

By: Representatives Barnett, Wallace, Smith, Calvert, Williamson, Arnold, Carpenter, Roberson, Bain, Massengill, Steverson To: Judiciary B

COMMITTEE SUBSTITUTE FOR HOUSE BILL NO. 634

1 AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT STATE AGENCIES FROM RESTRICTING THE POSSESSION OF
3 FIREARMS; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO
4 PROHIBIT CITIES AND COUNTIES FROM USING A NOTICE OR BAN TO
5 RESTRICT A LICENSED CONCEALED FIREARM HOLDER FROM ENTERING CERTAIN
6 LOCATIONS; TO AUTHORIZE THE ATTORNEY GENERAL TO PROSECUTE
7 VIOLATIONS OF THIS PROVISION USING STATE CORRUPTION PROVISIONS; TO
8 AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM TO
9 THE PRECEDING SECTION; TO AMEND SECTION 7-5-59, MISSISSIPPI CODE
10 OF 1972, TO ADD TO THE LIST OF CORRUPTION CRIMES VIOLATIONS OF
11 SECTION 45-9-53; TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF
12 1972, TO AUTHORIZE INVESTIGATIVE AND REGULATORY EMPLOYEES OF THE
13 SECRETARY OF STATE'S OFFICE TO CARRY WEAPONS; AND FOR RELATED
14 PURPOSES.

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

16 SECTION 1. Section 45-9-51, Mississippi Code of 1972, is
17 amended as follows:

18 45-9-51. (1) (a) Subject to the provisions of Section
19 45-9-53, no county or municipality may adopt any ordinance or
20 enter into any contract or rental agreement that restricts the
21 possession, carrying, transportation, sale, transfer or ownership
22 of firearms or ammunition or their components.

23 (b) No state agency may adopt a posted written notice,
24 rule, regulation, order or policy or enter into any contract or



25 rental agreement that restricts the possession, carrying,
26 transportation, sale, transfer or ownership of firearms or
27 ammunition or their components.

28 (c) No state agency or their officers or employees may
29 participate in any program in which individuals are given a thing
30 of value provided by another individual or other entity in
31 exchange for surrendering a firearm to the state agency or other
32 governmental body.

33 (2) No public housing authority operating in this state may
34 adopt any rule or regulation restricting a lessee or tenant of a
35 dwelling owned and operated by such public housing authority from
36 lawfully possessing firearms or ammunition or their components
37 within individual dwelling units or the transportation of such
38 firearms or ammunition or their components to and from such
39 dwelling.

40 (3) (a) A citizen of this state, or a person licensed to
41 carry a concealed pistol or revolver under Section 45-9-101, or a
42 person licensed to carry a concealed pistol or revolver with the
43 endorsement under Section 97-37-7, who is adversely affected by a
44 posted written notice, rule, regulation, order or policy adopted
45 or verbally imposed by a state agency in violation of this section
46 may file suit for declarative and injunctive relief against the
47 state agency's head or member of the state agency's governing body
48 in the circuit court which shall have jurisdiction over the state
49 agency where the violation of this section occurs.



50 (b) If the circuit court finds that a state agency
51 adopted a posted written notice, rule, regulation, order or policy
52 in violation of this section, the circuit court shall issue a
53 permanent injunction against the state agency prohibiting it from
54 enforcing the posted written notice, rule, regulation, order or
55 policy. Any state agency head or member of a state agency's
56 governing body under whose jurisdiction the violation occurred may
57 be civilly liable in a sum not to exceed One Thousand Dollars
58 (\$1,000.00), plus all reasonable attorney's fees and costs
59 incurred by the party bringing the suit. Public funds shall not
60 be used to defend or reimburse officials who are found by the
61 court to have violated this section.

62 (c) It shall be an affirmative defense to any claim
63 brought against a state agency head or member of a state agency's
64 governing body under this subsection (3) that the state official:

65 (i) Did not vote in the affirmative for the
66 adopted posted written notice, rule, regulation, order or policy
67 deemed by the court to be in violation of this section;

68 (ii) Did attempt to take recorded action to
69 rescind the posted written notice, rule, regulation, order, or
70 policy deemed by the court to be in violation of this section.

71 (4) This section does not apply to:

72 (a) The authority of a state law enforcement agency
73 from adopting and enforcing regulations pertaining to the
74 possession, carrying, transportation, sale, transfer or ownership



75 of firearms or ammunition or their components issued or used by
76 law enforcement officers in the course of their official duties.

77 (b) The authority of the Commission on Wildlife,
78 Fisheries and Parks or the Department of Wildlife, Fisheries and
79 Parks from regulating the use of firearms or ammunition as a
80 method of taking wildlife and regulating the shooting ranges
81 managed by the commission and department.

82 (c) A state agency listed in Article VIII, Section
83 213-A of the Mississippi Constitution of 1890, provided that such
84 agency or institution has adopted related rules and regulations
85 which comply with all applicable state and federal laws.

86 (d) A public community or junior college coordinated
87 under Section 37-4-3(1), provided the institution has adopted
88 related rules and regulations which comply with all applicable
89 state and federal laws.

