

By: Representative Frierson

To: Judiciary B

HOUSE BILL NO. 552

1 AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT NO COUNTY, MUNICIPALITY OR POLITICAL SUBDIVISION  
 3 THEREOF SHALL ADOPT ANY ORDINANCE, RULE OR REGULATION RESTRICTING  
 4 THE POSSESSION, SALE, PURCHASE, TRANSFER, LICENSING, MANUFACTURE,  
 5 OWNERSHIP OR USE OF A KNIFE, KNIFE MAKING COMPONENTS OR KNIVES IN  
 6 A MANNER MORE RESTRICTIVE THAN PROVIDED BY LAW; TO AMEND SECTION  
 7 45-9-53 AND 45-9-101, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
 8 THERETO; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 45-9-51, Mississippi Code of 1972, is  
 11 amended as follows:

12 45-9-51. (1) Subject to the provisions of Section 45-9-53,  
 13 no county or municipality may adopt any ordinance that restricts  
 14 the possession, carrying, transportation, sale, transfer or  
 15 ownership of firearms or ammunition or their components.

16 (2) No public housing authority operating in this state may  
 17 adopt any rule or regulation restricting a lessee or tenant of a  
 18 dwelling owned and operated by such public housing authority from  
 19 lawfully possessing firearms or ammunition or their components  
 20 within individual dwelling units or the transportation of such



21 firearms or ammunition or their components to and from such  
22 dwelling.

23 (3) (a) No county, municipality or political subdivision  
24 thereof shall adopt any ordinance, rule or regulation restricting  
25 the possession, sale, purchase, transfer, licensing, manufacture,  
26 ownership or use of a knife, knife making components or knives in  
27 a manner that is more restrictive than the provisions of this  
28 chapter.

29 (b) Any conflicting ordinance, rule or regulation  
30 adopted by any county, municipality or political subdivision  
31 thereof, whether enacted before or after July 1, 2015, shall be  
32 repealed and is void ab initio.

33 (c) For purpose of this chapter, the term "knife" means  
34 a cutting instrument with a sharpened or pointed blade.

35 **SECTION 2.** Section 45-9-53, Mississippi Code of 1972, is  
36 amended as follows:

37 45-9-53. (1) This section and Section 45-9-51 do not affect  
38 the authority that a county or municipality may have under another  
39 law:

40 (a) To require citizens or public employees to be armed  
41 for personal or national defense, law enforcement, or another  
42 lawful purpose;

43 (b) To regulate the discharge of firearms within the  
44 limits of the county or municipality. A county or municipality  
45 may not apply a regulation relating to the discharge of firearms



46 or other weapons in the extraterritorial jurisdiction of the  
47 county or municipality or in an area annexed by the county or  
48 municipality after September 1, 1981, if the firearm or other  
49 weapon is:

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

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

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

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

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

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

64 (c) To regulate the use of property or location of  
65 businesses for uses therein pursuant to fire code, zoning  
66 ordinances, or land-use regulations, so long as such codes,  
67 ordinances and regulations are not used to circumvent the intent  
68 of Section 45-9-51 or paragraph (e) of this subsection;

69 (d) To regulate the use of firearms in cases of  
70 insurrection, riots and natural disasters in which the city finds



71 such regulation necessary to protect the health and safety of the  
72 public. However, the provisions of this section shall not apply  
73 to the lawful possession of firearms, ammunition or components of  
74 firearms or ammunition;

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

80 (f) To regulate the carrying of a firearm or knife at:  
81 (i) a public park or at a public meeting of a county, municipality  
82 or other governmental body; (ii) a political rally, parade or  
83 official political meeting; or (iii) a nonfirearm-related school,  
84 college or professional athletic event; or

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

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

91 (3) This section and Section 45-9-51 do not authorize a  
92 county or municipality or their officers or employees to act in  
93 contravention of Section 33-7-303.

