

By: Representatives Gipson, Morgan, Patterson, Mettetal, Beckett, Rogers (61st), Tullos, Oliver, Baker, Kinkade, Hale, Rushing, Formby, Chism, Byrd, Criswell, Boyd, Currie, Bomgar, Weathersby, Shirley, Moore, Crawford, Ladner, Horne, Staples

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 571

1 AN ACT TO AMEND SECTIONS 45-9-101 AND 97-37-7, MISSISSIPPI
2 CODE OF 1972, TO CLARIFY THE MEANING OF THE WORDS, COURTHOUSE AND
3 COURTROOM, WITHIN THE PROVISIONS OF LAW REGULATING THE CARRYING OF
4 FIREARMS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 45-9-101, Mississippi Code of 1972, is
7 amended as follows:

8 45-9-101. (1) (a) Except as otherwise provided, the
9 Department of Public Safety is authorized to issue licenses to
10 carry stun guns, concealed pistols or revolvers to persons
11 qualified as provided in this section. Such licenses shall be
12 valid throughout the state for a period of five (5) years from the
13 date of issuance. Any person possessing a valid license issued
14 pursuant to this section may carry a stun gun, concealed pistol or
15 concealed revolver.

16 (b) The licensee must carry the license, together with
17 valid identification, at all times in which the licensee is
18 carrying a stun gun, concealed pistol or revolver and must display
19 both the license and proper identification upon demand by a law



20 enforcement officer. A violation of the provisions of this
21 paragraph (b) shall constitute a noncriminal violation with a
22 penalty of Twenty-five Dollars (\$25.00) and shall be enforceable
23 by summons.

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

26 (a) Is a resident of the state and has been a resident
27 for twelve (12) months or longer immediately preceding the filing
28 of the application. However, this residency requirement may be
29 waived if the applicant possesses a valid permit from another
30 state, is active military personnel stationed in Mississippi, or
31 is a retired law enforcement officer establishing residency in the
32 state;

33 (b) (i) Is twenty-one (21) years of age or older; or

34 (ii) Is at least eighteen (18) years of age but
35 not yet twenty-one (21) years of age and the applicant:

36 1. Is a member or veteran of the United
37 States Armed Forces, including National Guard or Reserve; and

38 2. Holds a valid Mississippi driver's license
39 or identification card issued by the Department of Public Safety;

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

42 (d) Is not ineligible to possess a firearm by virtue of
43 having been convicted of a felony in a court of this state, of any



44 other state, or of the United States without having been pardoned
45 for same;

46 (e) Does not chronically or habitually abuse controlled
47 substances to the extent that his normal faculties are impaired.
48 It shall be presumed that an applicant chronically and habitually
49 uses controlled substances to the extent that his faculties are
50 impaired if the applicant has been voluntarily or involuntarily
51 committed to a treatment facility for the abuse of a controlled
52 substance or been found guilty of a crime under the provisions of
53 the Uniform Controlled Substances Law or similar laws of any other
54 state or the United States relating to controlled substances
55 within a three-year period immediately preceding the date on which
56 the application is submitted;

57 (f) Does not chronically and habitually use alcoholic
58 beverages to the extent that his normal faculties are impaired.
59 It shall be presumed that an applicant chronically and habitually
60 uses alcoholic beverages to the extent that his normal faculties
61 are impaired if the applicant has been voluntarily or
62 involuntarily committed as an alcoholic to a treatment facility or
63 has been convicted of two (2) or more offenses related to the use
64 of alcohol under the laws of this state or similar laws of any
65 other state or the United States within the three-year period
66 immediately preceding the date on which the application is
67 submitted;



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

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

73 (i) Has not been voluntarily or involuntarily committed
74 to a mental institution or mental health treatment facility unless
75 he possesses a certificate from a psychiatrist licensed in this
76 state that he has not suffered from disability for a period of
77 five (5) years;

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

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

83 (l) Is not disqualified to possess a weapon based on
84 federal law.

