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Drafting Error in SB 727 Creates Gun Rights Problem

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April 6, 2024

SS#2 SS SCS SB 727 makes it illegal to possess a firearm in a home school

Probably unintentionally, the Senate perfected version of SB 727 appears to technically make it illegal to possess a firearm in a home school under some circumstances.

In SB 727 the definition of "home school" as a "school" was moved and applied to ***ALL the statutes***, not just "sections 167.031 to 167.071" as it does currently..

That makes the dwelling in which a home school is conducted a "school" or "school building" and [Chapter 571.030.1\(10\)](#) makes it a felony to possess a loaded firearm in "any school."

571.030 *also* prohibits possession of a firearm where there is a school function or activity.

The problem results from the fact that the old definition ONLY applied to Section 167 and no other statutes, but the new definition will apply to every statute that applies to "schools" unless a given section includes its own definition of "school."

"As used in sections 167.031 to 167.071" was changed to "For purposes of state law"

Note that the House Rules Committee is scheduled to exec on SB 727 first thing Tuesday morning, April 9.

**The gun rights problem in SB 727 could be easily fixed by
removing all references to home schools, or by specifying the
sections the definition applies to.**