94 (4) No county or a municipality may use the written notice  
95 provisions of Section 45-9-101(13) to prohibit firearms or knives



96 on property under their control except in the locations listed in  
97 subsection (1)(f) of this section. Nothing in this subsection  
98 shall limit the ability of a county or municipality to post signs:

99 (a) At a location listed in Section 45-9-101(13)  
100 indicating that a license issued under Section 45-9-101 does not  
101 authorize the holder to carry a firearm into that location, as  
102 long as the sign also indicates that carrying a firearm is  
103 unauthorized only for license holders without a training  
104 endorsement or that it is a location included in Section  
105 97-37-7(2) where carrying a firearm is unauthorized for all  
106 license holders; and

107 (b) At any location under the control of the county or  
108 municipality aside from a location listed in subsection (1)(f) of  
109 this section or Section 45-9-101(13) indicating that the  
110 possession of a firearm is prohibited on the premises, as long as  
111 the sign also indicates that it does not apply to a person  
112 properly licensed under Section 45-9-101 or Section 97-37-7(2) to  
113 carry a concealed firearm or to a person lawfully carrying a  
114 firearm that is not concealed.

115 (5) (a) A citizen of this state, or a person licensed to  
116 carry a concealed pistol or revolver under Section 45-9-101, or a  
117 person licensed to carry a concealed pistol or revolver with the  
118 endorsement under Section 97-37-7, who is adversely affected by an  
119 ordinance or posted written notice adopted by a county or  
120 municipality in violation of this section may file suit for



121 declarative and injunctive relief against a county or municipality  
122 in the circuit court which shall have jurisdiction over the county  
123 or municipality where the violation of this section occurs.

124 (b) Before instituting suit under this subsection, the  
125 party adversely impacted by the ordinance or posted written notice  
126 shall notify the Attorney General in writing of the violation and  
127 include evidence of the violation. The Attorney General shall,  
128 within thirty (30) days, investigate whether the county or  
129 municipality adopted an ordinance or posted written notice in  
130 violation of this section and provide the chief administrative  
131 officer of the county or municipality notice of his findings,  
132 including, if applicable, a description of the violation and  
133 specific language of the ordinance or posted written notice found  
134 to be in violation. The county or municipality shall have thirty  
135 (30) days from receipt of that notice to cure the violation. If  
136 the county or municipality fails to cure the violation within that  
137 thirty-day time period, a suit under paragraph (a) of this  
138 subsection may proceed. The findings of the Attorney General  
139 shall constitute a "Public Record" as defined by the Mississippi  
140 Public Records Act of 1983, Section 25-61-1 et seq.

141 (c) If the circuit court finds that a county or  
142 municipality adopted an ordinance or posted written notice in  
143 violation of this section and failed to cure that violation in  
144 accordance with paragraph (b) of this subsection, the circuit  
145 court shall issue a permanent injunction against a county or



146 municipality prohibiting it from enforcing the ordinance or posted  
147 written notice. Any elected county or municipal official under  
148 whose jurisdiction the violation occurred may be civilly liable in  
149 a sum not to exceed One Thousand Dollars (\$1,000.00), plus all  
150 reasonable attorney's fees and costs incurred by the party  
151 bringing the suit. Public funds may not be used to defend or  
152 reimburse officials who are found by the court to have violated  
153 this section.

154 (d) It shall be an affirmative defense to any claim  
155 brought against an elected county or municipal official under this  
156 subsection (5) that the elected official:

157 (i) Did not vote in the affirmative for the  
158 adopted ordinance or posted written notice deemed by the court to  
159 be in violation of this section;

160 (ii) Did attempt to take recorded action to cure  
161 the violation as noticed by the Attorney General in paragraph (b)  
162 of this subsection; or

163 (iii) Did attempt to take recorded action to  
164 rescind the ordinance or remove the posted written notice deemed  
165 by the court to be in violation of this section.