85 (3) The Department of Public Safety may deny a license if
86 the applicant has been found guilty of one or more crimes of
87 violence constituting a misdemeanor unless three (3) years have
88 elapsed since probation or any other conditions set by the court
89 have been fulfilled or expunction has occurred prior to the date
90 on which the application is submitted, or may revoke a license if
91 the licensee has been found guilty of one or more crimes of
92 violence within the preceding three (3) years. The department



93 shall, upon notification by a law enforcement agency or a court
94 and subsequent written verification, suspend a license or the
95 processing of an application for a license if the licensee or
96 applicant is arrested or formally charged with a crime which would
97 disqualify such person from having a license under this section,
98 until final disposition of the case. The provisions of subsection
99 (7) of this section shall apply to any suspension or revocation of
100 a license pursuant to the provisions of this section.

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

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

106 (b) The driver's license number or social security
107 number of applicant;

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

110 (d) A statement that the applicant is in compliance
111 with criteria contained within subsections (2) and (3) of this
112 section;

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

115 (f) A conspicuous warning that the application is
116 executed under oath and that a knowingly false answer to any



117 question, or the knowing submission of any false document by the
118 applicant, subjects the applicant to criminal prosecution; and

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

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

124 (a) A completed application as described in subsection
125 (4) of this section;

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

131 (c) A nonrefundable license fee of Eighty Dollars
132 (\$80.00). Costs for processing the set of fingerprints as
133 required in paragraph (d) of this subsection shall be borne by the
134 applicant. Honorably retired law enforcement officers, disabled
135 veterans and active duty members of the Armed Forces of the United
136 States shall be exempt from the payment of the license fee;

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

139 (e) A waiver authorizing the Department of Public
140 Safety access to any records concerning commitments of the
141 applicant to any of the treatment facilities or institutions



142 referred to in subsection (2) and permitting access to all the
143 applicant's criminal records.

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

148 (b) The Department of Public Safety shall forward a
149 copy of the applicant's application to the sheriff of the
150 applicant's county of residence and, if applicable, the police
151 chief of the applicant's municipality of residence. The sheriff
152 of the applicant's county of residence and, if applicable, the
153 police chief of the applicant's municipality of residence may, at
154 his discretion, participate in the process by submitting a
155 voluntary report to the Department of Public Safety containing any
156 readily discoverable prior information that he feels may be
157 pertinent to the licensing of any applicant. The reporting shall
158 be made within thirty (30) days after the date he receives the
159 copy of the application. Upon receipt of a response from a
160 sheriff or police chief, such sheriff or police chief shall be
161 reimbursed at a rate set by the department.

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

165 (i) Issue the license;



166 (ii) Deny the application based solely on the
167 ground that the applicant fails to qualify under the criteria
168 listed in subsections (2) and (3) of this section. If the
169 Department of Public Safety denies the application, it shall
170 notify the applicant in writing, stating the ground for denial,
171 and the denial shall be subject to the appeal process set forth in
172 subsection (7); or

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

178 (d) In the event a legible set of fingerprints, as
179 determined by the Department of Public Safety and the Federal
180 Bureau of Investigation, cannot be obtained after a minimum of two
181 (2) attempts, the Department of Public Safety shall determine
182 eligibility based upon a name check by the Mississippi Highway
183 Safety Patrol and a Federal Bureau of Investigation name check
184 conducted by the Mississippi Highway Safety Patrol at the request
185 of the Department of Public Safety.

186 (7) (a) If the Department of Public Safety denies the
187 issuance of a license, or suspends or revokes a license, the party
188 aggrieved may appeal such denial, suspension or revocation to the
189 Commissioner of Public Safety, or his authorized agent, within
190 thirty (30) days after the aggrieved party receives written notice



191 of such denial, suspension or revocation. The Commissioner of
192 Public Safety, or his duly authorized agent, shall rule upon such
193 appeal within thirty (30) days after the appeal is filed and
194 failure to rule within this thirty-day period shall constitute
195 sustaining such denial, suspension or revocation. Such review
196 shall be conducted pursuant to such reasonable rules and
197 regulations as the Commissioner of Public Safety may adopt.

198 (b) If the revocation, suspension or denial of issuance
199 is sustained by the Commissioner of Public Safety, or his duly
200 authorized agent pursuant to paragraph (a) of this subsection, the
201 aggrieved party may file within ten (10) days after the rendition
202 of such decision a petition in the circuit or county court of his
203 residence for review of such decision. A hearing for review shall
204 be held and shall proceed before the court without a jury upon the
205 record made at the hearing before the Commissioner of Public
206 Safety or his duly authorized agent. No such party shall be
207 allowed to carry a stun gun, concealed pistol or revolver pursuant
208 to the provisions of this section while any such appeal is
209 pending.

