MISSISSIPPI LEGISLATURE
REGULAR SESSION 2002

By: Representative Wallace
To: Judiciary B

HOUSE BILL NO. 1041

AN ACT TO AMEND SECTION 97-37-1, MISSISSIPPI CODE OF 1972, TO REVISE THE PUNISHMENT FOR A CONVICTION OF UNLAWFULLY CARRYING A CONCEALED WEAPON AND TO PROHIBIT ANY PERSON UNDER THE AGE OF 21 FROM CARRYING A DEADLY WEAPON IN A VEHICLE WITHOUT A CARRY PERMIT; AND FOR RELATED PURPOSES.

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

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

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

* * *

(a) By commitment to the custody of the Department of Corrections for not less than one (1) year nor more than three (3) years, for the first conviction under this section.

(b) By commitment to the custody of the Department of Corrections for not less than five (5) years nor more than ten (10) years for any person previously convicted of any felony who is convicted under this section.
(2) It shall not be a violation of this section for any person over the age of twenty-one (21) years to carry a firearm or deadly weapon concealed in whole or in part within the confines of his own home or his place of business, or any real property associated with his home or business or within any motor vehicle.

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

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