

By: Representative Criswell

To: Judiciary B

## HOUSE BILL NO. 1346

1 AN ACT TO CREATE THE "MISSISSIPPI CONSTITUTIONAL CARRY AND  
2 CITIZENS SELF-DEFENSE ACT"; TO CREATE NEW SECTION 97-37-2,  
3 MISSISSIPPI CODE OF 1972, TO CLARIFY THAT NO PERSON MAY CARRY ANY  
4 WEAPON IN CERTAIN LOCATIONS; TO AMEND SECTION 97-37-1, MISSISSIPPI  
5 CODE OF 1972, TO PROVIDE THAT ANY PERSON MAY CARRY A CONCEALED OR  
6 UNCONCEALED PISTOL, REVOLVER OR STUN GUN IN ALL AREAS OF THE STATE  
7 THAT DO NOT PROHIBIT SUCH CARRYING IF THE PERSON IS AT LEAST 18  
8 YEARS OF AGE; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972,  
9 TO CLARIFY THAT MUNICIPALITIES AND COUNTIES ARE NOT AUTHORIZED TO  
10 REGULATE THE CARRYING OF CONCEALED OR UNCONCEALED FIREARMS; TO  
11 AMEND SECTION 97-37-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE  
12 INSTITUTIONS OF HIGHER LEARNING FROM THE DEFINITION OF EDUCATIONAL  
13 PROPERTY FOR PURPOSES OF REGULATING WEAPONS ON EDUCATIONAL  
14 PROPERTY; TO PROVIDE THAT IT SHALL NOT BE A VIOLATION FOR ANY  
15 PERSON WHO IS AT LEAST 18 YEARS OF AGE AND LEGALLY ABLE TO POSSESS  
16 A FIREARM TO CARRY SUCH ON THE CAMPUS OF A COMMUNITY OR JUNIOR  
17 COLLEGE; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO  
18 REMOVE THE PENALTY FOR CARRYING A CONCEALED FIREARM WITHOUT A  
19 PERMIT; TO REDUCE THE AGE TO QUALIFY FOR A CONCEALED PERMIT TO 18  
20 YEARS OF AGE; TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF  
21 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE STATE  
22 INSTITUTIONS OF HIGHER LEARNING SHALL NOT CREATE ANY REGULATION  
23 THAT PROHIBITS THE CARRYING OF ANY FIREARM, WHETHER SUCH FIREARM  
24 IS CONCEALED OR NOT CONCEALED, ON ANY LAND, BUILDING OR PROPERTY  
25 BELONGING TO, CONTROLLED BY OR ASSIGNED TO THE USE AND BENEFIT OF  
26 THE BOARD; TO AMEND SECTION 37-29-67, MISSISSIPPI CODE OF 1972, TO  
27 PROVIDE THAT THE BOARD OF TRUSTEES OF THE STATE INSTITUTIONS OF  
28 HIGHER LEARNING SHALL NOT CREATE ANY REGULATION THAT PROHIBITS THE  
29 CARRYING OF ANY FIREARM, WHETHER SUCH FIREARM IS CONCEALED OR NOT  
30 CONCEALED, ON ANY LAND, BUILDING OR PROPERTY BELONGING TO,  
31 CONTROLLED BY OR ASSIGNED TO THE USE AND BENEFIT OF THE BOARD; AND  
32 FOR RELATED PURPOSES.

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



34           **SECTION 1.** The following shall be codified as Section  
35 97-37-2, Mississippi Code of 1972, is amended as follows:

36           97-37-2. (1) In accordance with state law, any person who  
37 is at least eighteen (18) years of age or older and is legally  
38 able to possess firearms under state and federal law, may carry a  
39 concealed or unconcealed pistol, revolver or stun gun in any area  
40 of the state not prohibited by state or federal law.

41           (2) No person may carry any stun gun, pistol or revolver,  
42 whether unlicensed or licensed, within any police, sheriff or  
43 highway patrol station; any detention facility, prison or jail;  
44 any courtroom, except that nothing in this section shall preclude  
45 a judge from carrying a concealed weapon or determining who will  
46 carry a concealed weapon in his courtroom; any meeting place of  
47 the governing body of any governmental entity; any meeting of the  
48 Legislature or a committee thereof; any portion of an  
49 establishment, licensed to dispense alcoholic beverages for  
50 consumption on the premises, that is primarily devoted to  
51 dispensing alcoholic beverages; any portion of an establishment in  
52 which beer or light wine is consumed on the premises, that is  
53 primarily devoted to such purpose; or any place where the carrying  
54 of firearms is prohibited by federal law. The carrying of a stun  
55 gun, concealed pistol or revolver may be disallowed on any private  
56 property at the discretion of the person or entity exercising  
57 control over the physical location of such property by the placing



58 of a written notice clearly readable at a distance of not less  
59 than ten (10) feet that the "carrying of a pistol or revolver is  
60 prohibited."

61 (3) This section shall be referred to and cited as the  
62 "MISSISSIPPI CONSTITUTIONAL CARRY AND CITIZENS SELF-DEFENSE ACT."

63 **SECTION 2.** Section 97-37-1, Mississippi Code of 1972, is  
64 amended as follows:

65 97-37-1. (1) Except as otherwise provided in Section  
66 45-9-101, any person who carries, concealed on or about one's  
67 person, any bowie knife, dirk knife, butcher knife, switchblade  
68 knife, metallic knuckles, blackjack, \* \* \* or any rifle with a  
69 barrel of less than sixteen (16) inches in length, or any shotgun  
70 with a barrel of less than eighteen (18) inches in length, machine  
71 gun or any fully automatic firearm or deadly weapon, or any  
72 muffler or silencer for any firearm, whether or not it is  
73 accompanied by a firearm, or uses or attempts to use against  
74 another person any imitation firearm, shall, upon conviction, be  
75 punished as follows:

76 (a) By a fine of not less than One Hundred Dollars  
77 (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by  
78 imprisonment in the county jail for not more than six (6) months,  
79 or both, in the discretion of the court, for the first conviction  
80 under this section.

