

By: Representative Wallace

To: Judiciary B

HOUSE BILL NO. 1041

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

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

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

9 97-37-1. (1) Except as otherwise provided in Section
10 45-9-101, any person who carries, concealed in whole or in part,
11 any bowie knife, dirk knife, butcher knife, switchblade knife,
12 metallic knuckles, blackjack, slingshot, pistol, revolver, or any
13 rifle with a barrel of less than sixteen (16) inches in length, or
14 any shotgun with a barrel of less than eighteen (18) inches in
15 length, machine gun or any fully automatic firearm or deadly
16 weapon, or any muffler or silencer for any firearm, whether or not
17 it is accompanied by a firearm, or uses or attempts to use against
18 another person any imitation firearm, shall upon conviction be
19 guilty of a felony and punished as follows:

20 * * *

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

24 (b) By commitment to the custody of the Department of
25 Corrections for not less than five (5) years nor more than ten
26 (10) years for any person previously convicted of any felony who
27 is convicted under this section.



28 (2) It shall not be a violation of this section for any
29 person over the age of twenty-one (21) years to carry a firearm or
30 deadly weapon concealed in whole or in part within the confines of
31 his own home or his place of business, or any real property
32 associated with his home or business or within any motor vehicle.

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

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

