

By: Senator(s) Walls

To: Judiciary

SENATE BILL NO. 2559

1 AN ACT TO AMEND SECTION 97-37-1, MISSISSIPPI CODE OF 1972, TO
 2 PROHIBIT POSSESSION OF A HANDGUN; TO REPEAL SECTION 97-37-14,
 3 MISSISSIPPI CODE OF 1972, WHICH DESIGNATES POSSESSION OF A HANDGUN
 4 BY A MINOR AS A DELINQUENT ACT; TO REPEAL SECTION 45-9-101,
 5 MISSISSIPPI CODE OF 1972, WHICH ENACTS A LICENSE TO CARRY A
 6 CONCEALED PISTOL OR REVOLVER; AND FOR RELATED PURPOSES. BE IT
 7 ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

8
 9 SECTION 1. Section 97-37-1, Mississippi Code of 1972, is
 10 amended as follows:

11 97-37-1. (1) * * * Any person who carries, concealed in
 12 whole or in part, any bowie knife, dirk knife, butcher knife,
 13 switchblade knife, metallic knuckles, blackjack, slingshot * * *
 14 or any rifle with a barrel of less than sixteen (16) inches in
 15 length, or any shotgun with a barrel of less than eighteen (18)
 16 inches in length, machine gun or any fully automatic firearm or
 17 deadly weapon, or any muffler or silencer for any firearm, whether
 18 or not it is accompanied by a firearm, or uses or attempts to use
 19 against another person any imitation firearm, or carries,
 20 concealed or openly, any pistol, revolver or other handgun, shall
 21 upon conviction be punished as follows:

22 (a) By a fine of not less than One Hundred Dollars
 23 (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by
 24 imprisonment in the county jail for not more than six (6) months,
 25 or both, in the discretion of the court, for the first conviction
 26 under this section.

27 (b) By a fine of not less than One Hundred Dollars
 28 (\$100.00) nor more than Five Hundred Dollars (\$500.00), and
 29 imprisonment in the county jail for not less than thirty (30) days

30 nor more than six (6) months, for the second conviction under this
31 section.

32 (c) By imprisonment in the State Penitentiary for not
33 less than one (1) year nor more than five (5) years, for the third
34 or more convictions under this section.

35 (d) By imprisonment in the State Penitentiary for not
36 less than one (1) year nor more than five (5) years for any person
37 previously convicted of any felony who is convicted under this
38 section.

39 (2) It shall not be a violation of this section for any
40 person over the age of eighteen (18) years to carry a firearm or
41 deadly weapon that is not a pistol, revolver or other handgun
42 concealed in whole or in part within the confines of his own home
43 or his place of business, or any real property associated with his
44 home or business or within any motor vehicle.

45 (3) It shall not be a violation of this section for any
46 person to carry a firearm or deadly weapon that is not a pistol,
47 revolver or other handgun concealed in whole or in part if the
48 possessor of the weapon is then engaged in a legitimate
49 weapon-related sports activity or is going to or returning from
50 such activity. For purposes of this subsection, "legitimate
51 weapon-related sports activity" means hunting, fishing, target
52 shooting or any other legal sports activity which normally
53 involves the use of a firearm or other weapon.

54 SECTION 2. Section 97-37-14, Mississippi Code of 1972, which
55 designates possession of a handgun by a minor as a delinquent act,
56 is repealed.

57 SECTION 3. Section 45-9-101, Mississippi Code of 1972, which
58 provides for a license to carry a concealed pistol or revolver, is
59 repealed.

60 SECTION 4. This act shall take effect and be in force from
61 and after July 1, 1999.