SENATE BILL NO. 2614

AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO REVISE THE PERSON PERMITTED TO CARRY A DEADLY WEAPON WITHOUT A PERMIT; AND FOR RELATED PURPOSES.

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

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

97-37-7. (1) (a) It shall not be a violation of Section 97-37-1 or any other statute for pistols, firearms or other suitable and appropriate weapons to be carried by duly constituted bank guards, company guards, watchmen, railroad special agents or duly authorized representatives, agents or employees of a patrol service, guard service, or a company engaged in the business of transporting money, securities or other valuables, while actually engaged in the performance of their duties as such, provided that such persons have made a written application and paid a nonrefundable permit fee of One Hundred Dollars ($100.00) to the Department of Public Safety and are under bond in a sum of not less than One Thousand Dollars ($1,000.00) for the lawful and faithful performance of their duties, the cost of which bond shall be paid by the employer of such persons; and further provided that such persons have first made written application and obtained an annual permit so to do from the sheriff of the county in which they are employed. Provided, however, that where the duties of any person covered by the provisions of this paragraph may carry him into more than one county, such person may file a bond in the sum of Two Thousand Dollars ($2,000.00) with the Commissioner of Public Safety, for the lawful and faithful performance of his
duties, the cost of the bond shall be paid by the employer of such
person, and provided further that such person has first made
written application with and obtained a permit so to do from the
Commissioner of Public Safety, and said permit shall be valid as a
statewide permit. Proof of renewal of the bond shall be submitted
to the department every four (4) years.

(b) No such permit shall be issued to any person who has
ever been convicted of a felony under the laws of this or any
other state or of the United States. In order to determine a
person's eligibility for a permit, the person shall be
fingerprinted. If no disqualifying record is identified at the
state level, the fingerprints shall be forwarded by the Department
of Public Safety to the Federal Bureau of Investigation for a
national criminal history record check. The department is hereby
authorized to charge a fee which shall include the amounts
required by the Federal Bureau of Investigation and the department
for the national and state criminal history record checks and any
necessary costs incurred by the department for the handling and
administration of the criminal history background checks. A
renewal fee of Fifty Dollars ($50.00) and a replacement fee of
Fifteen Dollars ($15.00) shall be charged by the department.
Renewal of the permit shall be required every four (4) years.

(2) It shall further not be a violation of this or any other
statute for pistols, firearms or other suitable and appropriate
weapons to be carried by Department of Wildlife, Fisheries and
Parks law enforcement officers, investigators employed by the
Attorney General, criminal investigators employed by the district
attorneys, investigators or probation officers employed by the
Department of Corrections, employees of the State Auditor who are
authorized by the State Auditor to perform investigative
functions, or any deputy fire marshal or investigator employed by
the State Fire Marshal, while engaged in the performance of their
duties as such, or by fraud investigators with the Department of
Human Services, or by judges of the Mississippi Supreme Court, Court of Appeals, circuit, chancery, county and municipal courts. Before any person shall be authorized under this subsection to carry a weapon, he shall complete a weapons training course approved by the Board of Law Enforcement Officer Standards and Training. Before any criminal investigator employed by a district attorney shall be authorized under this section to carry a pistol, firearm or other weapon, he shall have complied with Section 45-6-11 or any training program required for employment as an agent of the Federal Bureau of Investigation. A law enforcement officer, as defined in Section 45-6-3, shall be authorized to carry weapons in courthouses in performance of his official duties. This section shall in no way interfere with the right of a trial judge to restrict the carrying of firearms in the courtroom.

(3) It shall not be a violation of this or any other statute for pistols, firearms or other suitable and appropriate weapons, to be carried by any out-of-state, full-time commissioned law enforcement officer who holds a valid commission card from the appropriate out-of-state law enforcement agency and a photo identification. The provisions of this subsection shall only apply if the state where the out-of-state officer is employed has entered into a reciprocity agreement with the state that allows full-time commissioned law enforcement officers in Mississippi to lawfully carry or possess a weapon in such other states. The Commissioner of Public Safety is authorized to enter into reciprocal agreements with other states to carry out the provisions of this subsection.

(4) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for the implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be
certified to the Legislature and then may be used by the department as directed by the Legislature.

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