81 (b) By a fine of not less than One Hundred Dollars  
82 (\$100.00) nor more than Five Hundred Dollars (\$500.00), and



83 imprisonment in the county jail for not less than thirty (30) days  
84 nor more than six (6) months, for the second conviction under this  
85 section.

86 (c) By confinement in the custody of the Department of  
87 Corrections for not less than one (1) year nor more than five (5)  
88 years, for the third or subsequent conviction under this section.

89 (d) By confinement in the custody of the Department of  
90 Corrections for not less than one (1) year nor more than ten (10)  
91 years for any person previously convicted of any felony who is  
92 convicted under this section.

93 (2) It shall not be a violation of this section for any  
94 person over the age of eighteen (18) years to carry a firearm or  
95 deadly weapon concealed within the confines of his own home or his  
96 place of business, or any real property associated with his home  
97 or business or within any motor vehicle.

98 (3) It shall not be a violation of this section for any  
99 person to carry a firearm or deadly weapon concealed if the  
100 possessor of the weapon is then engaged in a legitimate  
101 weapon-related sports activity or is going to or returning from  
102 such activity. For purposes of this subsection, "legitimate  
103 weapon-related sports activity" means hunting, fishing, target  
104 shooting or any other legal activity which normally involves the  
105 use of a firearm or other weapon.

106 (4) For the purposes of this section, "concealed" means  
107 hidden or obscured from common observation and shall not include



108 any weapon listed in subsection (1) of this section, including,  
109 but not limited to, a loaded or unloaded pistol carried upon the  
110 person in a sheath, belt holster or shoulder holster that is  
111 wholly or partially visible, or carried upon the person in a  
112 scabbard or case for carrying the weapon that is wholly or  
113 partially visible.

114 (5) It shall not be a violation of this section for any  
115 person, whether the person is a resident of this state or not, to  
116 carry a concealed or unconcealed pistol, revolver or stun gun in  
117 any area of this state not prohibited by state law, if the person  
118 is at least eighteen (18) years of age and is legally able to  
119 possess firearms under state and federal law.

120 **SECTION 3.** Section 45-9-53, Mississippi Code of 1972, is  
121 amended as follows:

122 45-9-53. (1) This section and Section 45-9-51 do not affect  
123 the authority that a county or municipality may have under another  
124 law:

125 (a) To require citizens or public employees to be armed  
126 for personal or national defense, law enforcement, or another  
127 lawful purpose;

128 (b) To regulate the discharge of firearms within the  
129 limits of the county or municipality. A county or municipality  
130 may not apply a regulation relating to the discharge of firearms  
131 or other weapons in the extraterritorial jurisdiction of the  
132 county or municipality or in an area annexed by the county or



133 municipality after September 1, 1981, if the firearm or other  
134 weapon is:

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

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

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

142 (ii) A center fire or rimfire rifle or pistol or a  
143 muzzle-loading rifle or pistol of any caliber discharged:

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

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

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

154 (d) To regulate the use of firearms in cases of  
155 insurrection, riots and natural disasters in which the city finds  
156 such regulation necessary to protect the health and safety of the  
157 public. However, the provisions of this section shall not apply



158 to the lawful possession of firearms, ammunition or components of  
159 firearms or ammunition;

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

165 \* \* \*

166 ( \* \* \* f) To regulate the receipt of firearms by  
167 pawnshops.

168 \* \* \*

169 ( \* \* \* 2) This section and Section 45-9-51 do not authorize  
170 a county or municipality or their officers or employees to act in  
171 contravention of Section 33-7-303.

172 ( \* \* \* 3) No county or a municipality may use the written  
173 notice provisions of Section 45-9-101(13) or Section 97-37-2(1) to  
174 prohibit concealed firearms on property under their control  
175 except \* \* \*.

176 ( \* \* \* 4) (a) A citizen of this state, or a person \* \* \*  
177 authorized to carry a concealed pistol or revolver under Section  
178 45-9-101, or a person licensed to carry a concealed pistol or  
179 revolver with the endorsement under Section 97-37-7, who is  
180 adversely affected by an ordinance or posted written notice  
181 adopted by a county or municipality in violation of this section  
182 may file suit for declarative and injunctive relief against a



183 county or municipality in the circuit court which shall have  
184 jurisdiction over the county or municipality where the violation  
185 of this section occurs.

186 (b) Before instituting suit under this subsection, the  
187 party adversely impacted by the ordinance or posted written notice  
188 shall notify the Attorney General in writing of the violation and  
189 include evidence of the violation. The Attorney General shall,  
190 within thirty (30) days, investigate whether the county or  
191 municipality adopted an ordinance or posted written notice in  
192 violation of this section and provide the chief administrative  
193 officer of the county or municipality notice of his findings,  
194 including, if applicable, a description of the violation and  
195 specific language of the ordinance or posted written notice found  
196 to be in violation. The county or municipality shall have thirty  
197 (30) days from receipt of that notice to cure the violation. If  
198 the county or municipality fails to cure the violation within that  
199 thirty-day time period, a suit under paragraph (a) of this  
200 subsection may proceed. The findings of the Attorney General  
201 shall constitute a "Public Record" as defined by the Mississippi  
202 Public Records Act of 1983, Section 25-61-1 et seq.

