

HCS HB 372 -- BUSINESS PREMISES SAFETY ACT

SPONSOR: Cox

COMMITTEE ACTION: Voted "Do Pass" by the Committee on General Laws by a vote of 10 to 5.

This bill establishes the Business Premises Safety Act which prohibits a business owner or operator from restricting any person from lawfully possessing a firearm in a motor vehicle except in a vehicle owned or leased by the business. Business owners, operators, merchants, and shopkeepers do not have a duty to guard against the criminal act of a third party unless they know or have reason to know that the acts are occurring or are about to occur on the premises that pose imminent probability of injury to a person or that the same or similar criminal acts have occurred on the premises within the prior 24 months and there is reasonable foreseeability that they will occur again. In either case, it will be their duty to use reasonable care to protect against the acts. An owner or operator of a business will not be liable for any injury or damage resulting from compliance with these provisions. The term "business" does not include commercial residential operations, including but not limited to, hotels, motels, and apartment complexes.

PROPONENTS: Supporters say that this bill clarifies the constitutional right to bear arms regarding torts and premise liability. If there is not any foreseeability and predictability, a business should be protected from a tort action.

Testifying for the bill were Representative Cox; National Federation of Independent Business; Missouri Retailers Association; Missouri Grocers' Association; Missourians for Personal Safety; and Missouri Family Network.

OPPONENTS: There was no opposition voiced to the committee.