

FIRST REGULAR SESSION

HOUSE BILL NO. 1052

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOSLEY.

2210H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 407, RSMo, by adding thereto three new sections relating to the regulation of firearm ammunition, with penalty provisions.

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

Section A. Chapter 407, RSMo, is amended by adding thereto three new sections, to be known as sections 407.1170, 407.1171, and 407.1172, to read as follows:

407.1170. 1. After December 31, 2021, no person or entity shall sell any firearm ammunition unless the person or entity is designated by the secretary of state as a licensed ammunition seller.

2. This section shall not apply to:

(1) A commercial hunting club, provided the ammunition is used and consumed on the premises of the club while engaged in lawful hunting activity;

(2) A domesticated game bird hunting club, provided the ammunition is used and consumed on the premises of the club while engaged in lawful hunting activity;

(3) A domesticated migratory game bird shooting club, provided the ammunition is used and consumed on the premises of the club while engaged in lawful hunting activity;

(4) A nonprofit mutual or public benefit corporation that engages in recreational shooting and lawful hunting activity, provided the ammunition is used and consumed during a shooting or hunting event conducted by the corporation;

(5) A target shooting facility that holds a business or regulatory license, provided the ammunition is kept within the facility's premises at all times and used on the premises;

or

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.

17 **(6) A person who sells no more than one hundred rounds of ammunition to one**
18 **vendor in one month and who cumulatively sells no more than two hundred fifty rounds**
19 **per year to vendors in this state.**

20 **3. The secretary of state may establish eligibility criteria for licensed ammunition**
21 **sellers. At a minimum, a licensed ammunition seller shall not be prohibited by state or**
22 **federal law or by a court order from possessing, receiving, owning, or purchasing a**
23 **firearm.**

24 **4. Beginning July 1, 2021, the secretary of state shall accept applications for**
25 **licensed ammunition sellers. The secretary of state may charge a fee sufficient to cover**
26 **reasonable costs of issuing a license. The secretary of state shall either issue a license or**
27 **deny an application within sixty days of receiving the application. If an application is**
28 **denied, the secretary of state shall inform the applicant of the reason for denial in writing.**

29 **5. A license for a licensed ammunition seller shall be issued in a form prescribed**
30 **by the attorney general. Licenses shall be valid for one year and shall authorize the**
31 **licensed ammunition seller to sell ammunition:**

32 **(1) From any location specified in the license; or**

33 **(2) At a gun show or event if the gun show or event is not conducted from any**
34 **motorized or towed vehicle.**

35 **6. The secretary of state shall promulgate regulations to implement the provisions**
36 **of this section. Any rule or portion of a rule, as that term is defined in section 536.010, that**
37 **is created under the authority delegated in this section shall become effective only if it**
38 **complies with and is subject to all of the provisions of chapter 536 and, if applicable,**
39 **section 536.028. This section and chapter 536 are nonseverable, and if any of the powers**
40 **vested with the general assembly pursuant to chapter 536 to review, to delay the effective**
41 **date, or to disapprove and annul a rule are subsequently held unconstitutional, then the**
42 **grant of rulemaking authority and any rule proposed or adopted after the effective date**
43 **of this section shall be invalid and void.**

44 **7. Any person who sells firearm ammunition in violation of this section shall be**
45 **guilty of a class D misdemeanor. Each individual sale shall be deemed a separate violation.**

407.1171. 1. No licensed ammunition seller shall employ in a position that handles,
2 **sells, delivers, or has custody or control of firearms or ammunition an agent or employee**
3 **whom the seller knows or reasonably should know is prohibited by state or federal law or**
4 **by court order from possessing, receiving, owning, or purchasing a firearm or ammunition.**

5 **2. No licensed ammunition seller shall sell, offer for sale, or display for sale any**
6 **ammunition in a manner that allows the ammunition to be accessible to a purchaser**
7 **without the assistance of the seller or the seller's employee.**

8 **3. A violation of this section shall be a class D misdemeanor.**

407.1172. 1. No person or entity shall supply, deliver, sell, or give possession or
2 **control of any firearm ammunition to a person whom the person or entity knows or has**
3 **cause to believe is prohibited by a court order from owning, possessing, or having custody**
4 **or control of any firearm ammunition.**

5 **2. No person or entity shall supply, deliver, sell, or give possession or control of any**
6 **firearm ammunition to:**

7 **(1) A person whom the person or entity knows or has cause to believe is not the**
8 **actual purchaser of the ammunition; or**

9 **(2) A person whom the person or entity knows or has cause to believe will**
10 **subsequently sell or transfer the ammunition to a person prohibited by a court order from**
11 **owning, possessing, or having custody or control of any firearm ammunition.**

12 **3. The sale, delivery, or transfer of firearm ammunition shall only occur in a face-**
13 **to-face transaction with the seller, deliverer, or transferor being provided bona fide**
14 **evidence of the identity of the purchaser or transferee. However, ammunition may be**
15 **purchased over the internet or through other means of remote ordering if the ammunition**
16 **is first delivered to a licensed ammunition seller in this state who verifies the purchaser or**
17 **transferee is not prohibited by state or federal law or by court order from possessing,**
18 **receiving, owning, or purchasing a firearm or ammunition.**

19 **4. After December 31, 2021, no resident of this state shall bring or transport into**
20 **this state firearm ammunition that the resident purchased outside of this state unless the**
21 **resident first has the ammunition delivered to a licensed ammunition vendor in this state**
22 **for delivery to the resident after the vendor verifies the purchaser or transferee is not**
23 **prohibited by state or federal law or by court order from possessing, receiving, owning, or**
24 **purchasing a firearm or ammunition. This subsection shall not apply to:**

25 **(1) A gunsmith acting in an official capacity;**

26 **(2) A wholesaler acting in an official capacity;**

27 **(3) A federally-licensed manufacturer or importer of firearms or ammunition**
28 **acting in an official capacity;**

29 **(4) A licensed ammunition seller;**

30 **(5) A federally-licensed collector of firearms;**

31 **(6) A law enforcement agency or agent thereof acting in an official capacity;**

32 **(7) A contract or common carrier or an authorized agent or employee thereof**
33 **acting in an official capacity;**

34 **(8) A person who purchases the ammunition from an immediate family member,**
35 **spouse, or registered domestic partner if the person brings or transports into this state no**
36 **more than fifty rounds;**

37 **(9) An executor or administrator of an estate that includes ammunition;**

38 **(10) A person who was not a resident of this state when he or she acquired the**
39 **ammunition;**

40 **(11) A hunter who purchased the ammunition for use in a lawful hunting activity**
41 **that occurred outside this state if the person brings or transports into this state no more**
42 **than fifty rounds; or**

43 **(12) A person who participates in an organized competitive match or league**
44 **competition that involves the use of firearms in a match or competition sponsored by,**
45 **conducted under the auspices of, or approved by a law enforcement agency or nationally-**
46 **or state-recognized entity that fosters proficiency in, or promotes education about, firearms**
47 **if the person brings or transports into this state no more than fifty rounds.**

48 **5. A violation of this section shall be a class B misdemeanor.**

✓