203 (c) If the circuit court finds that a county or  
204 municipality adopted an ordinance or posted written notice in  
205 violation of this section and failed to cure that violation in  
206 accordance with paragraph (b) of this subsection, the circuit  
207 court shall issue a permanent injunction against a county or





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

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

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

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

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

228 ( \* \* \*5) No county or municipality or their officers or  
229 employees may participate in any program in which individuals are  
230 given a thing of value provided by another individual or other  
231 entity in exchange for surrendering a firearm to the county,  
232 municipality or other governmental body unless:



233 (a) The county or municipality has adopted an ordinance  
234 authorizing the participation of the county or municipality, or  
235 participation by an officer or employee of the county or  
236 municipality in such a program; and

237 (b) Any ordinance enacted pursuant to this section must  
238 require that any firearm received shall be offered for sale at  
239 auction as provided by Sections 19-3-85 and 21-39-21 to federally  
240 licensed firearms dealers, with the proceeds from such sale at  
241 auction reverting to the general operating fund of the county,  
242 municipality or other governmental body. Any firearm remaining in  
243 possession of the county, municipality or other governmental body  
244 after attempts to sell at auction may be disposed of in a manner  
245 that the body deems appropriate.

246 **SECTION 4.** Section 97-37-17, Mississippi Code of 1972, is  
247 amended as follows:

248 97-37-17. (1) The following definitions apply to this  
249 section:

250 (a) "Educational property" shall mean any public or  
251 private primary or secondary school building or bus, public or  
252 private school campus, grounds, recreational area, athletic field,  
253 or other property owned, used or operated by any local school  
254 board, primary or secondary school, \* \* \* or directors for the  
255 administration of any public or private primary or secondary  
256 educational institution or during a primary or secondary  
257 school-related activity, and shall include the facility and



258 property of the Oakley Youth Development Center, operated by the  
259 Department of Human Services; provided, however, that the term  
260 "educational property" shall not include any sixteenth section  
261 school land or lieu land on which is not located a school  
262 building, school campus, recreational area or athletic field.

263 (b) "Student" shall mean a person enrolled in a public  
264 or private school, college or university, or a person who has been  
265 suspended or expelled within the last five (5) years from a public  
266 or private school, college or university, or a person in the  
267 custody of the Oakley Youth Development Center, operated by the  
268 Department of Human Services, whether the person is an adult or a  
269 minor.

270 (c) "Switchblade knife" shall mean a knife containing a  
271 blade or blades which open automatically by the release of a  
272 spring or a similar contrivance.

273 (d) "Weapon" shall mean any device enumerated in  
274 subsection (2) or (4) of this section.

275 (2) It shall be a felony for any person to possess or carry,  
276 whether openly or concealed, any gun, rifle, pistol or other  
277 firearm of any kind, or any dynamite cartridge, bomb, grenade,  
278 mine or powerful explosive on educational property. However, this  
279 subsection does not apply to a BB gun, air rifle or air pistol.  
280 Any person violating this subsection shall be guilty of a felony  
281 and, upon conviction thereof, shall be fined not more than Five  
282 Thousand Dollars (\$5,000.00), or committed to the custody of the



283 State Department of Corrections for not more than three (3) years,  
284 or both.

285 (3) It shall be a felony for any person to cause, encourage  
286 or aid a minor who is less than eighteen (18) years old to possess  
287 or carry, whether openly or concealed, any gun, rifle, pistol or  
288 other firearm of any kind, or any dynamite cartridge, bomb,  
289 grenade, mine or powerful explosive on educational property.  
290 However, this subsection does not apply to a BB gun, air rifle or  
291 air pistol. Any person violating this subsection shall be guilty  
292 of a felony and, upon conviction thereof, shall be fined not more  
293 than Five Thousand Dollars (\$5,000.00), or committed to the  
294 custody of the State Department of Corrections for not more than  
295 three (3) years, or both.

296 (4) It shall be a misdemeanor for any person to possess or  
297 carry, whether openly or concealed, any BB gun, air rifle, air  
298 pistol, bowie knife, dirk, dagger, slingshot, leaded cane,  
299 switchblade knife, blackjack, metallic knuckles, razors and razor  
300 blades (except solely for personal shaving), and any sharp-pointed  
301 or edged instrument except instructional supplies, unaltered nail  
302 files and clips and tools used solely for preparation of food,  
303 instruction and maintenance on educational property. Any person  
304 violating this subsection shall be guilty of a misdemeanor and,  
305 upon conviction thereof, shall be fined not more than One Thousand  
306 Dollars (\$1,000.00), or be imprisoned not exceeding six (6)  
307 months, or both.



308 (5) It shall be a misdemeanor for any person to cause,  
309 encourage or aid a minor who is less than eighteen (18) years old  
310 to possess or carry, whether openly or concealed, any BB gun, air  
311 rifle, air pistol, bowie knife, dirk, dagger, slingshot, leaded  
312 cane, switchblade, knife, blackjack, metallic knuckles, razors and  
313 razor blades (except solely for personal shaving) and any  
314 sharp-pointed or edged instrument except instructional supplies,  
315 unaltered nail files and clips and tools used solely for  
316 preparation of food, instruction and maintenance on educational  
317 property. Any person violating this subsection shall be guilty of  
318 a misdemeanor and, upon conviction thereof, shall be fined not  
319 more than One Thousand Dollars (\$1,000.00), or be imprisoned not  
320 exceeding six (6) months, or both.

321 (6) It shall not be a violation of this section for any  
322 person to possess or carry, whether openly or concealed, any gun,  
323 rifle, pistol or other firearm of any kind on educational property  
324 if:

325 (a) The person is not a student attending school on any  
326 educational property;

327 (b) The firearm is within a motor vehicle; and

328 (c) The person does not brandish, exhibit or display  
329 the firearm in any careless, angry or threatening manner.

