To: Judiciary

MISSISSIPPI LEGISLATURE                        REGULAR SESSION 2001

By: Senator(s) Johnson (38th)

SENATE BILL NO. 2618

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

SECTION 1.  Section 97-37-13, Mississippi Code of 1972, is
amended as follows:

97-37-13.  (1)  It shall not be lawful for any person to
sell, give or lend to any person intoxicated, knowing him to
be in a state of intoxication, any deadly weapon, or other
weapon the carrying of which concealed is prohibited, or pistol
cartridge; and, on conviction thereof, he shall be punished by a
fine not more than One Thousand Dollars ($1,000.00), or imprisoned
in the county jail not exceeding one (1) year, or both.

(2)  It shall be unlawful for any person to sell, give or
lend to any minor, knowing such person to be a minor, any deadly
weapon, or other weapon the carrying of which concealed is
prohibited, or pistol cartridge; and on conviction thereof, he
shall be guilty of a felony and shall be punished by a fine of not
less than One Thousand Dollars ($1,000.00) and imprisonment not
less than five (5) years in the State Penitentiary.

SECTION 2.  Section 97-37-14, Mississippi Code of 1972, is
amended as follows:

97-37-14.  (1)  Except as otherwise provided in this section,
the age of eighteen (18) years knowingly to have any handgun or
other firearm in such person's possession.

(2) This section shall not apply to:

(a) Any person who is:

(i) In attendance at a hunter's safety course or a
firearms safety course; or

(ii) Engaging in practice in the use of a firearm
or target shooting at an established range authorized by the
governing body of the jurisdiction in which such range is located
or any other area where the discharge of a firearm is not
prohibited; or

(iii) Engaging in an organized competition
involving the use of a firearm, or participating in or practicing
for a performance by an organized group under 501(c)(3) as
determined by the federal internal revenue service which uses
firearms as a part of such performance; or

(iv) Hunting or trapping pursuant to a valid
license issued to such person by the Department of Wildlife,
Fisheries and Parks or as otherwise allowed by law; or

(v) Traveling with any handgun in such person's
possession being unloaded to or from any activity described in
subparagraph (i), (ii), (iii) or (iv) of this paragraph (a) and
paragraph (b).

(b) Any person under the age of eighteen (18) years who
is on real property under the control of an adult and who has the
permission of such adult to possess a handgun.

(3) This section shall not apply to any person who uses a
handgun or other firearm to lawfully defend himself from imminent
danger at his home or place of domicile and any such person shall
not be held criminally liable for such use of a handgun or other
firearm.

(4) For the purposes of this section, "handgun" means a
pistol, revolver or other firearm of any description, loaded or
unloaded, from which any shot, bullet or other missile can be
discharged, the length of the barrel of which, not including any
revolving, detachable or magazine breech, is less than sixteen
(16) inches.

(5) Any person under the age of eighteen (18) years who
violates this section, upon conviction, shall perform two hundred
(200) hours of community service within one (1) year, shall have
his or her driver's license suspended for one (1) year and shall
be fined up to Two Hundred Fifty Dollars ($250.00). For a second
or subsequent offense such person shall have his or her driver's
license suspended until they reach the age of eighteen (18) years
and shall pay a fine of Five Hundred Dollars ($500.00).

SECTION 3. This act shall take effect and be in force from
and after its passage.