210 (8) The Department of Public Safety shall maintain an
211 automated listing of license holders and such information shall be
212 available online, upon request, at all times, to all law
213 enforcement agencies through the Mississippi Crime Information
214 Center. However, the records of the department relating to
215 applications for licenses to carry stun guns, concealed pistols or



216 revolvers and records relating to license holders shall be exempt
217 from the provisions of the Mississippi Public Records Act of 1983,
218 and shall be released only upon order of a court having proper
219 jurisdiction over a petition for release of the record or records.

220 (9) Within thirty (30) days after the changing of a
221 permanent address, or within thirty (30) days after having a
222 license lost or destroyed, the licensee shall notify the
223 Department of Public Safety in writing of such change or loss.
224 Failure to notify the Department of Public Safety pursuant to the
225 provisions of this subsection shall constitute a noncriminal
226 violation with a penalty of Twenty-five Dollars (\$25.00) and shall
227 be enforceable by a summons.

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

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

238 (12) (a) No less than ninety (90) days prior to the
239 expiration date of the license, the Department of Public Safety
240 shall mail to each licensee a written notice of the expiration and



241 a renewal form prescribed by the department. The licensee must
242 renew his license on or before the expiration date by filing with
243 the department the renewal form, a notarized affidavit stating
244 that the licensee remains qualified pursuant to the criteria
245 specified in subsections (2) and (3) of this section, and a full
246 set of fingerprints administered by the Department of Public
247 Safety or the sheriff of the county of residence of the licensee.
248 The first renewal may be processed by mail and the subsequent
249 renewal must be made in person. Thereafter every other renewal
250 may be processed by mail to assure that the applicant must appear
251 in person every ten (10) years for the purpose of obtaining a new
252 photograph.

253 (i) Except as provided in this subsection, a
254 renewal fee of Forty Dollars (\$40.00) shall also be submitted
255 along with costs for processing the fingerprints;

256 (ii) Honorably retired law enforcement officers,
257 disabled veterans and active duty members of the Armed Forces of
258 the United States shall be exempt from the renewal fee; and

259 (iii) The renewal fee for a Mississippi resident
260 aged sixty-five (65) years of age or older shall be Twenty Dollars
261 (\$20.00).

262 (b) The Department of Public Safety shall forward the
263 full set of fingerprints of the applicant to the appropriate
264 agencies for state and federal processing. The license shall be



265 renewed upon receipt of the completed renewal application and
266 appropriate payment of fees.

267 (c) A licensee who fails to file a renewal application
268 on or before its expiration date must renew his license by paying
269 a late fee of Fifteen Dollars (\$15.00). No license shall be
270 renewed six (6) months or more after its expiration date, and such
271 license shall be deemed to be permanently expired. A person whose
272 license has been permanently expired may reapply for licensure;
273 however, an application for licensure and fees pursuant to
274 subsection (5) of this section must be submitted, and a background
275 investigation shall be conducted pursuant to the provisions of
276 this section.

277 (13) (a) No license issued pursuant to this section shall
278 authorize any person to carry a stun gun, concealed pistol or
279 revolver into any place of nuisance as defined in Section 95-3-1,
280 Mississippi Code of 1972; any police, sheriff or highway patrol
281 station; any detention facility, prison or jail; any courthouse;
282 any courtroom, except that nothing in this section shall preclude
283 a judge from carrying a concealed weapon or determining who will
284 carry a concealed weapon in his courtroom; any polling place; any
285 meeting place of the governing body of any governmental entity;
286 any meeting of the Legislature or a committee thereof; any school,
287 college or professional athletic event not related to firearms;
288 any portion of an establishment, licensed to dispense alcoholic
289 beverages for consumption on the premises, that is primarily



290 devoted to dispensing alcoholic beverages; any portion of an
291 establishment in which beer or light wine is consumed on the
292 premises, that is primarily devoted to such purpose; any
293 elementary or secondary school facility; any junior college,
294 community college, college or university facility unless for the
295 purpose of participating in any authorized firearms-related
296 activity; inside the passenger terminal of any airport, except
297 that no person shall be prohibited from carrying any legal firearm
298 into the terminal if the firearm is encased for shipment, for
299 purposes of checking such firearm as baggage to be lawfully
300 transported on any aircraft; any church or other place of worship;
301 or any place where the carrying of firearms is prohibited by
302 federal law. In addition to the places enumerated in this
303 subsection, the carrying of a stun gun, concealed pistol or
304 revolver may be disallowed in any place in the discretion of the
305 person or entity exercising control over the physical location of
306 such place by the placing of a written notice clearly readable at
307 a distance of not less than ten (10) feet that the "carrying of a
308 pistol or revolver is prohibited." No license issued pursuant to
309 this section shall authorize the participants in a parade or
310 demonstration for which a permit is required to carry a stun gun,
311 concealed pistol or revolver.