330 (7) This section shall not apply to:

331 (a) A weapon used solely for educational or  
332 school-sanctioned ceremonial purposes, or used in a



333 school-approved program conducted under the supervision of an  
334 adult whose supervision has been approved by the school authority;

335 (b) Armed Forces personnel of the United States,  
336 officers and soldiers of the militia and National Guard, law  
337 enforcement personnel, any private police employed by an  
338 educational institution, State Militia or Emergency Management  
339 Corps and any guard or patrolman in a state or municipal  
340 institution, and any law enforcement personnel or guard at a state  
341 juvenile training school, when acting in the discharge of their  
342 official duties;

343 (c) Home schools as defined in the compulsory school  
344 attendance law, Section 37-13-91;

345 (d) Competitors while participating in organized  
346 shooting events;

347 (e) Any person as authorized in Section 97-37-7 while  
348 in the performance of his official duties;

349 (f) Any mail carrier while in the performance of his  
350 official duties; or

351 (g) Any weapon not prescribed by Section 97-37-1 which  
352 is in a motor vehicle under the control of a parent, guardian or  
353 custodian, as defined in Section 43-21-105, which is used to bring  
354 or pick up a student at a school building, school property or  
355 school function.

356 (8) All schools shall post in public view a copy of the  
357 provisions of this section.



358       (9) It shall not be a violation of this section for any  
359 person, whether the person is a resident of this state or not, to  
360 carry a concealed or unconcealed pistol, revolver or stun gun on  
361 any campus of a public junior college, community college, college  
362 or university, if the person is at least eighteen (18) years of  
363 age and is otherwise legally able to possess firearms under state  
364 and federal law, whether the person is a resident of the state or  
365 not.

366       **SECTION 5.** Section 45-9-101, Mississippi Code of 1972, is  
367 amended as follows:

368       45-9-101. (1) \* \* \* Except as otherwise provided, the  
369 Department of Public Safety is authorized to issue licenses to  
370 carry stun guns, concealed pistols or revolvers to persons  
371 qualified as provided in this section. Such licenses shall be  
372 valid throughout the state for a period of five (5) years from the  
373 date of issuance. Any person possessing a valid license issued  
374 pursuant to this section may carry a stun gun, concealed pistol or  
375 concealed revolver.

376       \* \* \*

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

379       (a) Is a resident of the state and has been a resident  
380 for twelve (12) months or longer immediately preceding the filing  
381 of the application. However, this residency requirement may be  
382 waived if the applicant possesses a valid permit from another



383 state, is active military personnel stationed in Mississippi, or  
384 is a retired law enforcement officer establishing residency in the  
385 state;

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

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

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

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

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

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

399 (e) Does not chronically or habitually abuse controlled  
400 substances to the extent that his normal faculties are impaired.  
401 It shall be presumed that an applicant chronically and habitually  
402 uses controlled substances to the extent that his faculties are  
403 impaired if the applicant has been voluntarily or involuntarily  
404 committed to a treatment facility for the abuse of a controlled  
405 substance or been found guilty of a crime under the provisions of  
406 the Uniform Controlled Substances Law or similar laws of any other  
407 state or the United States relating to controlled substances





408 within a three-year period immediately preceding the date on which  
409 the application is submitted;

410 (f) Does not chronically and habitually use alcoholic  
411 beverages to the extent that his normal faculties are impaired.  
412 It shall be presumed that an applicant chronically and habitually  
413 uses alcoholic beverages to the extent that his normal faculties  
414 are impaired if the applicant has been voluntarily or  
415 involuntarily committed as an alcoholic to a treatment facility or  
416 has been convicted of two (2) or more offenses related to the use  
417 of alcohol under the laws of this state or similar laws of any  
418 other state or the United States within the three-year period  
419 immediately preceding the date on which the application is  
420 submitted;

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

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

426 (i) Has not been voluntarily or involuntarily committed  
427 to a mental institution or mental health treatment facility unless  
428 he possesses a certificate from a psychiatrist licensed in this  
429 state that he has not suffered from disability for a period of  
430 five (5) years;

431 (j) Has not had adjudication of guilt withheld or  
432 imposition of sentence suspended on any felony unless three (3)



433 years have elapsed since probation or any other conditions set by  
434 the court have been fulfilled;

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

436 (l) Is not disqualified to possess a weapon based on  
437 federal law.

438 (3) The Department of Public Safety may deny a license if  
439 the applicant has been found guilty of one or more crimes of  
440 violence constituting a misdemeanor unless three (3) years have  
441 elapsed since probation or any other conditions set by the court  
442 have been fulfilled or expunction has occurred prior to the date  
443 on which the application is submitted, or may revoke a license if  
444 the licensee has been found guilty of one or more crimes of  
445 violence within the preceding three (3) years. The department  
446 shall, upon notification by a law enforcement agency or a court  
447 and subsequent written verification, suspend a license or the  
448 processing of an application for a license if the licensee or  
449 applicant is arrested or formally charged with a crime which would  
450 disqualify such person from having a license under this section,  
451 until final disposition of the case. The provisions of subsection  
452 (7) of this section shall apply to any suspension or revocation of  
453 a license pursuant to the provisions of this section.

