

By: Walls

To: Juvenile Justice;
Judiciary

SENATE BILL NO. 2420

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.

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

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

10 97-37-1. (1) * * * Any person who carries, concealed in
11 whole or in part, any bowie knife, dirk knife, butcher knife,
12 switchblade knife, metallic knuckles, blackjack, slingshot * * *
13 or any rifle with a barrel of less than sixteen (16) inches in
14 length, or any shotgun with a barrel of less than eighteen (18)
15 inches in length, machine gun or any fully automatic firearm or
16 deadly weapon, or any muffler or silencer for any firearm, whether
17 or not it is accompanied by a firearm, or uses or attempts to use
18 against another person any imitation firearm, or carries,
19 concealed or openly, any pistol, revolver or other handgun, shall
20 upon conviction be punished as follows:

21 (a) By a fine of not less than One Hundred Dollars
22 (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by
23 imprisonment in the county jail for not more than six (6) months,

24 or both, in the discretion of the court, for the first conviction
25 under this section.

26 (b) By a fine of not less than One Hundred Dollars
27 (\$100.00) nor more than Five Hundred Dollars (\$500.00), and
28 imprisonment in the county jail for not less than thirty (30) days
29 nor more than six (6) months, for the second conviction under this
30 section.

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

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

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

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

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

55 is repealed.

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

59 SECTION 4. This act shall take effect and be in force from
60 and after July 1, 2000.