

By: Representative Hines

To: Judiciary B

HOUSE BILL NO. 242

1 AN ACT TO REQUIRE A PURCHASING PERMIT AND A MENTAL EVALUATION
2 TO PURCHASE AUTOMATIC WEAPONS; TO PROVIDE PENALTIES FOR VIOLATIONS
3 OF THIS ACT; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** (1) A person may not purchase an automatic
6 weapon until the person complies with the following requirements:

7 (a) The person must receive a purchasing permit from
8 the Department of Public Safety authorizing such purchase, which
9 permit may not be issued less than thirty (30) days after the
10 application for the permit. During this waiting period, the
11 Department of Public Safety shall conduct a background check of
12 the applicant to determine if the applicant is entitled legally to
13 purchase an automatic weapon. The permit must be presented to the
14 seller of the automatic weapon.

15 (b) The applicant must have a mental evaluation
16 performed by a licensed psychologist or physician and provide
17 proof to the seller of the automatic weapon that the applicant
18 does not suffer from any mental disorder.



19 (2) (a) Any person who provides false proof of a mental
20 evaluation or a false purchasing permit is guilty of a felony and,
21 upon conviction, must be imprisoned in the custody of the
22 Mississippi Department of Corrections for not more than three (3)
23 years or fined not more than Fifty Thousand Dollars (\$50,000.00),
24 or both.

25 (b) Any seller who sells an automatic weapon without
26 receiving a purchasing permit and proof of a mental evaluation is
27 guilty of a felony and, upon conviction, must be imprisoned in the
28 custody of the Mississippi Department of Corrections for not more
29 than three (3) years or fined not more than Fifty Thousand Dollars
30 (\$50,000.00), or both.

31 (3) A seller of automatic weapons shall submit the name and
32 address of each person who purchased or otherwise received an
33 automatic weapon to the law enforcement agency of the jurisdiction
34 where the transaction took place. Failure to submit this
35 information is a felony, and, upon conviction, any person guilty
36 of violating this subsection must be imprisoned in the custody of
37 the Mississippi Department of Corrections for not more than three
38 (3) years or fined not more than Fifty Thousand Dollars
39 (\$50,000.00), or both.

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2018.