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



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

459 (b) The driver's license number or social security  
460 number of applicant;

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

463 (d) A statement that the applicant is in compliance  
464 with criteria contained within subsections (2) and (3) of this  
465 section;

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

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

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

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

477 (a) A completed application as described in subsection  
478 (4) of this section;

479 (b) A full-face photograph of the applicant taken  
480 within the preceding thirty (30) days in which the head, including  
481 hair, in a size as determined by the Department of Public Safety,



482 except that an applicant who is younger than twenty-one (21) years  
483 of age must submit a photograph in profile of the applicant;

484 (c) A nonrefundable license fee of Eighty Dollars  
485 (\$80.00). Costs for processing the set of fingerprints as  
486 required in paragraph (d) of this subsection shall be borne by the  
487 applicant. Honorably retired law enforcement officers, disabled  
488 veterans and active duty members of the Armed Forces of the United  
489 States shall be exempt from the payment of the license fee;

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

492 (e) A waiver authorizing the Department of Public  
493 Safety access to any records concerning commitments of the  
494 applicant to any of the treatment facilities or institutions  
495 referred to in subsection (2) and permitting access to all the  
496 applicant's criminal records.

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

501 (b) The Department of Public Safety shall forward a  
502 copy of the applicant's application to the sheriff of the  
503 applicant's county of residence and, if applicable, the police  
504 chief of the applicant's municipality of residence. The sheriff  
505 of the applicant's county of residence and, if applicable, the  
506 police chief of the applicant's municipality of residence may, at



507 his discretion, participate in the process by submitting a  
508 voluntary report to the Department of Public Safety containing any  
509 readily discoverable prior information that he feels may be  
510 pertinent to the licensing of any applicant. The reporting shall  
511 be made within thirty (30) days after the date he receives the  
512 copy of the application. Upon receipt of a response from a  
513 sheriff or police chief, such sheriff or police chief shall be  
514 reimbursed at a rate set by the department.

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

518 (i) Issue the license;

519 (ii) Deny the application based solely on the  
520 ground that the applicant fails to qualify under the criteria  
521 listed in subsections (2) and (3) of this section. If the  
522 Department of Public Safety denies the application, it shall  
523 notify the applicant in writing, stating the ground for denial,  
524 and the denial shall be subject to the appeal process set forth in  
525 subsection (7); or

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



531 (d) In the event a legible set of fingerprints, as  
532 determined by the Department of Public Safety and the Federal  
533 Bureau of Investigation, cannot be obtained after a minimum of two  
534 (2) attempts, the Department of Public Safety shall determine  
535 eligibility based upon a name check by the Mississippi Highway  
536 Safety Patrol and a Federal Bureau of Investigation name check  
537 conducted by the Mississippi Highway Safety Patrol at the request  
538 of the Department of Public Safety.

539 (7) (a) If the Department of Public Safety denies the  
540 issuance of a license, or suspends or revokes a license, the party  
541 aggrieved may appeal such denial, suspension or revocation to the  
542 Commissioner of Public Safety, or his authorized agent, within  
543 thirty (30) days after the aggrieved party receives written notice  
544 of such denial, suspension or revocation. The Commissioner of  
545 Public Safety, or his duly authorized agent, shall rule upon such  
546 appeal within thirty (30) days after the appeal is filed and  
547 failure to rule within this thirty-day period shall constitute  
548 sustaining such denial, suspension or revocation. Such review  
549 shall be conducted pursuant to such reasonable rules and  
550 regulations as the Commissioner of Public Safety may adopt.

551 (b) If the revocation, suspension or denial of issuance  
552 is sustained by the Commissioner of Public Safety, or his duly  
553 authorized agent pursuant to paragraph (a) of this subsection, the  
554 aggrieved party may file within ten (10) days after the rendition  
555 of such decision a petition in the circuit or county court of his



556 residence for review of such decision. A hearing for review shall  
557 be held and shall proceed before the court without a jury upon the  
558 record made at the hearing before the Commissioner of Public  
559 Safety or his duly authorized agent. No such party shall be  
560 allowed to carry a stun gun, concealed pistol or revolver pursuant  
561 to the provisions of this section while any such appeal is  
562 pending.

563 (8) The Department of Public Safety shall maintain an  
564 automated listing of license holders and such information shall be  
565 available online, upon request, at all times, to all law  
566 enforcement agencies through the Mississippi Crime Information  
567 Center. However, the records of the department relating to  
568 applications for licenses to carry stun guns, concealed pistols or  
569 revolvers and records relating to license holders shall be exempt  
570 from the provisions of the Mississippi Public Records Act of 1983,  
571 and shall be released only upon order of a court having proper  
572 jurisdiction over a petition for release of the record or records.

573 (9) Within thirty (30) days after the changing of a  
574 permanent address, or within thirty (30) days after having a  
575 license lost or destroyed, the licensee shall notify the  
576 Department of Public Safety in writing of such change or loss.  
577 Failure to notify the Department of Public Safety pursuant to the  
578 provisions of this subsection shall constitute a noncriminal  
579 violation with a penalty of Twenty-five Dollars (\$25.00) and shall  
580 be enforceable by a summons.



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

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

591 (12) (a) No less than ninety (90) days prior to the  
592 expiration date of the license, the Department of Public Safety  
593 shall mail to each licensee a written notice of the expiration and  
594 a renewal form prescribed by the department. The licensee must  
595 renew his license on or before the expiration date by filing with  
596 the department the renewal form, a notarized affidavit stating  
597 that the licensee remains qualified pursuant to the criteria  
598 specified in subsections (2) and (3) of this section, and a full  
599 set of fingerprints administered by the Department of Public  
600 Safety or the sheriff of the county of residence of the licensee.  
601 The first renewal may be processed by mail and the subsequent  
602 renewal must be made in person. Thereafter every other renewal  
603 may be processed by mail to assure that the applicant must appear  
604 in person every ten (10) years for the purpose of obtaining a new  
605 photograph.





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

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

612 (iii) The renewal fee for a Mississippi resident  
613 aged sixty-five (65) years of age or older shall be Twenty Dollars  
614 (\$20.00).

