

SECOND REGULAR SESSION

HOUSE BILL NO. 2545

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BOGGS.

4270H.011

JOSEPH ENGLER, Chief Clerk

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.

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Section A. Section 571.070, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 571.070, to read as follows: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 felony under the laws of this state, or of a crime under the laws of any state or of the United States which, if committed within this state, would be a felony; ~~or~~

(2) Such person is a fugitive from justice, is habitually in an intoxicated or drugged condition, or is currently adjudged mentally incompetent; **or**

(3) Such person, being an alien:

(a) Is illegally or unlawfully in the United States; or

(b) Has been admitted to the United States under a nonimmigrant visa, as defined in 8 U.S.C. Section 1101(a)(26), and does not qualify for an exception to the federal prohibition on possession for such aliens under 18 U.S.C. Section 922(y)(2).

2. Unlawful possession of a firearm is a class C felony, unless a person has been convicted of a dangerous felony as defined in section 556.061, or the person has a prior conviction for unlawful possession of a firearm in which case it is a class B 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.

16 3. The provisions of subdivision (1) of subsection 1 of this section shall not apply to
17 the possession of an antique firearm.

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