



MISSOURI SENATE

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H:\ .oenig\SB 727 impact on school firearms laws

TO: Senator Koenig

FROM: Research Analyst

DATE: April 9, 2024

RE: Impact of SS#2/SCS/SB 727 on School Firearms Laws

Per your request, the following is a memorandum on the potential impact of SS#2/SCS/SB 727 (2024) on school firearms laws.

Will the passage of SS#2/SCS/SB 727 make it illegal to possess a firearm in a home where students are educated through a home school or a Family Paced Education (FPE) school?

No. SS#2/SCS/SB 727 does not modify any state laws relating to the possession of firearms on school premises. The act will not make it illegal to possess a firearm in a home where students receive home school or FPE school instruction.

SS#2/SCS/SB 727 transfers the current definition of "home school" from Section 167.031, RSMo, to Section 167.012. This is a technical change that should not result in any significant regulatory changes. The act also creates a definition of a "Family Paced Education" ("FPE") school, which is similar to a home school, except that an FPE school may enroll any student who participates in the Missouri Empowerment Scholarship Accounts Program (Section 167.013). As used in state law, the term "FPE school" shall reference the FPE school definition set forth in Section 167.013, and the term "home school" shall reference the home school definition established in Section 167.012.

The act does not modify any state laws relating to weapons offenses. As such, the passage of SS#2/SCS/SB 727 will not alter any of the current laws relating to the possession of firearms on school premises or make it illegal to possess a firearm in a private residence where students receive home school or FPE school instruction.

State law prohibits concealed firearms in elementary and secondary schools, with exceptions for school protection officers

(Section 571.107.1(10)). However, state law does not prohibit concealed firearms in private residences used for home schooling, and SS#2/SCS/SB 727 does not create any such prohibition.

State law also provides that any person who knowingly carries a concealed firearm into a school shall be guilty of the offense of unlawful use of weapons, except for school resource officers (Section 571.030.1(10)). However, this offense does not apply to concealed weapons on private property used for home schooling, and SS#2/SCS/SB 727 does not apply this offense to such private property.

Missouri does not currently prohibit concealed weapons in private residences where students are home schooled. SS#2/SCS/SB 727 does not establish any such provision. Hence, the passage of SS#2/SCS/SB 727 will not prohibit firearms in homes where students are educated through a home school or FPE school.