

By: Senator(s) McDaniel

To: Judiciary, Division B

SENATE BILL NO. 2645

1 AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO
2 CONFER ENHANCED CARRY BENEFITS UPON MEMBERS OF THE MILITARY; AND
3 FOR RELATED PURPOSES.

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

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

7 97-37-7. (1) (a) It shall not be a violation of Section
8 97-37-1 or any other statute for pistols, firearms or other
9 suitable and appropriate weapons to be carried by duly constituted
10 bank guards, company guards, watchmen, railroad special agents or
11 duly authorized representatives who are not sworn law enforcement
12 officers, agents or employees of a patrol service, guard service,
13 or a company engaged in the business of transporting money,
14 securities or other valuables, while actually engaged in the
15 performance of their duties as such, provided that such persons
16 have made a written application and paid a nonrefundable permit
17 fee of One Hundred Dollars (\$100.00) to the Department of Public
18 Safety.



19 (b) No permit shall be issued to any person who has
20 ever been convicted of a felony under the laws of this or any
21 other state or of the United States. To determine an applicant's
22 eligibility for a permit, the person shall be fingerprinted. If
23 no disqualifying record is identified at the state level, the
24 fingerprints shall be forwarded by the Department of Public Safety
25 to the Federal Bureau of Investigation for a national criminal
26 history record check. The department shall charge a fee which
27 includes the amounts required by the Federal Bureau of
28 Investigation and the department for the national and state
29 criminal history record checks and any necessary costs incurred by
30 the department for the handling and administration of the criminal
31 history background checks. In the event a legible set of
32 fingerprints, as determined by the Department of Public Safety and
33 the Federal Bureau of Investigation, cannot be obtained after a
34 minimum of three (3) attempts, the Department of Public Safety
35 shall determine eligibility based upon a name check by the
36 Mississippi Highway Safety Patrol and a Federal Bureau of
37 Investigation name check conducted by the Mississippi Highway
38 Safety Patrol at the request of the Department of Public Safety.

39 (c) A person may obtain a duplicate of a lost or
40 destroyed permit upon payment of a Fifteen Dollar (\$15.00)
41 replacement fee to the Department of Public Safety, if he
42 furnishes a notarized statement to the department that the permit
43 has been lost or destroyed.



44 (d) (i) No less than ninety (90) days * * * before the
45 expiration date of a permit, the Department of Public Safety shall
46 mail to the permit holder written notice of expiration together
47 with the renewal form prescribed by the department. The permit
48 holder shall renew the permit on or before the expiration date by
49 filing with the department the renewal form, a notarized affidavit
50 stating that the permit holder remains qualified, and the renewal
51 fee of Fifty Dollars (\$50.00); provided, however, that honorably
52 retired law enforcement officers shall be exempt from payment of
53 the renewal fee. A permit holder who fails to file a renewal
54 application on or before its expiration date shall pay a late fee
55 of Fifteen Dollars (\$15.00).

56 (ii) Renewal of the permit shall be required every
57 four (4) years. The permit of a qualified renewal applicant shall
58 be renewed upon receipt of the completed renewal application and
59 appropriate payment of fees.

60 (iii) A permit cannot be renewed six (6) months or
61 more after its expiration date, and such permit shall be deemed to
62 be permanently expired; the holder may reapply for an original
63 permit as provided in this section.

64 (2) (a) (i) It shall not be a violation of this or any
65 other statute for pistols, firearms or other suitable and
66 appropriate weapons to be carried by Department of Wildlife,
67 Fisheries and Parks law enforcement officers, railroad special
68 agents who are sworn law enforcement officers, investigators



69 employed by the Attorney General, criminal investigators employed
70 by the district attorneys, all prosecutors, public defenders,
71 investigators or probation officers employed by the Department of
72 Corrections, employees of the State Auditor who are authorized by
73 the State Auditor to perform investigative functions, or any
74 deputy fire marshal or investigator employed by the State Fire
75 Marshal, while engaged in the performance of their duties as such,
76 or by fraud investigators with the Department of Human Services,
77 or by judges of the Mississippi Supreme Court, Court of Appeals,
78 circuit, chancery, county, justice and municipal courts, or by
79 coroners.

80 (ii) Before any person shall be authorized under
81 this subsection (2)(a) to carry a weapon, he shall complete a
82 weapons training course approved by the Board of Law Enforcement
83 Officer Standards and Training. Before any criminal investigator
84 employed by a district attorney shall be authorized under this
85 section to carry a pistol, firearm or other weapon, he shall have
86 complied with Section 45-6-11 or any training program required for
87 employment as an agent of the Federal Bureau of Investigation.

88 (b) A law enforcement officer, as defined in Section
89 45-6-3, shall be authorized to carry weapons in courthouses in
90 performance of his official duties.

91 (c) (i) A person licensed under Section 45-9-101 to
92 carry a concealed pistol, who has voluntarily completed an
93 instructional course in the safe handling and use of firearms



94 offered by an instructor certified by a nationally recognized
95 organization that customarily offers firearms training, or by any
96 other organization approved by the Department of Public Safety, as
97 well as any member of the military shall also be authorized to
98 carry weapons in courthouses except in courtrooms during a
99 judicial proceeding, and any location listed in subsection (13) of
100 Section 45-9-101, except any place of nuisance as defined in
101 Section 95-3-1, any police, sheriff or highway patrol station or
102 any detention facility, prison or jail.

103 (ii) The department shall promulgate rules and
104 regulations allowing concealed pistol permit holders to obtain an
105 endorsement on their permit indicating that they have completed
106 the aforementioned course and have the authority to carry in these
107 locations.

108 (iii) The department shall promulgate rules and
109 regulations allowing members of the military to exercise enhanced
110 carry benefits under this section.

111 (d) This section shall in no way interfere with the
112 right of a trial judge to restrict the carrying of firearms in the
113 courtroom.

114 (3) It shall not be a violation of this or any other statute
115 for pistols, firearms or other suitable and appropriate weapons,
116 to be carried by any out-of-state, full-time commissioned law
117 enforcement officer who holds a valid commission card from the
118 appropriate out-of-state law enforcement agency and a photo



119 identification. The provisions of this subsection shall only
120 apply if the state where the out-of-state officer is employed has
121 entered into a reciprocity agreement with the state that allows
122 full-time commissioned law enforcement officers in Mississippi to
123 lawfully carry or possess a weapon in such other states. The
124 Commissioner of Public Safety is authorized to enter into
125 reciprocal agreements with other states to carry out the
126 provisions of this subsection.

127 **SECTION 2.** This act shall take effect and be in force from
128 and after July 1, 2014.

