

**Adopted  
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**House Bill No. 1141**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

8           **SECTION 1.** Section 45-9-53, Mississippi Code of 1972, is  
9 amended as follows:

10           45-9-53. (1) This section and Section 45-9-51 do not affect  
11 the authority that a county or municipality may have under another  
12 law:

13                   (a) To require citizens or public employees to be armed  
14 for personal or national defense, law enforcement, or another  
15 lawful purpose;

16                   (b) To regulate the discharge of firearms within the  
17 limits of the county or municipality. A county or municipality  
18 may not apply a regulation relating to the discharge of firearms  
19 or other weapons in the extraterritorial jurisdiction of the  
20 county or municipality or in an area annexed by the county or  
21 municipality after September 1, 1981, if the firearm or other  
22 weapon is:

23                           (i) A shotgun, air rifle or air pistol, BB gun or  
24 bow and arrow discharged:

25                   1. On a tract of land of ten (10) acres or  
26 more and more than one hundred fifty (150) feet from a residence  
27 or occupied building located on another property; and

28                   2. In a manner not reasonably expected to  
29 cause a projectile to cross the boundary of the tract; or

30                   (ii) A center fire or rim fire rifle or pistol or  
31 a muzzle-loading rifle or pistol of any caliber discharged:

32                   1. On a tract of land of fifty (50) acres or  
33 more and more than three hundred (300) feet from a residence or  
34 occupied building located on another property; and

35                   2. In a manner not reasonably expected to  
36 cause a projectile to cross the boundary of tract;

37                   (c) To regulate the use of property or location of  
38 businesses for uses therein pursuant to fire code, zoning  
39 ordinances, or land-use regulations, so long as such codes,  
40 ordinances and regulations are not used to circumvent the intent  
41 of Section 45-9-51 or subparagraph (e) of this section;

42                   (d) To regulate the use of firearms in cases of  
43 insurrection, riots and natural disasters in which the city finds  
44 such regulation necessary to protect the health and safety of the  
45 public. However, the provisions of this section shall not apply  
46 to the lawful possession of firearms in the home, place of  
47 business or in transit to and from the home or place of business;

48                   (e) To regulate the storage or transportation of  
49 explosives in order to protect the health and safety of the  
50 public, with the exception of black powder which is exempt up to  
51 twenty-five (25) pounds per private residence and fifty (50)  
52 pounds per retail dealer;

53                   (f) To regulate the carrying of a firearm at: (i) a  
54 public park or at a public meeting of a county, municipality or  
55 other governmental body; (ii) a political rally, parade or

56 official political meeting; or (iii) a nonfirearm-related school,  
57 college or professional athletic event; or

58 (g) To regulate the receipt of firearms by pawnshops.

59 (2) The exception provided by subsection (1)(f) of this  
60 section does not apply if the firearm was in or carried to and  
61 from an area designated for use in a lawful hunting, fishing or  
62 other sporting event and the firearm is of the type commonly used  
63 in the activity.

64 **SECTION 2.** (1) Except as otherwise provided in subsection  
65 (2) of this section, a public or private employer may not  
66 establish, maintain, or enforce any policy or rule that has the  
67 effect of prohibiting a person from transporting or storing a  
68 firearm in a locked vehicle in any parking lot, parking garage, or  
69 other designated parking area.

70 (2) A private employer may prohibit an employee from  
71 transporting or storing a firearm in a vehicle in a parking lot,  
72 parking garage, or other parking area the employer provides for  
73 employees to which access is restricted or limited through the use  
74 of a gate, security station or other means of restricting or  
75 limiting general public access onto the property.

76 (3) This section shall not apply to vehicles owned or leased  
77 by an employer and used by the employee in the course of his  
78 business.

79 (4) This section does not authorize a person to transport or  
80 store a firearm on any premises where the possession of a firearm  
81 is prohibited by state or federal law.

82 (5) A public or private employer shall not be liable in a  
83 civil action for damages resulting from or arising out of an  
84 occurrence involving the transportation, storage, possession or  
85 use of a firearm covered by this section.

86 **SECTION 3.** This act shall take effect and be in force from  
87 and after July 1, 2006.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1           AN ACT TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO  
2 CLARIFY THE REGULATION OF THE DISCHARGE OF FIREARMS IN COUNTIES OR  
3 MUNICIPALITIES; TO CLARIFY LIABILITIES OF AND SPECIFY CERTAIN  
4 IMMUNITY FOR EMPLOYERS WITH RESPECT TO THE TRANSPORTATION OR  
5 STORAGE OF A FIREARM ON EMPLOYER'S PROPERTY; AND FOR RELATED  
6 PURPOSES.