615 (b) The Department of Public Safety shall forward the  
616 full set of fingerprints of the applicant to the appropriate  
617 agencies for state and federal processing. The license shall be  
618 renewed upon receipt of the completed renewal application and  
619 appropriate payment of fees.

620 (c) A licensee who fails to file a renewal application  
621 on or before its expiration date must renew his license by paying  
622 a late fee of Fifteen Dollars (\$15.00). No license shall be  
623 renewed six (6) months or more after its expiration date, and such  
624 license shall be deemed to be permanently expired. A person whose  
625 license has been permanently expired may reapply for licensure;  
626 however, an application for licensure and fees pursuant to  
627 subsection (5) of this section must be submitted, and a background  
628 investigation shall be conducted pursuant to the provisions of  
629 this section.



630 (13) No license issued pursuant to this section shall  
631 authorize any person to carry a stun gun, concealed pistol or  
632 revolver into any place of nuisance as defined in Section 95-3-1,  
633 Mississippi Code of 1972; any police, sheriff or highway patrol  
634 station; any detention facility, prison or jail; any courthouse;  
635 any courtroom, except that nothing in this section shall preclude  
636 a judge from carrying a concealed weapon or determining who will  
637 carry a concealed weapon in his courtroom; \* \* \* any meeting place  
638 of the governing body of any governmental entity; any meeting of  
639 the Legislature or a committee thereof; \* \* \* primary or secondary  
640 school, \* \* \* athletic event not related to firearms; any portion  
641 of an establishment, licensed to dispense alcoholic beverages for  
642 consumption on the premises, that is primarily devoted to  
643 dispensing alcoholic beverages; any portion of an establishment in  
644 which beer or light wine is consumed on the premises, that is  
645 primarily devoted to such purpose; any elementary or secondary  
646 school facility; \* \* \* or any place where the carrying of firearms  
647 is prohibited by federal law. In addition to the places  
648 enumerated in this subsection, the carrying of a stun gun,  
649 concealed pistol or revolver may be disallowed \* \* \* on any \* \* \*  
650 private property in the discretion of the person or entity  
651 exercising control over the physical location of such place by the  
652 placing of a written notice clearly readable at a distance of not  
653 less than ten (10) feet that the "carrying of a pistol or revolver  
654 is prohibited." \* \* \*



655           (14) A law enforcement officer as defined in Section 45-6-3,  
656 chiefs of police, sheriffs and persons licensed as professional  
657 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of  
658 1972, shall be exempt from the licensing requirements of this  
659 section. The licensing requirements of this section do not apply  
660 to the carrying by any person of a stun gun, pistol or revolver,  
661 knife, or other deadly weapon that is not concealed as defined in  
662 Section 97-37-1.

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

669           (16) All fees collected by the Department of Public Safety  
670 pursuant to this section shall be deposited into a special fund  
671 hereby created in the State Treasury and shall be used for  
672 implementation and administration of this section. After the  
673 close of each fiscal year, the balance in this fund shall be  
674 certified to the Legislature and then may be used by the  
675 Department of Public Safety as directed by the Legislature.

676           (17) All funds received by a sheriff or police chief  
677 pursuant to the provisions of this section shall be deposited into  
678 the general fund of the county or municipality, as appropriate,



679 and shall be budgeted to the sheriff's office or police department  
680 as appropriate.

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

684 (19) Any person holding a valid unrevoked and unexpired  
685 license to carry stun guns, concealed pistols or revolvers issued  
686 in another state shall have such license recognized by this state  
687 to carry stun guns, concealed pistols or revolvers. The  
688 Department of Public Safety is authorized to enter into a  
689 reciprocal agreement with another state if that state requires a  
690 written agreement in order to recognize licenses to carry stun  
691 guns, concealed pistols or revolvers issued by this state.

692 (20) The provisions of this section shall be under the  
693 supervision of the Commissioner of Public Safety. The  
694 commissioner is authorized to promulgate reasonable rules and  
695 regulations to carry out the provisions of this section.

696 (21) For the purposes of this section, the term "stun gun"  
697 means a portable device or weapon from which an electric current,  
698 impulse, wave or beam may be directed, which current, impulse,  
699 wave or beam is designed to incapacitate temporarily, injure,  
700 momentarily stun, knock out, cause mental disorientation or  
701 paralyze.

702 (22) (a) From and after January 1, 2016, the Commissioner  
703 of Public Safety shall promulgate rules and regulations which



704 provide that licenses authorized by this section for honorably  
705 retired law enforcement officers and honorably retired  
706 correctional officers from the Mississippi Department of  
707 Corrections shall (i) include the words "retired law enforcement  
708 officer" on the front of the license, and (ii) that the license  
709 itself have a red background to distinguish it from other licenses  
710 issued under this section.

711 (b) An honorably retired law enforcement officer and  
712 honorably retired correctional officer shall provide the following  
713 information to receive the license described in this section: (i)  
714 a letter, with the official letterhead of the agency or department  
715 from which such officer is retiring, which explains that such  
716 officer is honorably retired, and (ii) a letter with the official  
717 letterhead of the agency or department, which explains that such  
718 officer has completed a certified law enforcement training  
719 academy.

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

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

727 **SECTION 6.** Section 37-101-15, Mississippi Code of 1972, is  
728 amended as follows:



729           37-101-15. (a) Except as otherwise provided in this  
730 section, the Board of Trustees of State Institutions of Higher  
731 Learning shall succeed to and continue to exercise control of all  
732 records, books, papers, equipment, and supplies, and all lands,  
733 buildings, and other real and personal property belonging to or  
734 assigned to the use and benefit of the board of trustees formerly  
735 supervising and controlling the institutions of higher learning  
736 named in Section 37-101-1. The board shall have and exercise  
737 control of the use, distribution and disbursement of all funds,  
738 appropriations and taxes, now and hereafter in possession, levied  
739 and collected, received, or appropriated for the use, benefit,  
740 support, and maintenance or capital outlay expenditures of the  
741 institutions of higher learning, including the authorization of  
742 employees to sign vouchers for the disbursement of funds for the  
743 various institutions, except where otherwise specifically provided  
744 by law.

