

SENATE AMENDMENT NO. _____

Offered by _____ Of _____

Amend SS/Senate Bill No. 888, Page 1, Section TITLE, Lines 4-5,

2 by striking "the juvenile justice system" and inserting in
 3 lieu thereof the following: "criminal proceedings involving
 4 juveniles"; and

5 Further amend said bill, page 24, section 211.342, line
 6 161, by inserting after all of said line the following:

7 "571.068. 1. A person who is less than eighteen years
 8 of age commits the offense of unlawful possession of a
 9 firearm by a minor if such person knowingly possesses a
 10 handgun or ammunition that is only suitable for a handgun.

11 2. The offense of unlawful possession of a firearm by
 12 a minor is a class A misdemeanor.

13 3. This offense shall not apply to:

14 (1) A temporary transfer of a handgun or ammunition to
 15 a person under the age of eighteen or the possession or use
 16 of a handgun or ammunition by a person under the age of
 17 eighteen if the handgun and ammunition are possessed and
 18 used by such person in accordance with state law and any
 19 ordinances of a political subdivision:

20 (a) In the course of employment;

21 (b) In the course of ranching or farming related to
 22 activities at the residence of the person or on property
 23 used for ranching or farming at which the person, with the
 24 permission of the property owner or lessee, is performing
 25 activities related to the operation of the farm or ranch; or

26 (c) In the course of target practice, hunting, or
27 during instruction in the safe and lawful use of a handgun.

28 The person under the age of eighteen shall have the prior
29 written consent of the person's parent or guardian who is
30 not prohibited by federal or state law or any ordinance from
31 possessing a firearm and shall transport the handgun
32 unloaded and in a locked container directly from the place
33 of transfer to the place at which the activity in this
34 subdivision is to take place;

35 (2) A person under the age of eighteen who is a member
36 of the Armed Forces of the United States or the National
37 Guard who possesses or is armed with a handgun in the line
38 of duty;

39 (3) A transfer by inheritance of title of a handgun or
40 ammunition to a person under the age of eighteen; or

41 (4) The possession of a handgun or ammunition by a
42 person under the age of eighteen taken in defense of the
43 person or other persons against an intruder into the
44 residence of the person or a residence in which the person
45 is invited as a guest.

46 4. As used in this section, "handgun" shall mean a
47 firearm which has a short stock and is designed to be held
48 and fired by the use of a single hand, and shall not include
49 an antique firearm as defined in section 571.010.

50 571.095. 1. Upon conviction for or attempting to
51 commit a felony in violation of any law perpetrated in whole
52 or in part by the use of a firearm, the court may, in
53 addition to the penalty provided by law for such offense,
54 order the confiscation and disposal or sale or trade to a
55 licensed firearms dealer of firearms and ammunition used in
56 the commission of the crime or found in the possession or

57 under the immediate control of the defendant at the time of
58 his or her arrest.

59 2. A firearm or ammunition which is in the possession
60 of a minor in violation of section 571.068, the possession
61 of which is transferred to the minor in circumstances in
62 which the transferor is not in violation of section 571.060
63 or section 571.080, shall not be subject to permanent
64 confiscation if its possession by the minor subsequently
65 becomes unlawful because of the conduct of the minor, but
66 shall be returned to the lawful owner when such firearm is
67 no longer required for the purposes of investigation or
68 prosecution.

69 3. The proceeds of any sale or gains from trade shall
70 be the property of the police department or sheriff's
71 department responsible for the defendant's arrest or the
72 confiscation of the firearms and ammunition. If such
73 firearms or ammunition are not the property of the convicted
74 felon, they shall be returned to their rightful owner if he
75 or she is known and was not a participant in the crime. Any
76 proceeds collected under this section shall be deposited
77 with the municipality or by the county treasurer into the
78 county sheriff's revolving fund established in section
79 50.535."; and

80 Further amend the title and enacting clause accordingly.