

SECOND REGULAR SESSION

# HOUSE BILL NO. 2727

## 103RD GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVE APPELBAUM.

4388H.01I

JOSEPH ENGLER, Chief Clerk

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### AN ACT

To repeal section 571.020, RSMo, and to enact in lieu thereof one new section relating to high-capacity magazines, with penalty provisions.

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

Section A. Section 571.020, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.020, to read as follows:

571.020. 1. A person commits an offense if such person knowingly possesses, manufactures, transports, repairs, or sells:

(1) An explosive weapon;

(2) An explosive, incendiary, or poison substance or material with the purpose to possess, manufacture, or sell an explosive weapon;

(3) A gas gun;

(4) A bullet or projectile which explodes or detonates upon impact because of an independent explosive charge after having been shot from a firearm; ~~(or)~~

(5) Knuckles;

(6) A high-capacity magazine, which shall mean a magazine, belt, drum, feed strip, or similar device that has a capacity of, or that can be readily restored or converted to accept, more than ten rounds of ammunition; or

~~(7)~~ (7) Any of the following in violation of federal law:

(a) A machine gun;

(b) A short-barreled rifle or shotgun;

(c) A firearm silencer; or

(d) A switchblade knife.

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       2. A person does not commit an offense pursuant to this section if his or her conduct  
19 involved any of the items in subdivisions (1) to [~~5~~] **(6)** of subsection 1 **of this section**, the  
20 item was possessed in conformity with any applicable federal law, and the conduct:

21       (1) Was incident to the performance of official duty by the Armed Forces **of the**  
22 **United States**, National Guard, a governmental law enforcement agency, or a penal  
23 institution; [~~or~~]

24       (2) Was incident to engaging in a lawful commercial or business transaction with an  
25 organization enumerated in subdivision (1) of this [~~section~~] **subsection**; [~~or~~]

26       (3) Was incident to using an explosive weapon in a manner reasonably related to a  
27 lawful industrial or commercial enterprise; [~~or~~]

28       (4) Was incident to displaying the weapon in a public museum or exhibition; or

29       (5) Was incident to using the weapon in a manner reasonably related to a lawful  
30 dramatic performance.

31       3. An offense pursuant to subdivision (1), (2), (3) [~~or~~], (6), **or** (7) of subsection 1 of  
32 this section is a class D felony; a crime pursuant to subdivision (4) or (5) of subsection 1 of  
33 this section is a class A misdemeanor.

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