166 (6) No county or municipality or their officers or employees  
167 may participate in any program in which individuals are given a  
168 thing of value provided by another individual or other entity in  
169 exchange for surrendering a firearm to the county, municipality or  
170 other governmental body unless:



171 (a) The county or municipality has adopted an ordinance  
172 authorizing the participation of the county or municipality, or  
173 participation by an officer or employee of the county or  
174 municipality in such a program; and

175 (b) Any ordinance enacted pursuant to this section must  
176 require that any firearm received shall be offered for sale at  
177 auction as provided by Sections 19-3-85 and 21-39-21 to federally  
178 licensed firearms dealers, with the proceeds from such sale at  
179 auction reverting to the general operating fund of the county,  
180 municipality or other governmental body. Any firearm remaining in  
181 possession of the county, municipality or other governmental body  
182 after attempts to sell at auction may be disposed of in a manner  
183 that the body deems appropriate.

184 **SECTION 3.** Section 45-9-101, Mississippi Code of 1972, is  
185 amended as follows:

186 45-9-101. (1) (a) The Department of Public Safety is  
187 authorized to issue licenses to carry stun guns, concealed pistols  
188 or revolvers to persons qualified as provided in this section.  
189 Such licenses shall be valid throughout the state for a period of  
190 five (5) years from the date of issuance. Any person possessing a  
191 valid license issued pursuant to this section may carry a stun  
192 gun, concealed pistol or concealed revolver.

193 (b) The licensee must carry the license, together with  
194 valid identification, at all times in which the licensee is  
195 carrying a stun gun, concealed pistol or revolver and must display





196 both the license and proper identification upon demand by a law  
197 enforcement officer. A violation of the provisions of this  
198 paragraph (b) shall constitute a noncriminal violation with a  
199 penalty of Twenty-five Dollars (\$25.00) and shall be enforceable  
200 by summons.

201 (2) The Department of Public Safety shall issue a license if  
202 the applicant:

203 (a) Is a resident of the state and has been a resident  
204 for twelve (12) months or longer immediately preceding the filing  
205 of the application. However, this residency requirement may be  
206 waived, provided the applicant possesses a valid permit from  
207 another state, is active military personnel stationed in  
208 Mississippi, or is a retired law enforcement officer establishing  
209 residency in the state;

210 (b) (i) Is twenty-one (21) years of age or older; or  
211 (ii) Is at least eighteen (18) years of age but  
212 not yet twenty-one (21) years of age and the applicant:

213 1. Is a member or veteran of the United  
214 States Armed Forces; and

215 2. Holds a valid Mississippi driver's license  
216 or identification card with the "Veteran" designation issued by  
217 the Department of Public Safety;

218 (c) Does not suffer from a physical infirmity which  
219 prevents the safe handling of a stun gun, pistol or revolver;



220 (d) Is not ineligible to possess a firearm by virtue of  
221 having been convicted of a felony in a court of this state, of any  
222 other state, or of the United States without having been pardoned  
223 for same;

224 (e) Does not chronically or habitually abuse controlled  
225 substances to the extent that his normal faculties are impaired.  
226 It shall be presumed that an applicant chronically and habitually  
227 uses controlled substances to the extent that his faculties are  
228 impaired if the applicant has been voluntarily or involuntarily  
229 committed to a treatment facility for the abuse of a controlled  
230 substance or been found guilty of a crime under the provisions of  
231 the Uniform Controlled Substances Law or similar laws of any other  
232 state or the United States relating to controlled substances  
233 within a three-year period immediately preceding the date on which  
234 the application is submitted;

235 (f) Does not chronically and habitually use alcoholic  
236 beverages to the extent that his normal faculties are impaired.  
237 It shall be presumed that an applicant chronically and habitually  
238 uses alcoholic beverages to the extent that his normal faculties  
239 are impaired if the applicant has been voluntarily or  
240 involuntarily committed as an alcoholic to a treatment facility or  
241 has been convicted of two (2) or more offenses related to the use  
242 of alcohol under the laws of this state or similar laws of any  
243 other state or the United States within the three-year period



