

FIRST REGULAR SESSION

HOUSE BILL NO. 297

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KELLEY (127).

0879H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapter 160, RSMo, by adding thereto one new section relating to student discipline for simulating a weapon.

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

Section A. Chapter 160, RSMo, is amended by adding thereto one new section, to be known as section 160.850, to read as follows:

- 160.850. 1. Notwithstanding any other provision of this chapter, chapter 167, or any other provision of law to the contrary, public school students shall not be subject to any civil or criminal penalties, fines, or discipline of any nature for simulating a weapon while playing. Simulating a weapon while playing includes, but is not limited to:**
- (1) Brandishing a food item;**
 - (2) Possessing a toy firearm less than two inches in length;**
 - (3) Using the hand or fingers to simulate a weapon;**
 - (4) Vocalizing an imaginary weapon;**
 - (5) Using a pen, pencil, or other writing instrument to simulate a weapon; or**
 - (6) Drawing or possessing an image of a weapon.**
- 2. Public school students may wear clothing and accessories depicting a weapon or express opinions regarding the right to bear arms or the right of self defense unless such actions or speech is properly restricted by a viewpoint-neutral school policy applying equally to all students.**
- 3. Nothing in this section shall prohibit civil or criminal penalties, fines, or discipline imposed for acts of simulating a weapon that cause bodily harm to another**

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 **individual, disrupt the student learning environment, or constitute a serious threat which**
18 **reasonably places another person in fear of bodily harm.**

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