745           (b) Except as otherwise provided in this section, the board  
746 shall have general supervision of the affairs of all the  
747 institutions of higher learning, including the departments and the  
748 schools thereof. The board shall have the power in its discretion  
749 to determine who shall be privileged to enter, to remain in, or to  
750 graduate therefrom. The board shall have general supervision of  
751 the conduct of libraries and laboratories, the care of  
752 dormitories, buildings, and grounds; the business methods and  
753 arrangement of accounts and records; the organization of the



754 administrative plan of each institution; and all other matters  
755 incident to the proper functioning of the institutions. The board  
756 shall have the authority to establish minimum standards of  
757 achievement as a prerequisite for entrance into any of the  
758 institutions under its jurisdiction, which standards need not be  
759 uniform between the various institutions and which may be based  
760 upon such criteria as the board may establish.

761 (c) The board shall exercise all the powers and prerogatives  
762 conferred upon it under the laws establishing and providing for  
763 the operation of the several institutions herein specified. The  
764 board shall adopt such bylaws and regulations from time to time as  
765 it deems expedient for the proper supervision and control of the  
766 several institutions of higher learning, insofar as such bylaws  
767 and regulations are not repugnant to the Constitution and laws,  
768 and not inconsistent with the object for which these institutions  
769 were established. The board shall have power and authority to  
770 prescribe rules and regulations for policing the campuses and all  
771 buildings of the respective institutions, to authorize the arrest  
772 of all persons violating on any campus any criminal law of the  
773 state, and to have such law violators turned over to the civil  
774 authorities.

775 (d) For all institutions specified herein, the board shall  
776 provide a uniform system of recording and of accounting approved  
777 by the State Department of Audit. The board shall annually  
778 prepare, or cause to be prepared, a budget for each institution of



779 higher learning for the succeeding year which must be prepared and  
780 in readiness for at least thirty (30) days before the convening of  
781 the regular session of the Legislature. All relationships and  
782 negotiations between the State Legislature and its various  
783 committees and the institutions named herein shall be carried on  
784 through the board of trustees. No official, employee or agent  
785 representing any of the separate institutions shall appear before  
786 the Legislature or any committee thereof except upon the written  
787 order of the board or upon the request of the Legislature or a  
788 committee thereof.

789 (e) For all institutions specified herein, the board shall  
790 prepare an annual report to the Legislature setting forth the  
791 disbursements of all monies appropriated to the respective  
792 institutions. Each report to the Legislature shall show how the  
793 money appropriated to the several institutions has been expended,  
794 beginning and ending with the fiscal years of the institutions,  
795 showing the name of each teacher, officer, and employee, and the  
796 salary paid each, and an itemized statement of each and every item  
797 of receipts and expenditures. Each report must be balanced, and  
798 must begin with the former balance. If any property belonging to  
799 the state or the institution is used for profit, the reports shall  
800 show the expense incurred in managing the property and the amount  
801 received therefrom. The reports shall also show a summary of the  
802 gross receipts and gross disbursements for each year and shall  
803 show the money on hand at the beginning of the fiscal period of





804 the institution next preceding each session of the Legislature and  
805 the necessary amount of expense to be incurred from said date to  
806 January 1 following. The board shall keep the annual expenditures  
807 of each institution herein mentioned within the income derived  
808 from legislative appropriations and other sources, but in case of  
809 emergency arising from acts of providence, epidemics, fire or  
810 storm with the written approval of the Governor and by written  
811 consent of a majority of the senators and of the representatives  
812 it may exceed the income. The board shall require a surety bond  
813 in a surety company authorized to do business in this state, of  
814 every employee who is the custodian of funds belonging to one or  
815 more of the institutions mentioned herein, which bond shall be in  
816 a sum to be fixed by the board in an amount that will properly  
817 safeguard the said funds, the premium for which shall be paid out  
818 of the funds appropriated for said institutions.

819 (f) The board shall have the power and authority to elect  
820 the heads of the various institutions of higher learning and to  
821 contract with all deans, professors, and other members of the  
822 teaching staff, and all administrative employees of said  
823 institutions for a term of not exceeding four (4) years. The  
824 board shall have the power and authority to terminate any such  
825 contract at any time for malfeasance, inefficiency, or  
826 contumacious conduct, but never for political reasons. It shall  
827 be the policy of the board to permit the executive head of each  
828 institution to nominate for election by the board all subordinate



829 employees of the institution over which he presides. It shall be  
830 the policy of the board to elect all officials for a definite  
831 tenure of service and to reelect during the period of satisfactory  
832 service. The board shall have the power to make any adjustments  
833 it thinks necessary between the various departments and schools of  
834 any institution or between the different institutions.

835 (g) The board shall keep complete minutes and records of all  
836 proceedings which shall be open for inspection by any citizen of  
837 the state.

838 (h) The board shall have the power to enter into an energy  
839 performance contract, energy services contract, on a  
840 shared-savings, lease or lease-purchase basis, for energy  
841 efficiency services and/or equipment as prescribed in Section  
842 31-7-14.

843 (i) The Board of Trustees of State Institutions of Higher  
844 Learning, for and on behalf of Jackson State University, is hereby  
845 authorized to convey by donation or otherwise easements across  
846 portions of certain real estate located in the City of Jackson,  
847 Hinds County, Mississippi, for right-of-way required for the Metro  
848 Parkway Project.