312 (b) For purposes of this subsection, the following
313 words shall have the meanings described herein, unless the context
314 otherwise requires:



315 (i) "Courthouse" means any building in which a
316 circuit court, chancery court, youth court, municipal court or
317 justice court is located, or any building in which a court of law
318 is regularly held. "Courthouse" shall not mean the grassed areas,
319 cultivated flower beds, sidewalks, parking lots, or other areas
320 contained within the boundaries of the public land upon which the
321 courthouse is located.

322 (ii) "Courtroom" means the actual room in which a
323 judicial proceeding occurs, including any jury room, witness room,
324 judge's chamber, office housing the judge's staff, or similar
325 room. "Courtroom" shall not mean hallways, courtroom entrances,
326 courthouse grounds, lobbies, corridors, or other areas within a
327 courthouse which are generally open to the public for the
328 transaction of business outside of an active judicial proceeding.

329 (14) A law enforcement officer as defined in Section 45-6-3,
330 chiefs of police, sheriffs and persons licensed as professional
331 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of
332 1972, shall be exempt from the licensing requirements of this
333 section. The licensing requirements of this section do not apply
334 to the carrying by any person of a stun gun, pistol or revolver,
335 knife, or other deadly weapon that is not concealed as defined in
336 Section 97-37-1.

337 (15) Any person who knowingly submits a false answer to any
338 question on an application for a license issued pursuant to this
339 section, or who knowingly submits a false document when applying



340 for a license issued pursuant to this section, shall, upon
341 conviction, be guilty of a misdemeanor and shall be punished as
342 provided in Section 99-19-31, Mississippi Code of 1972.

343 (16) All fees collected by the Department of Public Safety
344 pursuant to this section shall be deposited into a special fund
345 hereby created in the State Treasury and shall be used for
346 implementation and administration of this section. After the
347 close of each fiscal year, the balance in this fund shall be
348 certified to the Legislature and then may be used by the
349 Department of Public Safety as directed by the Legislature.

350 (17) All funds received by a sheriff or police chief
351 pursuant to the provisions of this section shall be deposited into
352 the general fund of the county or municipality, as appropriate,
353 and shall be budgeted to the sheriff's office or police department
354 as appropriate.

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

358 (19) Any person holding a valid unrevoked and unexpired
359 license to carry stun guns, concealed pistols or revolvers issued
360 in another state shall have such license recognized by this state
361 to carry stun guns, concealed pistols or revolvers. The
362 Department of Public Safety is authorized to enter into a
363 reciprocal agreement with another state if that state requires a



364 written agreement in order to recognize licenses to carry stun
365 guns, concealed pistols or revolvers issued by this state.

366 (20) The provisions of this section shall be under the
367 supervision of the Commissioner of Public Safety. The
368 commissioner is authorized to promulgate reasonable rules and
369 regulations to carry out the provisions of this section.

370 (21) For the purposes of this section, the term "stun gun"
371 means a portable device or weapon from which an electric current,
372 impulse, wave or beam may be directed, which current, impulse,
373 wave or beam is designed to incapacitate temporarily, injure,
374 momentarily stun, knock out, cause mental disorientation or
375 paralyze.

376 (22) (a) From and after January 1, 2016, the Commissioner
377 of Public Safety shall promulgate rules and regulations which
378 provide that licenses authorized by this section for honorably
379 retired law enforcement officers and honorably retired
380 correctional officers from the Mississippi Department of
381 Corrections shall (i) include the words "retired law enforcement
382 officer" on the front of the license, and (ii) that the license
383 itself have a red background to distinguish it from other licenses
384 issued under this section.

