

FIRST REGULAR SESSION

HOUSE BILL NO. 109

102ND GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE SHARP (37).

0106H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 571, RSMo, by adding thereto one new section relating to Blair's law, with penalty provisions.

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

Section A. Chapter 571, RSMo, is amended by adding thereto one new section, to be known as section 571.031, to read as follows:

571.031. 1. This section shall be known and may be cited as "Blair's Law".

2. A person commits the offense of unlawful discharge of a firearm if, with criminal negligence, he or she discharges a firearm within or into the limits of any municipality.

3. This section shall not apply if the firearm is discharged:

(1) As allowed by a defense of justification under chapter 563;

(2) On a properly supervised shooting range;

(3) To lawfully take wildlife during an open season established by the department of conservation. Nothing in this subdivision shall prevent a municipality from adopting an ordinance restricting the discharge of a firearm within one-quarter mile of an occupied structure;

(4) For the control of nuisance wildlife as permitted by the department of conservation or the United States Fish and Wildlife Service;

(5) By special permit of the chief of police of the municipality;

(6) As required by an animal control officer in the performance of his or her duties;

(7) Using blanks;

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 **(8) More than one mile from any occupied structure;**

19 **(9) In self-defense or defense of another person against an animal attack if a**
20 **reasonable person would believe that deadly physical force against the animal is**
21 **immediately necessary and reasonable under the circumstances to protect oneself or the**
22 **other person; or**

23 **(10) By law enforcement personnel, as defined in section 590.1040, or a member**
24 **of the United States Armed Forces if acting in an official capacity.**

25 **4. A person who commits the offense of discharge of a firearm shall be guilty of:**

26 **(1) For a first offense, a class A misdemeanor;**

27 **(2) For a second offense, a class E felony; and**

28 **(3) For a third or subsequent offense, a class D felony.**

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