SENATE BILL NO. 2410  
(As Passed the Senate)

AN ACT TO AMEND SECTION 97-37-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONFISCATED FIREARMS MAY BE SOLD AT AUCTION WITH 100% OF THE PROCEEDS TO BE USED TO PURCHASE BULLETPROOF VESTS FOR THE SEIZING LAW ENFORCEMENT AGENCY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 97-37-3, Mississippi Code of 1972, is amended as follows:

97-37-3. (1) Any weapon used in violation of Section 97-37-1, or used in the commission of any other crime, shall be seized by the arresting officer, may be introduced in evidence, and in the event of a conviction, shall be ordered to be forfeited, and shall be disposed of as ordered by the court having jurisdiction of such offense. In the event of dismissal or acquittal of charges, such weapon shall be returned to the accused from whom it was seized.

(2) (a) If the weapon to be forfeited is merchantable, the court may order the weapon forfeited to the seizing law enforcement agency.

(b) A weapon so forfeited to a law enforcement agency may be sold at auction as provided by Sections 19-3-85 and 21-39-21 to a federally-licensed firearms dealer, with the proceeds from such sale at auction to be used to buy bulletproof vests for the seizing law enforcement agency.

SECTION 2. This act shall take effect and be in force from and after July 1, 2003.