385 (b) An honorably retired law enforcement officer and
386 honorably retired correctional officer shall provide the following
387 information to receive the license described in this section: (i)
388 a letter, with the official letterhead of the agency or department



389 from which such officer is retiring, which explains that such
390 officer is honorably retired, and (ii) a letter with the official
391 letterhead of the agency or department, which explains that such
392 officer has completed a certified law enforcement training
393 academy.

394 (23) A disabled veteran who seeks to qualify for an
395 exemption under this section shall be required to provide, as
396 proof of service-connected disability, verification from the
397 United States Department of Veterans Affairs.

398 (24) No license shall be required under this section for a
399 loaded or unloaded pistol or revolver carried in a purse, handbag,
400 satchel, other similar bag or briefcase or fully enclosed case.

401 **SECTION 2.** Section 97-37-7, Mississippi Code of 1972, is
402 amended as follows:

403 97-37-7. (1) (a) It shall not be a violation of Section
404 97-37-1 or any other statute for pistols, firearms or other
405 suitable and appropriate weapons to be carried by duly constituted
406 bank guards, company guards, watchmen, railroad special agents or
407 duly authorized representatives who are not sworn law enforcement
408 officers, agents or employees of a patrol service, guard service,
409 or a company engaged in the business of transporting money,
410 securities or other valuables, while actually engaged in the
411 performance of their duties as such, provided that such persons
412 have made a written application and paid a nonrefundable permit



413 fee of One Hundred Dollars (\$100.00) to the Department of Public
414 Safety.

415 (b) No permit shall be issued to any person who has
416 ever been convicted of a felony under the laws of this or any
417 other state or of the United States. To determine an applicant's
418 eligibility for a permit, the person shall be fingerprinted. If
419 no disqualifying record is identified at the state level, the
420 fingerprints shall be forwarded by the Department of Public Safety
421 to the Federal Bureau of Investigation for a national criminal
422 history record check. The department shall charge a fee which
423 includes the amounts required by the Federal Bureau of
424 Investigation and the department for the national and state
425 criminal history record checks and any necessary costs incurred by
426 the department for the handling and administration of the criminal
427 history background checks. In the event a legible set of
428 fingerprints, as determined by the Department of Public Safety and
429 the Federal Bureau of Investigation, cannot be obtained after a
430 minimum of three (3) attempts, the Department of Public Safety
431 shall determine eligibility based upon a name check by the
432 Mississippi Highway Safety Patrol and a Federal Bureau of
433 Investigation name check conducted by the Mississippi Highway
434 Safety Patrol at the request of the Department of Public Safety.

435 (c) A person may obtain a duplicate of a lost or
436 destroyed permit upon payment of a Fifteen Dollar (\$15.00)
437 replacement fee to the Department of Public Safety, if he



438 furnishes a notarized statement to the department that the permit
439 has been lost or destroyed.

440 (d) (i) No less than ninety (90) days prior to the
441 expiration date of a permit, the Department of Public Safety shall
442 mail to the permit holder written notice of expiration together
443 with the renewal form prescribed by the department. The permit
444 holder shall renew the permit on or before the expiration date by
445 filing with the department the renewal form, a notarized affidavit
446 stating that the permit holder remains qualified, and the renewal
447 fee of Fifty Dollars (\$50.00); honorably retired law enforcement
448 officers shall be exempt from payment of the renewal fee. A
449 permit holder who fails to file a renewal application on or before
450 its expiration date shall pay a late fee of Fifteen Dollars
451 (\$15.00).

452 (ii) Renewal of the permit shall be required every
453 four (4) years. The permit of a qualified renewal applicant shall
454 be renewed upon receipt of the completed renewal application and
455 appropriate payment of fees.

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

460 (2) (a) It shall not be a violation of this or any other
461 statute for pistols, firearms or other suitable and appropriate
462 weapons to be carried by Department of Wildlife, Fisheries and



