

By: Representative Banks

To: Judiciary B

HOUSE BILL NO. 1107

1 AN ACT TO AMEND SECTION 97-37-1, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT ANY PERSON TWENTY-ONE YEARS OR OLDER MAY CARRY A
3 FIREARM OR DEADLY WEAPON; AND FOR RELATED PURPOSES.

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

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

7 97-37-1. (1) Except as otherwise provided in Section
8 45-9-101, any person who carries, concealed in whole or in part,
9 any bowie knife, dirk knife, butcher knife, switchblade knife,
10 metallic knuckles, blackjack, slingshot, pistol, revolver, or any
11 rifle with a barrel of less than sixteen (16) inches in length, or
12 any shotgun with a barrel of less than eighteen (18) inches in
13 length, machine gun or any fully automatic firearm or deadly
14 weapon, or any muffler or silencer for any firearm, whether or not
15 it is accompanied by a firearm, or uses or attempts to use against
16 another person any imitation firearm, shall upon conviction be
17 punished as follows:

18 (a) By a fine of not less than One Hundred Dollars
19 (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by
20 imprisonment in the county jail for not more than six (6) months,
21 or both, in the discretion of the court, for the first conviction
22 under this section.

23 (b) By a fine of not less than One Hundred Dollars
24 (\$100.00) nor more than Five Hundred Dollars (\$500.00), and
25 imprisonment in the county jail for not less than thirty (30) days
26 nor more than six (6) months, for the second conviction under this
27 section.

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

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

35 (2) It shall not be a violation of this section for any
36 person who is the age of twenty-one (21) years or older to carry a
37 firearm or deadly weapon concealed in whole or in part within the
38 confines of his own home or his place of business, or any real
39 property associated with his home or business or within any motor
40 vehicle.

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

49 SECTION 2. This act shall take effect and be in force from
50 and after July 1, 2001.