244 immediately preceding the date on which the application is  
245 submitted;

246 (g) Desires a legal means to carry a stun gun,  
247 concealed pistol or revolver to defend himself;

248 (h) Has not been adjudicated mentally incompetent, or  
249 has waited five (5) years from the date of his restoration to  
250 capacity by court order;

251 (i) Has not been voluntarily or involuntarily committed  
252 to a mental institution or mental health treatment facility unless  
253 he possesses a certificate from a psychiatrist licensed in this  
254 state that he has not suffered from disability for a period of  
255 five (5) years;

256 (j) Has not had adjudication of guilt withheld or  
257 imposition of sentence suspended on any felony unless three (3)  
258 years have elapsed since probation or any other conditions set by  
259 the court have been fulfilled;

260 (k) Is not a fugitive from justice; and

261 (l) Is not disqualified to possess a weapon based on  
262 federal law.

263 (3) The Department of Public Safety may deny a license if  
264 the applicant has been found guilty of one or more crimes of  
265 violence constituting a misdemeanor unless three (3) years have  
266 elapsed since probation or any other conditions set by the court  
267 have been fulfilled or expunction has occurred prior to the date  
268 on which the application is submitted, or may revoke a license if



269 the licensee has been found guilty of one or more crimes of  
270 violence within the preceding three (3) years. The department  
271 shall, upon notification by a law enforcement agency or a court  
272 and subsequent written verification, suspend a license or the  
273 processing of an application for a license if the licensee or  
274 applicant is arrested or formally charged with a crime which would  
275 disqualify such person from having a license under this section,  
276 until final disposition of the case. The provisions of subsection  
277 (7) of this section shall apply to any suspension or revocation of  
278 a license pursuant to the provisions of this section.

279 (4) The application shall be completed, under oath, on a  
280 form promulgated by the Department of Public Safety and shall  
281 include only:

282 (a) The name, address, place and date of birth, race,  
283 sex and occupation of the applicant;

284 (b) The driver's license number or social security  
285 number of applicant;

286 (c) Any previous address of the applicant for the two  
287 (2) years preceding the date of the application;

288 (d) A statement that the applicant is in compliance  
289 with criteria contained within subsections (2) and (3) of this  
290 section;

291 (e) A statement that the applicant has been furnished a  
292 copy of this section and is knowledgeable of its provisions;



293 (f) A conspicuous warning that the application is  
294 executed under oath and that a knowingly false answer to any  
295 question, or the knowing submission of any false document by the  
296 applicant, subjects the applicant to criminal prosecution; and

297 (g) A statement that the applicant desires a legal  
298 means to carry a stun gun, concealed pistol or revolver to defend  
299 himself.

300 (5) The applicant shall submit only the following to the  
301 Department of Public Safety:

302 (a) A completed application as described in subsection  
303 (4) of this section;

304 (b) A full-face photograph of the applicant taken  
305 within the preceding thirty (30) days in which the head, including  
306 hair, in a size as determined by the Department of Public Safety,  
307 except that an applicant who is younger than twenty-one (21) years  
308 of age must submit a photograph in profile of the applicant;

309 (c) A nonrefundable license fee of One Hundred Dollars  
310 (\$100.00). Costs for processing the set of fingerprints as  
311 required in paragraph (d) of this subsection shall be borne by the  
312 applicant. Honorably retired law enforcement officers and  
313 disabled veterans shall be exempt from the payment of the license  
314 fee;

315 (d) A full set of fingerprints of the applicant  
316 administered by the Department of Public Safety; and



317 (e) A waiver authorizing the Department of Public  
318 Safety access to any records concerning commitments of the  
319 applicant to any of the treatment facilities or institutions  
320 referred to in subsection (2) and permitting access to all the  
321 applicant's criminal records.

322 (6) (a) The Department of Public Safety, upon receipt of  
323 the items listed in subsection (5) of this section, shall forward  
324 the full set of fingerprints of the applicant to the appropriate  
325 agencies for state and federal processing.

