

SENATE BILL NO. 886

103RD GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHROER.

4449S.011

KRISTINA MARTIN, Secretary

AN ACT

To repeal sections 160.665 and 590.207, RSMo, and to enact in lieu thereof three new sections relating to elementary and secondary school safety, with existing penalty provisions.

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

Section A. Sections 160.665 and 590.207, RSMo, are
2 repealed and three new sections enacted in lieu thereof, to be
3 known as sections 135.1300, 160.665, and 590.207, to read as
4 follows:

135.1300. 1. As used in this section, unless the
2 context clearly indicates otherwise, the following terms
3 mean:

4 (1) "Eligible entity", any organization that provides
5 an eligible course;

6 (2) "Eligible course", any tactical or defensive
7 firearms safety and training course identified as an
8 eligible course according to criteria to be developed by the
9 department of public safety;

10 (3) "Firearm", as such term is defined in section
11 571.010;

12 (4) "State tax liability", any liability incurred by a
13 taxpayer pursuant to the provisions of chapter 143,
14 exclusive of the provisions relating to the withholding of
15 tax as provided for in sections 143.191 to 143.265 and
16 related provisions;

EXPLANATION-Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

17 (5) "Tax credit", a credit against the tax otherwise
18 due under chapter 143, excluding withholding tax imposed
19 under sections 143.191 to 143.265;

20 (6) "Taxpayer", any teacher, administrative personnel,
21 or athletic coach employed by a school, as such term is
22 defined in section 160.665, that is subject to the tax
23 imposed under chapter 143, excluding withholding tax imposed
24 under sections 143.191 to 143.265.

25 2. For all tax years beginning on or after January 1,
26 2026, a taxpayer shall be authorized to claim a tax credit
27 against the taxpayer's state tax liability in an amount
28 equal to one hundred percent of any costs incurred for the
29 purchase of a firearm or costs incurred for the purchase of
30 an eligible course from an eligible entity, provided that no
31 taxpayer may claim a tax credit in excess of one hundred
32 fifty dollars.

33 3. (1) Tax credits authorized pursuant to this
34 section shall not be refundable, but may be carried forward
35 for five subsequent tax years or until the full tax credit
36 is redeemed, whichever occurs first.

37 (2) Tax credits authorized pursuant to this section
38 may be transferred, sold, or assigned.

39 (3) The total amount of tax credits that may be
40 authorized pursuant to this section in any tax year shall
41 not exceed five hundred thousand dollars.

42 4. The department of public safety shall establish
43 criteria defining an eligible course and shall post such
44 criteria and a list of eligible courses on the department of
45 public safety's website. The department of public safety
46 shall additionally submit such criteria and list to the
47 department of revenue.

48 5. The department of revenue may promulgate rules to
49 implement the provisions of this section. Any rule or
50 portion of a rule, as that term is defined in section
51 536.010, that is created under the authority delegated in
52 this section shall become effective only if it complies with
53 and is subject to all of the provisions of chapter 536 and,
54 if applicable, section 536.028. This section and chapter
55 536 are nonseverable and if any of the powers vested with
56 the general assembly pursuant to chapter 536 to review, to
57 delay the effective date, or to disapprove and annul a rule
58 are subsequently held unconstitutional, then the grant of
59 rulemaking authority and any rule proposed or adopted after
60 August 28, 2026, shall be invalid and void.

61 6. Pursuant to section 23.253 of the Missouri sunset
62 act:

63 (1) The program authorized pursuant to this section
64 shall automatically sunset six years after the effective
65 date of this section unless reauthorized by an act of the
66 general assembly;

67 (2) This section shall terminate on September first of
68 the calendar year immediately following the calendar year in
69 which the program authorized pursuant to this section is
70 sunset; and

71 (3) The provisions of this subsection shall not be
72 construed to impair or impede the state's fulfillment of any
73 obligations, including the authorization, issuance, or
74 redemption of tax credits, incurred pursuant to this section
75 prior to the date the program authorized pursuant to this
76 section is sunset.

