this section is a class
34 A misdemeanor.

35 3. For purposes of this section, "terrorism" means
36 activities that:

37 (1) Involve a violent act or acts dangerous to human
38 life that violate the criminal laws of the United States or
39 a state thereof that would be a criminal violation if
40 committed within the jurisdiction of the United States or a
41 state thereof; and

42 (2) Appear to be intended to:

43 (a) Intimidate or coerce a civilian population;

44 (b) Influence the policy of a government by

45 intimidation or coercion; or

46 (c) Affect the conduct of a government by mass
47 destruction, assassination, or kidnapping."; and

48 Further amend said bill, section 571.070, page 227, by
49 striking all of said section from the bill and inserting in
50 lieu thereof the following:

51 "571.070. 1. A person commits the offense of unlawful
52 possession of a firearm if such person knowingly has any
53 firearm in his or her possession and:

54 (1) Such person has been convicted of a felony under
55 the laws of this state, or of a crime under the laws of any
56 state or of the United States which, if committed within
57 this state, would be a felony; [or]

58 (2) Such person is a fugitive from justice, is
59 habitually in an intoxicated or drugged condition, or is
60 currently adjudged mentally incompetent;

61 (3) Such person's name appears on the Terrorist
62 Screening Center's No Fly List; or

63 (4) Such person is a member of a group of two or more
64 individuals, regardless if organized, that engages in or has
65 a subgroup that engages in international or domestic
66 terrorism. For purposes of this subdivision, "terrorism"
67 means activities that:

68 (a) Involve a violent act or acts dangerous to human
69 life that are a violation of the criminal laws of the United
70 States or a state thereof or that would be a criminal
71 violation if committed within the jurisdiction of the United
72 States or a state thereof; and

73 (b) Appear to be intended to:

74 a. Intimidate or coerce a civilian population;

75 b. Influence the policy of a government by
76 intimidation or coercion; or

77 c. Affect the conduct of a government by mass
78 destruction, assassination, or kidnapping.

79 2. Unlawful possession of a firearm is a class D
80 felony, unless a person has been convicted of a dangerous
81 felony as defined in section 556.061, in which case it is a
82 class C felony.

83 3. The provisions of subdivision (1) of subsection 1
84 of this section shall not apply to the possession of an
85 antique firearm."; and

86 Further amend the title and enacting clause accordingly.