

By: Senator(s) Wiggins

To: Judiciary, Division A

SENATE BILL NO. 2725

1 AN ACT TO AMEND SECTION 97-37-1, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY THAT AUTOMATIC KNIVES DO NOT FALL WITHIN THE CONCEALED
3 CARRY PROHIBITIONS; AND FOR RELATED PURPOSES.

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

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

7 97-37-1. (1) Except as otherwise provided in Section
8 45-9-101, any person who carries, concealed on or about one's
9 person, any * * * metallic knuckles, blackjack, * * * slungshot,
10 pistol, revolver, or any rifle with a barrel of less than sixteen
11 (16) inches in length, or any shotgun with a barrel of less than
12 eighteen (18) inches in length, machine gun or any fully automatic
13 firearm or deadly weapon, or any muffler or silencer for any
14 firearm, whether or not it is accompanied by a firearm, or uses or
15 attempts to use against another person any imitation firearm,
16 shall, upon conviction, be punished as follows:

17 (a) By a fine of not less than One Hundred Dollars
18 (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by



19 imprisonment in the county jail for not more than six (6) months,
20 or both, in the discretion of the court, for the first conviction
21 under this section.

22 (b) By a fine of not less than One Hundred Dollars
23 (\$100.00) nor more than Five Hundred Dollars (\$500.00), and
24 imprisonment in the county jail for not less than thirty (30) days
25 nor more than six (6) months, for the second conviction under this
26 section.

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

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

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

39 (3) It shall not be a violation of this section for any
40 person to carry a firearm or deadly weapon concealed if the
41 possessor of the weapon is then engaged in a legitimate
42 weapon-related sports activity or is going to or returning from
43 such activity. For purposes of this subsection, "legitimate



44 weapon-related sports activity" means hunting, fishing, target
45 shooting or any other legal activity which normally involves the
46 use of a firearm or other weapon.

47 (4) For the purposes of this section, "concealed" means
48 hidden or obscured from common observation and shall not include
49 any weapon listed in subsection (1) of this section, including,
50 but not limited to, a loaded or unloaded pistol carried upon the
51 person in a sheath, belt holster or shoulder holster that is
52 wholly or partially visible, or carried upon the person in a
53 scabbard or case for carrying the weapon that is wholly or
54 partially visible.

55 **SECTION 2.** This act shall take effect and be in force from
56 and after July 1, 2017.

