

By: Senator(s) Morgan, Ross, Lee (35th), Jackson (15th), Davis, Hewes, Moffatt, Flowers, Chaney, Clarke, Michel, Pickering, Kirby, Carmichael, Mettetal, Chassaniol, Thames, Posey, Dearing, Albritton, Tollison, Fillingane, King, Brown, Doxey, Gollott, Robertson, Nunnelee, Little, Burton, White

To: Judiciary, Division B

SENATE BILL NO. 2470

1 AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO  
2 REVISE THE PENALTY FOR POSSESSION OF A FIREARM BY A CONVICTED  
3 FELON; AND FOR RELATED PURPOSES.

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

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

7 97-37-5. (1) It shall be unlawful for any person who has  
8 been convicted of a felony under the laws of this state, any other  
9 state, or of the United States to possess any firearm or any bowie  
10 knife, dirk knife, butcher knife, switchblade knife, metallic  
11 knuckles, blackjack, or any muffler or silencer for any firearm  
12 unless such person has received a pardon for such felony, has  
13 received a relief from disability pursuant to Section 925(c) of  
14 Title 18 of the U.S. Code, or has received a certificate of  
15 rehabilitation pursuant to subsection (3) of this section.

16 (2) Any person violating this section shall be guilty of a  
17 felony and, upon conviction thereof, shall be fined not more than  
18 Five Thousand Dollars (\$5,000.00), or committed to the custody of  
19 the State Department of Corrections for not more than ten (10)  
20 years, or both.

21 (3) A person who has been convicted of a felony under the  
22 laws of this state may apply to the court in which he was  
23 convicted for a certificate of rehabilitation. The court may  
24 grant such certificate in its discretion upon a showing to the  
25 satisfaction of the court that the applicant has been  
26 rehabilitated and has led a useful, productive and law-abiding  
27 life since the completion of his sentence and upon the finding of

28 the court that he will not be likely to act in a manner dangerous  
29 to public safety.

30         **SECTION 2.** This act shall take effect and be in force from  
31 and after July 1, 2007.