326 (b) The Department of Public Safety shall forward a  
327 copy of the applicant's application to the sheriff of the  
328 applicant's county of residence and, if applicable, the police  
329 chief of the applicant's municipality of residence. The sheriff  
330 of the applicant's county of residence and, if applicable, the  
331 police chief of the applicant's municipality of residence may, at  
332 his discretion, participate in the process by submitting a  
333 voluntary report to the Department of Public Safety containing any  
334 readily discoverable prior information that he feels may be  
335 pertinent to the licensing of any applicant. The reporting shall  
336 be made within thirty (30) days after the date he receives the  
337 copy of the application. Upon receipt of a response from a  
338 sheriff or police chief, such sheriff or police chief shall be  
339 reimbursed at a rate set by the department.



340 (c) The Department of Public Safety shall, within  
341 forty-five (45) days after the date of receipt of the items listed  
342 in subsection (5) of this section:

343 (i) Issue the license;

344 (ii) Deny the application based solely on the  
345 ground that the applicant fails to qualify under the criteria  
346 listed in subsections (2) and (3) of this section. If the  
347 Department of Public Safety denies the application, it shall  
348 notify the applicant in writing, stating the ground for denial,  
349 and the denial shall be subject to the appeal process set forth in  
350 subsection (7); or

351 (iii) Notify the applicant that the department is  
352 unable to make a determination regarding the issuance or denial of  
353 a license within the forty-five-day period prescribed by this  
354 subsection, and provide an estimate of the amount of time the  
355 department will need to make the determination.

356 (d) In the event a legible set of fingerprints, as  
357 determined by the Department of Public Safety and the Federal  
358 Bureau of Investigation, cannot be obtained after a minimum of two  
359 (2) attempts, the Department of Public Safety shall determine  
360 eligibility based upon a name check by the Mississippi Highway  
361 Safety Patrol and a Federal Bureau of Investigation name check  
362 conducted by the Mississippi Highway Safety Patrol at the request  
363 of the Department of Public Safety.



364           (7) (a) If the Department of Public Safety denies the  
365 issuance of a license, or suspends or revokes a license, the party  
366 aggrieved may appeal such denial, suspension or revocation to the  
367 Commissioner of Public Safety, or his authorized agent, within  
368 thirty (30) days after the aggrieved party receives written notice  
369 of such denial, suspension or revocation. The Commissioner of  
370 Public Safety, or his duly authorized agent, shall rule upon such  
371 appeal within thirty (30) days after the appeal is filed and  
372 failure to rule within this thirty-day period shall constitute  
373 sustaining such denial, suspension or revocation. Such review  
374 shall be conducted pursuant to such reasonable rules and  
375 regulations as the Commissioner of Public Safety may adopt.

376           (b) If the revocation, suspension or denial of issuance  
377 is sustained by the Commissioner of Public Safety, or his duly  
378 authorized agent pursuant to paragraph (a) of this subsection, the  
379 aggrieved party may file within ten (10) days after the rendition  
380 of such decision a petition in the circuit or county court of his  
381 residence for review of such decision. A hearing for review shall  
382 be held and shall proceed before the court without a jury upon the  
383 record made at the hearing before the Commissioner of Public  
384 Safety or his duly authorized agent. No such party shall be  
385 allowed to carry a stun gun, concealed pistol or revolver pursuant  
386 to the provisions of this section while any such appeal is  
387 pending.





388 (8) The Department of Public Safety shall maintain an  
389 automated listing of license holders and such information shall be  
390 available online, upon request, at all times, to all law  
391 enforcement agencies through the Mississippi Crime Information  
392 Center. However, the records of the department relating to  
393 applications for licenses to carry stun guns, concealed pistols or  
394 revolvers and records relating to license holders shall be exempt  
395 from the provisions of the Mississippi Public Records Act of 1983,  
396 and shall be released only upon order of a court having proper  
397 jurisdiction over a petition for release of the record or records.

