

By: Representative Fleming

To: Judiciary B

COMMITTEE SUBSTITUTE  
FOR  
HOUSE BILL NO. 32

1 AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY RECIPROCITY ALLOWING LAW ENFORCEMENT OFFICERS TO CARRY  
3 WEAPONS IN OTHER STATES; AND FOR RELATED PURPOSES.

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

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

7 97-37-7. (1) It shall not be a violation of Section 97-37-1  
8 or any other statute for pistols, firearms or other suitable and  
9 appropriate weapons to be carried by duly constituted bank guards,  
10 company guards, watchmen, railroad special agents or duly  
11 authorized representatives, agents or employees of a patrol  
12 service, guard service, or a company engaged in the business of  
13 transporting money, securities or other valuables, while actually  
14 engaged in the performance of their duties as such, provided that  
15 such persons are under bond in a sum of not less than One Thousand  
16 Dollars (\$1,000.00) for the lawful and faithful performance of  
17 their duties, the cost of which bond shall be paid by the employer  
18 of such persons; and further provided that such persons have first  
19 made written application and obtained an annual permit so to do  
20 from the sheriff of the county in which they are employed.

21 Provided, however, that where the duties of any person covered by  
22 the provisions of this paragraph may carry him into more than one  
23 (1) county, such person may file a bond in the sum of Two Thousand  
24 Dollars (\$2,000.00) with the Commissioner of Public Safety, for  
25 the lawful and faithful performance of his duties, the cost of the  
26 bond shall be paid by the employer of such person, and provided  
27 further that such person has first made written application with



28 and obtained a permit so to do from the Commissioner of Public  
29 Safety, and said permit shall be valid as a statewide permit. No  
30 such permit shall be issued to any person who has ever been  
31 convicted of a felony under the laws of this or any other state or  
32 of the United States.

33 (2) It shall further not be a violation of this or any other  
34 statute for pistols, firearms or other suitable and appropriate  
35 weapons to be carried by Department of Wildlife, Fisheries and  
36 Parks law enforcement officers, investigators employed by the  
37 Attorney General, district attorneys, legal assistants to district  
38 attorneys, criminal investigators employed by the district  
39 attorneys, investigators or probation officers employed by the  
40 Department of Corrections, employees of the State Auditor who are  
41 authorized by the State Auditor to perform investigative  
42 functions, or any deputy fire marshal or investigator employed by  
43 the State Fire Marshal, while engaged in the performance of their  
44 duties as such, or by fraud investigators with the Department of  
45 Human Services, or by judges of the Mississippi Supreme Court,  
46 Court of Appeals, circuit, chancery, county and municipal courts.  
47 Before any person shall be authorized under this subsection to  
48 carry a weapon, he shall complete a weapons training course  
49 approved by the Board of Law Enforcement Officer Standards and  
50 Training. Before any criminal investigator employed by a district  
51 attorney shall be authorized under this section to carry a pistol,  
52 firearm or other weapon, he shall have complied with Section  
53 45-6-11 or any training program required for employment as an  
54 agent of the Federal Bureau of Investigation. A law enforcement  
55 officer, as defined in Section 45-6-3, shall be authorized to  
56 carry weapons in courthouses in performance of his official  
57 duties. This section shall in no way interfere with the right of  
58 a trial judge to restrict the carrying of firearms in the  
59 courtroom.



60 (3) It shall not be a violation of this or any other statute  
61 for pistols, firearms or other suitable and appropriate weapons,  
62 to be carried by any out-of-state, full-time commissioned law  
63 enforcement officer who holds a valid commission card from the  
64 appropriate out-of-state law enforcement agency and a photo  
65 identification. The provisions of this subsection shall only  
66 apply if the state where the out-of-state officer is employed has  
67 entered into a reciprocity agreement with the state that allows  
68 full-time commissioned law enforcement officers, as defined in  
69 Section 45-6-3, in Mississippi to lawfully carry or possess a  
70 weapon in such other states. The Commissioner of Public Safety is  
71 authorized to enter into reciprocal agreements with other states  
72 to carry out the provisions of this subsection.

73 **SECTION 2.** This act shall take effect and be in force from  
74 and after July 1, 2002.