160.665. 1. [Any school district within the state may
2 designate one or more elementary or secondary school
3 teachers or administrators as a school protection officer.]

(1) This section shall be known and may be cited as the "Keep Our Schools Safe Act".

(2) As used in this section, the following terms mean:

(a) "Extracurricular activity", any program or activity for students that is sponsored, provided, or in any way facilitated by the school or an organization sanctioned by the school, including, but not limited to, athletic events, fine arts activities, career and technical student organization activities, or any activity designed to enhance the school curriculum;

(b) "Law enforcement officer", any officer or employee of the United States, any state, any political subdivision of a state, or the District of Columbia having both the power and duty to make arrests for violations of the laws of this state, and federal law enforcement officers authorized to carry firearms and to make arrests for violations of the laws of the United States. The term "law enforcement officer" shall specifically include, but not be limited to, members of the following:

a. The National Guard as defined in 10 U.S.C. Section 101, as amended;

b. The organized militia of any state or territory of the United States, the Commonwealth of Puerto Rico, or the District of Columbia, not included within the definition of the National Guard as defined in 10 U.S.C. Section 101, as amended; and

c. The Armed Forces of the United States;

(c) "School", any school district, as such term is defined in section 160.011, any charter school, as such term is defined in section 160.400, or any private school, as such term is defined in section 166.700;

35 (d) "School building", any facility owned or leased by
36 a school:

37 a. Over which the governing body of the school has
38 care, custody, or control; and

39 b. In which any pupils are physically present during a
40 school day, as such term is defined in section 160.041;

41 (e) "School campus", a school building or cluster of
42 buildings, and the grounds around such school building or
43 cluster of buildings, used for any school purpose,
44 including, but not limited to, academic instruction,
45 extracurricular activities, organized physical activity
46 courses, early childhood education programs, or school
47 administration;

48 (f) "School protection officer", any elementary or
49 secondary school teacher or administrator designated to
50 serve as a school protection officer under this section and
51 sections 590.200 to 590.207, or any individual who is a
52 volunteer as provided in this section;

53 (g) "Volunteer", any individual who:

54 a. Was formerly employed as a law enforcement officer
55 but who has retired from such employment;

56 b. Is qualified as a school protection officer under
57 sections 590.200 to 590.207; and

58 c. Serves or will serve a school as a school
59 protection officer on a paid or unpaid basis but not as an
60 employee of the school district.

61 2. Each school within the state shall designate one or
62 more school protection officers to be present on each school
63 campus that is under the custody, care, or control of the
64 school at all times when children are on the school campus
65 for educational purposes or extracurricular activities.

66 Each school protection officer shall be trained as required

pursuant to the provisions of this section and sections 590.200 to 590.207 and shall be equipped with a concealed firearm and self-defense spray device. A school protection officer may be a teacher or administrator as provided in this section or may be a volunteer. If a school protection officer is a teacher or administrator, the responsibilities and duties of a school protection officer are voluntary and shall be in addition to the normal responsibilities and duties of the teacher or administrator. [Any compensation for additional duties relating to service as a school protection officer shall be funded by the local school district, with no state funds used for such purpose] If the school protection officer is a volunteer, the individual may serve on an unpaid basis or may be provided compensation by the school.

[2.] 3. Any [person] individual designated by a school [district] as a school protection officer shall [be authorized to] carry a concealed [firearms or] firearm and a self-defense spray device in [any] the school [in the district]. A self-defense spray device shall mean any device that is capable of carrying, and that ejects, releases, or emits, a nonlethal solution capable of incapacitating a violent threat. The school protection officer shall not be permitted to allow any firearm or device out of [his or her] the officer's personal control while that firearm or device is on the school [property] campus. Any school protection officer who violates this subsection may be removed immediately from the [classroom] school campus and subject to employment termination proceedings if the officer is a teacher or administrator, or subject to removal from the school campus and dismissal as a

98 **volunteer if serving as a volunteer school protection**
99 **officer.**

100 [3.] 4. A school protection officer has the same
101 authority to detain or use force against any person on
102 school property as provided to any other person under
103 chapter 563.

