

By: Senator(s) Michel

To: Judiciary, Division B

SENATE BILL NO. 2626

1 AN ACT TO AMEND SECTION 97-37-3, MISSISSIPPI CODE OF 1972, TO
2 REVISE DISPOSITION OF PROCEEDS UPON AUCTION BY A LAW ENFORCEMENT
3 AGENCY OF FORFEITED WEAPONS; AND FOR RELATED PURPOSES.

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

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

7 97-37-3. (1) Any weapon used in violation of Section
8 97-37-1, or used in the commission of any other crime, shall be
9 seized by the arresting officer, may be introduced in evidence,
10 and in the event of a conviction, shall be ordered to be
11 forfeited, and shall be disposed of as ordered by the court having
12 jurisdiction of such offense. In the event of dismissal or
13 acquittal of charges, such weapon shall be returned to the accused
14 from whom it was seized.

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

18 (b) A weapon so forfeited to a law enforcement agency
19 may be sold at auction as provided by Sections 19-3-85 and
20 21-39-21 to a federally-licensed firearms dealer, with the
21 proceeds from such sale at auction to be used to buy bulletproof
22 vests for the seizing law enforcement agency or for other specific
23 purpose of increasing law enforcement resources to augment the law
24 enforcement budget and not to supplant it.

25 **SECTION 2.** This act shall take effect and be in force from
26 and after its passage.