

SECOND REGULAR SESSION

# HOUSE BILL NO. 1772

102ND GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE PERKINS.

3534H.011

DANA RADEMAN MILLER, Chief Clerk

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## 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.

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Section A. Section 571.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.070, to read as follows: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

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**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]~~ **subdivisions (1) and (2)** of subsection 1 of this  
19 section shall not apply to the possession of an antique firearm.

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