104 [4.] 5. Upon detention of a person under **this**
105 subsection [3 of this section], the school protection
106 officer shall immediately notify a school administrator and
107 a school resource officer, if such officer is present at the
108 school. If the person detained is a student then the
109 parents or guardians of the student shall also be
110 immediately notified by a school administrator.

111 [5.] 6. Any person detained by a school protection
112 officer shall be turned over to a school administrator or
113 law enforcement officer as soon as practically possible and
114 shall not be detained by a school protection officer for
115 more than one hour.

116 [6.] 7. Any teacher or administrator of an elementary
117 or secondary school who seeks to be designated as a school
118 protection officer shall request such designation in
119 writing, and submit it to the superintendent of the school
120 district which employs [him or her] **such individual** as a
121 teacher or administrator. Along with this request, any
122 teacher or administrator seeking to carry a concealed
123 firearm on school property shall also submit proof that [he
124 or she] **such individual** has a valid concealed carry
125 endorsement or permit, and all teachers and administrators
126 seeking the designation of school protection officer shall
127 submit a certificate of school protection officer training
128 program completion from a training program approved by the
129 director of the department of public safety which

demonstrates that such person has successfully completed the training requirements established by the POST commission under chapter 590 for school protection officers.

[7.] 8. No school [district may] **shall** designate [a teacher or administrator] **any individual** as a school protection officer unless such [person] **individual** has successfully completed a school protection officer training program[, which] **that** has been approved by the director of the department of public safety. No school [district] shall allow a school protection officer to carry a concealed firearm on school property unless the school protection officer has a valid concealed carry endorsement or permit.

[8.] 9. (1) Any school [district] that designates a [teacher or administrator as a] school protection officer shall, within thirty days **of such designation**, notify, in writing, the director of the department of public safety of the designation, which shall include the following:

[(1)] (a) The full name, date of birth, and address of the officer;

[(2)] (b) The name of the school district; and

[(3)] (c) The date such [person] **individual** was designated as a school protection officer.

(2) Notwithstanding any other provisions of law to the contrary, any identifying information collected under the authority of this subsection shall not be considered public information and shall not be subject to a request for public records made under chapter 610.

[9.] 10. A school [district] may revoke the designation of [a person] **an individual** as a school protection officer for any reason and shall immediately notify the designated school protection officer in writing of the revocation. The school district shall also within

thirty days of the revocation notify the director of the department of public safety in writing of the revocation of the designation of such **[person] individual** as a school protection officer. **[A person] An individual** who has had the designation of school protection officer revoked has no right to appeal the revocation decision.

[10.] 11. The director of the department of public safety shall maintain a listing of all **[persons] individuals** designated by **[school districts] schools** as school protection officers and shall make this list available to all law enforcement agencies.

[11.] 12. Before a school **[district]** may designate a **[teacher or administrator as a]** school protection officer, the school board **of the school district or governing body of the charter school or private school** shall hold a public hearing on whether to allow such designation. Notice of the hearing shall be published at least fifteen days before the date of the hearing in a newspaper of general circulation within the city or county in which the school district, **charter school, or private school** is located. The board may determine at a closed meeting, as "closed meeting" is defined under section 610.010, whether to authorize the **[designated school protection officer to carry a concealed firearm or a self-defense spray device] individual to serve the school district, charter school, or private school as a school protection officer.**

13. Each school shall ensure that all students enrolled full-time or part-time in grades prekindergarten through grade eight participate in a mandatory, annual Eddie Eagle Gunsafe training course on firearm safety provided by the National Rifle Association.

590.207. Notwithstanding any other provision of law to
the contrary, any person designated as a school protection
officer under the provisions of section 160.665 who allows
any such firearm out of [his or her] **such officer's** personal
control while that firearm is on **the** school [property]
campus as provided under [subsection 2 of] section 160.665
shall be guilty of a class B misdemeanor and may be subject
to employment termination proceedings within the school
[district] **if such school protection officer is an**
elementary or secondary school teacher or administrator or
dismissal if such school protection officer is a volunteer
under section 160.665.

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