

By: Senator(s) Carlton

To: Judiciary

SENATE BILL NO. 3014

1 AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO
2 CONFORM THE PENALTY FOR POSSESSION OF A WEAPON BY A CONVICTED
3 FELON TO THE PENALTY FOR CARRYING OF A CONCEALED WEAPON BY A
4 CONVICTED FELON; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 SECTION 1. Section 97-37-5, Mississippi Code of 1972, is
7 amended as follows:

8 97-37-5. (1) It shall be unlawful for any person who has
9 been convicted of a felony under the laws of this state, any other
10 state, or of the United States to possess any firearm or any bowie
11 knife, dirk knife, butcher knife, switchblade knife, metallic
12 knuckles, blackjack, or any muffler or silencer for any firearm
13 unless such person has received a pardon for such felony, has
14 received a relief from disability pursuant to Section 925(c) of
15 Title 18 of the U.S. Code, or has received a certificate of
16 rehabilitation pursuant to subsection (3) of this section.

17 (2) Any person violating this section shall be guilty of a
18 felony and, upon conviction thereof, shall be * * * committed to
19 the custody of the State Department of Corrections for not less
20 than one (1) nor more than five (5) years * * *.

21 (3) A person who has been convicted of a felony under the
22 laws of this state may apply to the court in which he was
23 convicted for a certificate of rehabilitation. The court may
24 grant such certificate in its discretion upon a showing to the
25 satisfaction of the court that the applicant has been
26 rehabilitated and has led a useful, productive and law-abiding
27 life since the completion of his sentence and upon the finding of

28 the court that he will not be likely to act in a manner dangerous
29 to public safety.

30 SECTION 2. This act shall take effect and be in force from
31 and after July 1, 1999.