



## **Missouri House Bill 1220: Allowing Convicted Felons to Have Guns under State Law**

- ❑ **Bottom Line:** House Bill 1220 would severely weaken Missouri’s law, and allow a broad range of convicted criminals to legally own guns under Missouri law. If H.B. 1220 became law, certain convicted felons—including people convicted of manslaughter, drug trafficking, child sex trafficking, and sexual assault—would no longer be prohibited from owning guns under Missouri law.
- ❑ **House Bill 1220 would make it legal under state law for convicted felons—including people convicted of manslaughter, drug trafficking, and sexual assault—to buy and possess guns.**
  - Under existing law in Missouri, a person is guilty of unlawful possession of a firearm if he or she possesses a gun after having been previously convicted of any felony.<sup>1</sup> H.B. 1220 would substantially water down the law and remove the legal prohibition on gun ownership for a broad range of criminals.
  - H.B. 1220 would change Missouri law so that only criminals convicted of a “violent felony” are prohibited from owning a gun, and would define “violent felony” to include only a very small number of crimes.<sup>2</sup>
  - A long list of felonies that are clearly “violent” are not included—meaning that people convicted of those crimes would no longer be prohibited from having guns under state law. Among the many felony crimes that would no longer be prohibiting in Missouri if H.B. 1220 passed are the following:
    - Manufacture of a Controlled Substance (i.e., operating a meth lab) § 579.055
    - Trafficking Drugs in the First Degree § 579.065
    - Attempted Rape in the First Degree (when no injury results) § 566.030
    - Attempted Forcible Rape in the First Degree (when no injury results) § 566.030
    - Attempted Sodomy in the First Degree (if no injury results) § 566.060
    - Attempted Forcible Sodomy in the First Degree (if no injury results) § 566.060
    - Deviate Sexual Assault § 566.061
    - Statutory Sodomy in the First Degree (when victim older than twelve) § 566.062
    - Statutory Sodomy in the Second Degree § 566.064
    - Sexual Assault/Rape in the Second Degree § 566.031
    - Statutory Rape in the First Degree (unless victim under 12) § 566.032
    - Statutory Rape in the Second Degree § 566.034
    - Abusing an Individual through Forced Labor § 566.203
    - Trafficking for the Purpose of Slavery, Involuntary Servitude, Peonage, or Forced Labor § 566.206
    - Trafficking for the Purposes of Sexual Exploitation § 566.209
    - Sexual Trafficking of a Child § 566.211
    - Contributing to Human Trafficking § 566.215
    - Voluntary Manslaughter § 565.023
    - Involuntary Manslaughter § 565.024
    - Assault in the Second Degree (unless a special victim) § 565.052
    - Assault in the Third Degree § 560.070
    - Domestic Assault in the Second Degree § 565.073
    - Domestic Assault in the Third Degree § 565.074
    - Assault while on School Property § 565.075



- Assault of a Law Enforcement Officer in the Second Degree § 565.082
- Felonious Restraint § 565.120
- False Imprisonment § 565.130
- Child Abduction § 565.156
- Invasion of Privacy in the First Degree § 565.252
- Infanticide § 565.300
- Promoting Prostitution in the First Degree § 567.050
- Promoting Prostitution in the Second Degree § 567.060
- Promoting Prostitution in the Third Degree § 567.070
- Promoting Travel for Prostitution § 567.085
- Robbery in the Second Degree § 569.030
- Arson in the Second Degree § 569.050
- Knowingly Burning or Exploding § 569.055
- Causing Catastrophe § 569.070
- Burglary in the First Degree § 569.160
- Burglary in the Second Degree § 569.170
- Stealing § 570.030
- Use or Possession of Metal Penetrating Bullet During the Commission of a Crime § 571.150
- Sexual Exploitation of a Minor § 573.023
- Promoting Child Pornography in the First Degree § 573.025
- Promoting Child Pornography in the Second Degree § 573.035
- Possession of Child Pornography § 573.037
- Rioting § 574.050
- Promoting a Civil Disorder in the First Degree § 574.070
- Making a Terrorist Threat § 574.115
- Aiding Escape of a Prisoner § 575.230
- Killing or Disabling a Police Animal § 575.350
- Treason § 576.070
- Supporting Terrorism § 576.080

❑ **Missouri voters strongly oppose allowing felons to possess guns.**

- By a more than two-to-one margin—63% to 27%—likely voters in Missouri say that no felons should be allowed to own a gun. Legislation allowing some felons to own guns in Missouri is opposed by voters in all regions of the state, including a majority of men and women; a majority of conservatives, moderates, and liberals; and a majority of gun owners, non-gun owners, and concealed carry permit holders.<sup>3</sup>
- If a candidate for office supported allowing certain felons to own a gun, 55% of likely Missouri voters say they would be *less* likely to vote for that candidate—four times as many as who would be more likely to vote for that candidate.<sup>4</sup>

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<sup>1</sup> R.S.Mo. § 571.070.

<sup>2</sup> The only crimes defined as a “violent felony” under H.B. 1220 are: “the felonies of arson in the first degree, assault in the first degree, attempted rape in the first degree if physical injury results, attempted forcible rape if physical injury results, attempted sodomy in the first degree if physical injury results, attempted forcible sodomy if physical injury results, rape in the first degree, forcible rape, sodomy in the first degree, forcible sodomy, assault in the second degree if the victim of such assault is a special victim as defined in subdivision (14) of section 565.002, kidnapping in the first degree, kidnapping, murder in the second degree, assault of a law enforcement officer in the first degree, domestic assault in the first degree, elder abuse in the first degree, robbery in the first degree, statutory rape in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving



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rise to the offense, statutory sodomy in the first degree when the victim is a child less than twelve years of age at the time of the commission of the act giving rise to the offense, child molestation in the first or second degree, abuse of a child if the child dies as a result of injuries sustained from conduct chargeable under section 568.060, child kidnapping, parental kidnapping committed by detaining or concealing the whereabouts of the child for not less than one hundred twenty days under section 565.153, and an "intoxication-related traffic offense" or "intoxication-related boating offense" if the person is found to be a "habitual offender" or "habitual boating offender" as such terms are defined in section 577.001."

<sup>3</sup> SurveyUSA, Missouri Likely Voters Strongly Oppose Gun Carry Without a Permit; Do Not Want Any Felons in the State to Be Allowed to Own a Gun, Apr. 14, 2015, at <http://bit.ly/1P3uiIR>.

<sup>4</sup> *Id.*