

By: Senator(s) Michel

To: Judiciary

SENATE BILL NO. 2410  
(As Passed the Senate)

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

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

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

8 97-37-3. (1) Any weapon used in violation of Section  
9 97-37-1, or used in the commission of any other crime, shall be  
10 seized by the arresting officer, may be introduced in evidence,  
11 and in the event of a conviction, shall be ordered to be  
12 forfeited, and shall be disposed of as ordered by the court having  
13 jurisdiction of such offense. In the event of dismissal or  
14 acquittal of charges, such weapon shall be returned to the accused  
15 from whom it was seized.

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

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

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

