

FIRST REGULAR SESSION

HOUSE BILL NO. 895

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE DAVIS.

1960H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 571.070, RSMo, and to enact in lieu thereof one new section relating to unlawful possession of a firearm, with penalty provisions.

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

Section A. Section 571.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.070, to read as follows:

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

(1) Such person has been convicted of a **violent** felony under the laws of this state~~],~~ or of a crime under the laws of any state or of the United States ~~[which]~~ **that**, if committed within this state, would be a **violent** felony; ~~[or]~~

(2) **Such person is on probation or parole for a nonviolent felony under the laws of this state or for a crime under the laws of any state or the United States that, if committed within this state, would be a nonviolent felony; or**

(3) Such person is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent.

For purposes of this section, a "violent felony" is any felony offense that involves the use of threat or force against another person and a "nonviolent felony" is any felony offense that does not involve the use of threat or force against another person.

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

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.

18 3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to the
19 possession of an antique firearm.

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