398 (9) Within thirty (30) days after the changing of a  
399 permanent address, or within thirty (30) days after having a  
400 license lost or destroyed, the licensee shall notify the  
401 Department of Public Safety in writing of such change or loss.  
402 Failure to notify the Department of Public Safety pursuant to the  
403 provisions of this subsection shall constitute a noncriminal  
404 violation with a penalty of Twenty-five Dollars (\$25.00) and shall  
405 be enforceable by a summons.

406 (10) In the event that a stun gun, concealed pistol or  
407 revolver license is lost or destroyed, the person to whom the  
408 license was issued shall comply with the provisions of subsection  
409 (9) of this section and may obtain a duplicate, or substitute  
410 thereof, upon payment of Fifteen Dollars (\$15.00) to the  
411 Department of Public Safety, and furnishing a notarized statement  
412 to the department that such license has been lost or destroyed.



413 (11) A license issued under this section shall be revoked if  
414 the licensee becomes ineligible under the criteria set forth in  
415 subsection (2) of this section.

416 (12) (a) No less than ninety (90) days prior to the  
417 expiration date of the license, the Department of Public Safety  
418 shall mail to each licensee a written notice of the expiration and  
419 a renewal form prescribed by the department. The licensee must  
420 renew his license on or before the expiration date by filing with  
421 the department the renewal form, a notarized affidavit stating  
422 that the licensee remains qualified pursuant to the criteria  
423 specified in subsections (2) and (3) of this section, and a full  
424 set of fingerprints administered by the Department of Public  
425 Safety or the sheriff of the county of residence of the licensee.  
426 The first renewal may be processed by mail and the subsequent  
427 renewal must be made in person. Thereafter every other renewal  
428 may be processed by mail to assure that the applicant must appear  
429 in person every ten (10) years for the purpose of obtaining a new  
430 photograph.

431 (i) Except as provided in this subsection, a  
432 renewal fee of Fifty Dollars (\$50.00) shall also be submitted  
433 along with costs for processing the fingerprints;

434 (ii) Honorably retired law enforcement officers  
435 and disabled veterans shall be exempt from the renewal fee; and



436 (iii) The renewal fee for a Mississippi resident  
437 aged sixty-five (65) years of age or older shall be Twenty-five  
438 Dollars (\$25.00).

439 (b) The Department of Public Safety shall forward the  
440 full set of fingerprints of the applicant to the appropriate  
441 agencies for state and federal processing. The license shall be  
442 renewed upon receipt of the completed renewal application and  
443 appropriate payment of fees.

444 (c) A licensee who fails to file a renewal application  
445 on or before its expiration date must renew his license by paying  
446 a late fee of Fifteen Dollars (\$15.00). No license shall be  
447 renewed six (6) months or more after its expiration date, and such  
448 license shall be deemed to be permanently expired. A person whose  
449 license has been permanently expired may reapply for licensure;  
450 however, an application for licensure and fees pursuant to  
451 subsection (5) of this section must be submitted, and a background  
452 investigation shall be conducted pursuant to the provisions of  
453 this section.

454 (13) No license issued pursuant to this section shall  
455 authorize any person to carry a stun gun, concealed pistol or  
456 revolver into any place of nuisance as defined in Section 95-3-1,  
457 Mississippi Code of 1972; any police, sheriff or highway patrol  
458 station; any detention facility, prison or jail; any courthouse;  
459 any courtroom, except that nothing in this section shall preclude  
460 a judge from carrying a concealed weapon or determining who will



