

FIRST EXTRAORDINARY SESSION OF THE  
SECOND REGULAR SESSION

# HOUSE BILL NO. 16

## 100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SCHROER.

5806H.011

DANA RADEMAN MILLER, Chief Clerk

### AN ACT

To repeal section 571.060, RSMo, and to enact in lieu thereof one new section relating to the offense of unlawful transfer of weapons, with penalty provisions and an emergency clause.

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

Section A. Section 571.060, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.060, to read as follows:

571.060. 1. A person commits the offense of unlawful transfer of weapons if he **or she**:  
(1) Knowingly sells, leases, [~~loans~~] **lends**, gives away, or delivers a firearm or ammunition for a firearm to any person who, under the provisions of section 571.070, is not lawfully entitled to possess such;

(2) **Knowingly sells, leases, lends, gives away, or delivers a firearm to a person under eighteen years of age without the consent of the recipient's custodial parent or guardian, provided that this does not prohibit the delivery of a firearm to any peace officer or member of the Armed Forces or National Guard while performing his or her official duty;**

(3) Knowingly sells, leases, [~~loans~~] **lends**, gives away, or delivers a blackjack to a person [~~less than~~] **under** eighteen years [~~old~~] **of age** without the consent of the [~~child's~~] **recipient's** custodial parent or guardian, [~~or~~] **provided that this does not prohibit the delivery of a blackjack to any peace officer or member of the Armed Forces or National Guard while performing his or her official duty;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

15           (4) Recklessly, as defined in section 562.016, sells, leases, [~~loans~~] **lends**, gives away, or  
16 delivers [~~any~~] a firearm to a person [~~less than~~] **under** eighteen years [~~old~~] **of age** without the  
17 consent of the [~~child's~~] **recipient's** custodial parent or guardian[;] , provided[;] that this does not  
18 prohibit the delivery of [~~such weapons~~] **a firearm** to any peace officer or member of the Armed  
19 Forces or National Guard while performing his **or her** official duty; or

20           [~~(3)~~] **(5)** Recklessly, as defined in section 562.016, sells, leases, [~~loans~~] **lends**, gives  
21 away, or delivers a firearm or ammunition for a firearm to a person who is intoxicated.

22           2. Unlawful transfer of weapons under subdivision (1) **or (2)** of subsection 1 of this  
23 section is a class E felony; unlawful transfer of weapons under [~~subdivisions (2) and~~]  
24 **subdivision (3), (4), or (5)** of subsection 1 of this section is a class A misdemeanor.

Section B. Because immediate action is necessary to further equip and enhance our  
2 criminal justice system to fight violent crime in Missouri and protect our citizens and residents  
3 from the recent unprecedented wave of violent crime across our nation and state, the repeal and  
4 reenactment of section 571.060 of section A of this act is deemed necessary for the immediate  
5 preservation of the public health, welfare, peace, and safety and is hereby declared to be an  
6 emergency act within the meaning of the constitution, and the repeal and reenactment of section  
7 571.060 of section A of this act shall be in full force and effect upon its passage and approval.

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