

By: Representative Dixon

To: Judiciary B

## HOUSE BILL NO. 1207

1 AN ACT TO MAKE IT UNLAWFUL FOR ANY LAW ENFORCEMENT OFFICER TO  
2 POSSESS, USE, OR PERMIT OR AUTHORIZE THE USE OF A WEAPON OWNED BY  
3 THE STATE OF MISSISSIPPI OR A POLITICAL SUBDIVISION THEREOF EXCEPT  
4 UPON OFFICIAL BUSINESS; TO MAKE IT UNLAWFUL FOR ANY LAW  
5 ENFORCEMENT OFFICER TO USE OR PERMIT OR AUTHORIZE THE USE OF ANY  
6 AUTOMOBILE OR ANY OTHER MOTOR VEHICLE OWNED BY THE STATE OF  
7 MISSISSIPPI OR A POLITICAL SUBDIVISION THEREOF EXCEPT UPON  
8 OFFICIAL BUSINESS; TO PROVIDE PENALTIES FOR CERTAIN VIOLATIONS OF  
9 THOSE PROVISIONS; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** (1) It shall be unlawful for any law enforcement  
12 officer to possess, use or permit or authorize the use of any  
13 weapon or radio device owned by the State of Mississippi, any  
14 county or municipality, or any agency, department, office,  
15 division, bureau, commission, board or other institution or  
16 instrumentality thereof for any purpose other than upon the  
17 official business of the State of Mississippi, the county or  
18 municipality, or the agency, department, office, division, bureau,  
19 commission, board or other institution or instrumentality thereof.

20 (2) It shall be unlawful for any law enforcement officer to  
21 use or permit or authorize the use of any automobile or any other



22 motor vehicle owned by the State of Mississippi, any county or  
23 municipality, or any agency, department, office, division, bureau,  
24 commission, board or other institution or instrumentality thereof  
25 for any purpose other than upon the official business of the State  
26 of Mississippi, the county or municipality, or the agency,  
27 department, office, division, bureau, commission, board or other  
28 institution or instrumentality thereof.

29 (3) If any person shall knowingly and willfully violate any  
30 of the provisions of this section, such person shall be guilty of  
31 a misdemeanor and, upon conviction, shall be punished by a fine of  
32 not more than Two Hundred Fifty Dollars (\$250.00) and, in  
33 addition, shall be removed from the office or position which he  
34 holds.

35 (4) Additionally, if a felony occurs while the law  
36 enforcement officer is off duty and has possession of the off duty  
37 weapon, radio device or duty vehicle, then the law enforcement  
38 officer shall be guilty of a felony and, upon conviction, shall be  
39 punished by a fine of not more than Five Thousand Dollars  
40 (\$5,000.00) or imprisonment for not more than five (5) years, or  
41 by both such fine and imprisonment.

42 **SECTION 2.** This act shall take effect and be in force from  
43 and after July 1, 2013.