461 carry a concealed weapon in his courtroom; any polling place; any  
462 meeting place of the governing body of any governmental entity;  
463 any meeting of the Legislature or a committee thereof; any school,  
464 college or professional athletic event not related to firearms;  
465 any portion of an establishment, licensed to dispense alcoholic  
466 beverages for consumption on the premises, that is primarily  
467 devoted to dispensing alcoholic beverages; any portion of an  
468 establishment in which beer or light wine is consumed on the  
469 premises, that is primarily devoted to such purpose; any  
470 elementary or secondary school facility; any junior college,  
471 community college, college or university facility unless for the  
472 purpose of participating in any authorized firearms-related  
473 activity; inside the passenger terminal of any airport, except  
474 that no person shall be prohibited from carrying any legal firearm  
475 into the terminal if the firearm is encased for shipment, for  
476 purposes of checking such firearm as baggage to be lawfully  
477 transported on any aircraft; any church or other place of worship;  
478 or any place where the carrying of firearms is prohibited by  
479 federal law. In addition to the places enumerated in this  
480 subsection, the carrying of a stun gun, concealed pistol or  
481 revolver may be disallowed in any place in the discretion of the  
482 person or entity exercising control over the physical location of  
483 such place by the placing of a written notice clearly readable at  
484 a distance of not less than ten (10) feet that the "carrying of a  
485 pistol or revolver is prohibited." No license issued pursuant to



486 this section shall authorize the participants in a parade or  
487 demonstration for which a permit is required to carry a stun gun,  
488 concealed pistol or revolver.

489 (14) A law enforcement officer as defined in Section 45-6-3,  
490 chiefs of police, sheriffs and persons licensed as professional  
491 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of  
492 1972, shall be exempt from the licensing requirements of this  
493 section. The licensing requirements of this section do not apply  
494 to the carrying by any person of a stun gun, pistol or revolver,  
495 knife, or other deadly weapon that is not concealed as defined in  
496 Section 97-37-1.

497 (15) Any person who knowingly submits a false answer to any  
498 question on an application for a license issued pursuant to this  
499 section, or who knowingly submits a false document when applying  
500 for a license issued pursuant to this section, shall, upon  
501 conviction, be guilty of a misdemeanor and shall be punished as  
502 provided in Section 99-19-31, Mississippi Code of 1972.

503 (16) All fees collected by the Department of Public Safety  
504 pursuant to this section shall be deposited into a special fund  
505 hereby created in the State Treasury and shall be used for  
506 implementation and administration of this section. After the  
507 close of each fiscal year, the balance in this fund shall be  
508 certified to the Legislature and then may be used by the  
509 Department of Public Safety as directed by the Legislature.



510 (17) All funds received by a sheriff or police chief  
511 pursuant to the provisions of this section shall be deposited into  
512 the general fund of the county or municipality, as appropriate,  
513 and shall be budgeted to the sheriff's office or police department  
514 as appropriate.

515 (18) Nothing in this section shall be construed to require  
516 or allow the registration, documentation or providing of serial  
517 numbers with regard to any stun gun or firearm.

518 (19) Any person holding a valid unrevoked and unexpired  
519 license to carry stun guns, concealed pistols or revolvers issued  
520 in another state shall have such license recognized by this state  
521 to carry stun guns, concealed pistols or revolvers. The  
522 Department of Public Safety is authorized to enter into a  
523 reciprocal agreement with another state if that state requires a  
524 written agreement in order to recognize licenses to carry stun  
525 guns, concealed pistols or revolvers issued by this state.

526 (20) The provisions of this section shall be under the  
527 supervision of the Commissioner of Public Safety. The  
528 commissioner is authorized to promulgate reasonable rules and  
529 regulations to carry out the provisions of this section.

530 (21) For the purposes of this section, the term "stun gun"  
531 means a portable device or weapon from which an electric current,  
532 impulse, wave or beam may be directed, which current, impulse,  
533 wave or beam is designed to incapacitate temporarily, injure,



534 momentarily stun, knock out, cause mental disorientation or  
535 paralyze.

536 (22) For the purposes of this section, the term "knife"  
537 means a cutting instrument with a sharpened or pointed blade.

538 **SECTION 4.** This act shall take effect and be in force from  
539 and after July 1, 2015.