849 (j) In connection with any international contract between  
850 the board or one (1) of the state's institutions of higher  
851 learning and any party outside of the United States, the board or  
852 institution that is the party to the international contract is  
853 hereby authorized and empowered to include in the contract a



854 provision for the resolution by arbitration of any controversy  
855 between the parties to the contract relating to such contract or  
856 the failure or refusal to perform any part of the contract. Such  
857 provision shall be valid, enforceable and irrevocable without  
858 regard to the justiciable character of the controversy. Provided,  
859 however, that in the event either party to such contract initiates  
860 litigation against the other with respect to the contract, the  
861 arbitration provision shall be deemed waived unless asserted as a  
862 defense on or before the responding party is required to answer  
863 such litigation.

864 (k) The Board of Trustees of State Institutions of Higher  
865 Learning ("board"), on behalf of any institution under its  
866 jurisdiction, shall purchase and maintain business property  
867 insurance and business personal property insurance on all  
868 university-owned buildings and/or contents as required by federal  
869 law and regulations of the Federal Emergency Management Agency  
870 (FEMA) as is necessary for receiving public assistance or  
871 reimbursement for repair, reconstruction, replacement or other  
872 damage to those buildings and/or contents caused by the Hurricane  
873 Katrina Disaster of 2005 or subsequent disasters. The board is  
874 authorized to expend funds from any available source for the  
875 purpose of obtaining and maintaining that property insurance. The  
876 board is authorized to enter into agreements with the Department  
877 of Finance and Administration, local school districts,  
878 community/junior college districts, community hospitals and/or



879 other state agencies to pool their liabilities to participate in a  
880 group business property and/or business personal property  
881 insurance program, subject to uniform rules and regulations as may  
882 be adopted by the Department of Finance and Administration.

883 (1) The Board of Trustees of State Institutions of Higher  
884 Learning, or its designee, may approve the payment or  
885 reimbursement of reasonable travel expenses incurred by candidates  
886 for open positions at the board's executive office or at any of  
887 the state institutions of higher learning, when the job candidate  
888 has incurred expenses in traveling to a job interview at the  
889 request of the board, the Commissioner of Higher Education or a  
890 state institution of higher learning administrator.

891 (m) The board shall not enact any regulation that prohibits  
892 the carrying of any firearm, whether such firearm is concealed or  
893 not concealed, on any land, building or property belonging to,  
894 controlled by or assigned to the use and benefit of the board.

895 **SECTION 7.** Section 37-29-67, Mississippi Code of 1972, is  
896 amended as follows:

897 37-29-67. (1) The duties of the board of trustees shall be  
898 the general government of the community/junior college and  
899 directive of the administration thereof. Subject to the  
900 provisions of Sections 37-29-1 through 37-29-273, the board shall  
901 have full power to do all things necessary to the successful  
902 operation of the district and the college or colleges or  
903 attendance centers located therein to insure educational



904 advantages and opportunities to all the enrollees within the  
905 district.

906 (2) The board of trustees shall be authorized to designate a  
907 personnel supervisor or other person employed by the district to  
908 recommend teachers and to transmit such recommendations to the  
909 board of trustees; however, this authorization shall be restricted  
910 to no more than two (2) positions for each employment period in  
911 the district.

912 (3) The delineation and enumeration of the powers and  
913 purposes set out in Sections 37-29-1 through 37-29-273 shall be  
914 deemed to be supplemental and additional, and shall not be  
915 construed to restrict the powers of the board of trustees of the  
916 district or of any college located therein so as to deny to the  
917 said district and the college or colleges therein the rights,  
918 privileges and powers previously authorized by statute.

919 (4) The board of trustees shall have the power to enter into  
920 an energy performance contract, energy services contract, a  
921 shared-savings, lease or lease-purchase basis, for energy  
922 efficiency services and/or equipment as prescribed in Section  
923 31-7-14.

924 (5) The board of trustees shall be authorized, with the  
925 approval of the Mississippi Community College Board, to change the  
926 name of the junior college to community college. The Mississippi  
927 Community College Board shall establish guidelines for the  
928 implementation of any junior college name change. Any reference



929 to junior college district in this chapter shall hereinafter refer  
930 to the junior college district or its successor in name as changed  
931 by the board of trustees.

932 (6) The boards of trustees shall purchase and maintain  
933 business property insurance and business personal property  
934 insurance on all college-owned buildings and/or contents as  
935 required by federal law and regulations of the Federal Emergency  
936 Management Agency (FEMA) as is necessary for receiving public  
937 assistance or reimbursement for repair, reconstruction,  
938 replacement or other damage to such buildings and/or contents  
939 caused by the Hurricane Katrina Disaster of 2005 or subsequent  
940 disasters. The boards of trustees are authorized to expend funds  
941 from any available source for the purpose of obtaining and  
942 maintaining that property insurance. The boards of trustees are  
943 authorized to enter into agreements with the Department of Finance  
944 and Administration, local school districts, other community/junior  
945 college districts, state institutions of higher learning,  
946 community hospitals and/or other state agencies to pool their  
947 liabilities to participate in a group business property and/or  
948 business personal property insurance program, subject to uniform  
949 rules and regulations as may be adopted by the Department of  
950 Finance and Administration.

951 (7) The board of trustees shall not enact any regulation  
952 that prohibits the carrying of any firearm, whether such firearm  
953 is concealed or not concealed, on any land, building or property



954 belonging to, controlled by or assigned to the use and benefit of  
955 the board.

956           **SECTION 8.** This act shall take effect and be in force from  
957 and after July 1, 2016.

