

By: Senator(s) Johnson (38th)

To: Judiciary

SENATE BILL NO. 2618

1 AN ACT TO AMEND SECTION 97-37-13, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT THE SALE OF WEAPONS TO MINORS SHALL BE A FELONY;
3 TO PROVIDE FOR A FINE AND IMPRISONMENT FOR A VIOLATION OF THIS
4 ACT; TO AMEND SECTION 97-37-14, MISSISSIPPI CODE OF 1972, TO
5 PROVIDE PENALTIES FOR MINORS WHO POSSESS WEAPONS ILLEGALLY; AND
6 FOR RELATED PURPOSES.

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

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

10 97-37-13. (1) It shall not be lawful for any person to
11 sell, give or lend to any * * * person intoxicated, knowing him to
12 be * * * in a state of intoxication, any deadly weapon, or other
13 weapon the carrying of which concealed is prohibited, or pistol
14 cartridge; and, on conviction thereof, he shall be punished by a
15 fine not more than One Thousand Dollars (\$1,000.00), or imprisoned
16 in the county jail not exceeding one (1) year, or both.

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

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

26 97-37-14. (1) Except as otherwise provided in this section,
27 it is an act of delinquency for any person who has not attained

28 the age of eighteen (18) years knowingly to have any handgun or
29 other firearm in such person's possession.

30 (2) This section shall not apply to:

31 (a) Any person who is:

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

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

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

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

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

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

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

59 (4) For the purposes of this section, "handgun" means a
60 pistol, revolver or other firearm of any description, loaded or

61 unloaded, from which any shot, bullet or other missile can be
62 discharged, the length of the barrel of which, not including any
63 revolving, detachable or magazine breech, is less than sixteen
64 (16) inches.

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

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