

SECOND REGULAR SESSION

# SENATE BILL NO. 496

89TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR MUELLER.

Pre-filed December 1, 1997, and 1,000 copies ordered printed.

TERRY L. SPIELER, Secretary.

S2294.011

## AN ACT

To repeal section 571.080, RSMo 1994, relating to the transfer of concealable firearms, and to enact in lieu thereof one new section relating to the same subject, with penalty provisions.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 571.080, RSMo 1994, is repealed and one new section enacted in lieu thereof, to be known as section 571.080, to read as follows:

571.080. 1. A person commits the crime of transfer of a concealable firearm without a permit if:

(1) He buys, leases, borrows, exchanges or otherwise receives any concealable firearm, unless he first obtains and delivers to the person delivering the firearm a valid permit authorizing the acquisition of the firearm; or

(2) He sells, leases, loans, exchanges, gives away or otherwise delivers any concealable firearm, unless he first demands and receives from the person receiving the firearm a valid permit authorizing such acquisition of the firearm.

2. A permit to acquire a concealable firearm shall only be valid for thirty days after the issuance thereof.

3. Subsection 1 of this section shall not apply to the acquisition by or transfer of concealable firearms among manufacturers, wholesalers or retailers of firearms for purposes of commerce; nor shall it apply to antique firearms or replicas thereof. The term "antique firearm" means any firearm not designed or redesigned for using rim fire or conventional center fire ignition with fixed ammunition and manufactured in or before 1898 (including any matchlock, flintlock, percussion cap, or similar type of ignition system or replica thereof, whether actually manufactured before or after the year 1898) and also any firearm using fixed ammunition manufactured in or before 1898, for which ammunition is no longer manufactured in the United

States and is not readily available in the ordinary channels of commercial trade.

**4. Subsection 1 of this section shall not apply to any firearm that has been designated a “collector item” by the Secretary of Treasury pursuant to the U.S.C., Title 26, Section 5845(a).**

**5. Transfer of concealable firearms without a permit is a class A misdemeanor.**

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