463 Parks law enforcement officers, railroad special agents who are
464 sworn law enforcement officers, investigators employed by the
465 Attorney General, criminal investigators employed by the district
466 attorneys, all prosecutors, public defenders, investigators or
467 probation officers employed by the Department of Corrections,
468 employees of the State Auditor who are authorized by the State
469 Auditor to perform investigative functions, or any deputy fire
470 marshal or investigator employed by the State Fire Marshal, while
471 engaged in the performance of their duties as such, or by fraud
472 investigators with the Department of Human Services, or by judges
473 of the Mississippi Supreme Court, Court of Appeals, circuit,
474 chancery, county, justice and municipal courts, or by coroners.
475 Before any person shall be authorized under this subsection to
476 carry a weapon, he shall complete a weapons training course
477 approved by the Board of Law Enforcement Officer Standards and
478 Training. Before any criminal investigator employed by a district
479 attorney shall be authorized under this section to carry a pistol,
480 firearm or other weapon, he shall have complied with Section
481 45-6-11 or any training program required for employment as an
482 agent of the Federal Bureau of Investigation. A law enforcement
483 officer, as defined in Section 45-6-3, shall be authorized to
484 carry weapons in courthouses in performance of his official
485 duties. A person licensed under Section 45-9-101 to carry a
486 concealed pistol, who (a) has voluntarily completed an
487 instructional course in the safe handling and use of firearms



488 offered by an instructor certified by a nationally recognized
489 organization that customarily offers firearms training, or by any
490 other organization approved by the Department of Public Safety,
491 (b) is a member or veteran of any active or reserve component
492 branch of the United States of America Armed Forces having
493 completed law enforcement or combat training with pistols or other
494 handguns as recognized by such branch after submitting an
495 affidavit attesting to have read, understand and agree to comply
496 with all provisions of the enhanced carry law, or (c) is an
497 honorably retired law enforcement officer or honorably retired
498 member or veteran of any active or reserve component branch of the
499 United States of America Armed Forces having completed law
500 enforcement or combat training with pistols or other handguns,
501 after submitting an affidavit attesting to have read, understand
502 and agree to comply with all provisions of Mississippi enhanced
503 carry law shall also be authorized to carry weapons in courthouses
504 except in courtrooms during a judicial proceeding, and any
505 location listed in subsection (13) of Section 45-9-101, except any
506 place of nuisance as defined in Section 95-3-1, any police,
507 sheriff or highway patrol station or any detention facility,
508 prison or jail. For the purposes of this subsection (2),
509 component branch of the United States Armed Forces includes the
510 Army, Navy, Air Force, Coast Guard or Marine Corps, or the Army
511 National Guard, the Army National Guard of the United States, the
512 Air National Guard or the Air National Guard of the United States,



513 as those terms are defined in Section 101, Title 10, United States
514 Code, and any other reserve component of the United States Armed
515 Forces enumerated in Section 10101, Title 10, United States Code.
516 The department shall promulgate rules and regulations allowing
517 concealed pistol permit holders to obtain an endorsement on their
518 permit indicating that they have completed the aforementioned
519 course and have the authority to carry in these locations. This
520 section shall in no way interfere with the right of a trial judge
521 to restrict the carrying of firearms in the courtroom.

522 (3) (a) It shall not be a violation of this or any other
523 statute for pistols, firearms or other suitable and appropriate
524 weapons, to be carried by any out-of-state, full-time commissioned
525 law enforcement officer who holds a valid commission card from the
526 appropriate out-of-state law enforcement agency and a photo
527 identification. The provisions of this subsection shall only
528 apply if the state where the out-of-state officer is employed has
529 entered into a reciprocity agreement with the state that allows
530 full-time commissioned law enforcement officers in Mississippi to
531 lawfully carry or possess a weapon in such other states. The
532 Commissioner of Public Safety is authorized to enter into
533 reciprocal agreements with other states to carry out the
534 provisions of this subsection.

535 (b) For purposes of this subsection, the following
536 words shall have the meanings described herein, unless the context
537 otherwise requires:



538 (i) "Courthouse" means any building in which a
539 circuit court, chancery court, youth court, municipal court or
540 justice court is located, or any building in which a court of law
541 is regularly held.

542 (ii) "Courtroom" means the actual room in which a
543 judicial proceeding occurs, including any jury room, witness room,
544 judge's chamber, office housing the judge's staff, or similar
545 room. "Courtroom" shall not mean hallways, courtroom entrances,
546 courthouse grounds, lobbies, corridors, or other areas within a
547 courthouse which are generally open to the public for the
548 transaction of business outside of an active judicial proceeding,
549 the grassed areas, cultivated flower beds, sidewalks, parking
550 lots, or other areas contained within the boundaries of the public
551 land upon which the courthouse is located.

552 **SECTION 3.** This act shall take effect and be in force from
553 and after July 1, 2016.