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

92 45-9-53. (1) This section and Section 45-9-51 do not affect
93 the authority that a county or municipality may have under another
94 law:

95 (a) To require citizens or public employees to be armed
96 for personal or national defense, law enforcement, or another
97 lawful purpose;

98 (b) To regulate the discharge of firearms within the
99 limits of the county or municipality. A county or municipality



100 may not apply a regulation relating to the discharge of firearms
101 or other weapons in the extraterritorial jurisdiction of the
102 county or municipality or in an area annexed by the county or
103 municipality after September 1, 1981, if the firearm or other
104 weapon is:

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

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

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

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

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

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

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



124 (d) To regulate the use of firearms in cases of
125 insurrection, riots and natural disasters in which the city finds
126 such regulation necessary to protect the health and safety of the
127 public. However, the provisions of this section shall not apply
128 to the lawful possession, transfer, sale, transportation, storage,
129 display, carry or use of firearms, ammunition or components of
130 firearms or ammunition;

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

136 (f) To regulate the carrying of a firearm at: (i) a
137 public park or at a public meeting of a county, municipality or
138 other governmental body; (ii) a political rally, parade or
139 official political meeting; or (iii) a nonfirearm-related school,
140 college or professional athletic event; or

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

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



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

150 (4) No county or a municipality may use * * * any notice
151 provisions * * *, or any other rule, regulation, order, policy or
152 practice to ban, delay, deny or impose additional entry
153 requirements for concealed firearms or otherwise impede or
154 "shadow" a license holder with a concealed firearm * * * on
155 property under their control except:

156 (a) At a location listed in Section 45-9-101(13)
157 indicating that a license issued under Section 45-9-101 does not
158 authorize the holder to carry a firearm into that location, as
159 long as the * * * notice or policy also indicates that carrying a
160 firearm is unauthorized only for license holders without a
161 training endorsement or that it is a location included in Section
162 97-37-7(2) where carrying a firearm is unauthorized for all
163 license holders; and

164 (b) At any location under the control of the county or
165 municipality aside from a location listed in subsection (1)(f) of
166 this section or Section 45-9-101(13) indicating that the
167 possession of a firearm is prohibited on the premises, as long as
168 the * * * notice or policy also indicates that it does not apply
169 to a person properly licensed under Section 45-9-101 or Section
170 97-37-7(2) to carry a concealed firearm or to a person lawfully
171 carrying a firearm that is not concealed.



172 (5) (a) A citizen of this state, or a person licensed to
173 carry a concealed pistol or revolver under Section 45-9-101, or a
174 person licensed to carry a concealed pistol or revolver with the
175 endorsement under Section 97-37-7, who is adversely affected by an
176 ordinance * * *, notice or any other rule, regulation, order or
177 policy adopted or verbally imposed by a county or municipality in
178 violation of this section may file suit for declarative and
179 injunctive relief against a county or municipality in the circuit
180 court which shall have jurisdiction over the county or
181 municipality where the violation of this section occurs.

182 (b) (i) Before instituting suit under this subsection,
183 the party adversely impacted by the ordinance * * *, notice or
184 policy shall notify the Attorney General in writing of the
185 violation and include evidence of the violation. The Attorney
186 General shall, within thirty (30) days, investigate whether the
187 county or municipality * * * violated this section and provide the
188 chief administrative officer of the county or municipality notice
189 of his findings, including, if applicable, a description of the
190 violation * * *, specific language of * * * any ordinance * * *,
191 posted written notice or any other notice found to be in
192 violation. The county or municipality shall have thirty (30) days
193 from receipt of that notice to cure the violation. If the county
194 or municipality fails to cure the violation within that thirty-day
195 time period, a suit under paragraph (a) of this subsection may
196 proceed. The findings of the Attorney General shall constitute a



197 "Public Record" as defined by the Mississippi Public Records Act
198 of 1983, Section 25-61-1 et seq.

199 (ii) The Attorney General is also authorized to
200 pursue criminal charges against any public official or his or her
201 employee who violates the rights of any enhanced license holder
202 under the provisions of 45-9-51, 45-9-53, 45-9-101 or 97-32-7(2)
203 as a case of official corruption under Section 7-5-59 if the
204 officials responsible for the violation fail to correct such
205 violation within thirty (30) days of being notified of the
206 violation.

207 (c) If the circuit court finds that a county or
208 municipality adopted an ordinance * * *, posted written notice or
209 imposed any rule, regulation, order or policy in violation of this
210 section and failed to cure that violation in accordance with
211 paragraph (b) of this subsection, the circuit court shall issue a
212 permanent injunction against a county or municipality prohibiting
213 it from enforcing the ordinance, rule, regulation, order, policy
214 or posted written notice. Any elected county or municipal
215 official under whose jurisdiction the violation occurred may be
216 civilly liable in a sum not to exceed One Thousand Dollars
217 (\$1,000.00), plus all reasonable attorney's fees and costs
218 incurred by the party bringing the suit. Public funds may not be
219 used to defend or reimburse officials who are found by the court
220 to have violated this section.



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

224 (i) Did not vote in the affirmative for the
225 adopted ordinance * * *, posted written notice, rule, regulation,
226 order or policy deemed by the court to be in violation of this
227 section;

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

231 (iii) Did attempt to take recorded action to
232 rescind the ordinance, rule, regulation, order or policy or remove
233 the posted written notice deemed by the court to be in violation
234 of this section.

235 (6) No county or municipality or their officers or employees
236 may participate in any program in which individuals are given a
237 thing of value provided by another individual or other entity in
238 exchange for surrendering a firearm to the county, municipality or
239 other governmental body * * *.

240 * * *

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

243 45-9-101. (1) (a) Except as otherwise provided, the
244 Department of Public Safety is authorized to issue licenses to
245 carry stun guns, concealed pistols or revolvers to persons



246 qualified as provided in this section. Such licenses shall be
247 valid throughout the state for a period of five (5) years from the
248 date of issuance. Any person possessing a valid license issued
249 pursuant to this section may carry a stun gun, concealed pistol or
250 concealed revolver.

251 (b) The licensee must carry the license, together with
252 valid identification, at all times in which the licensee is
253 carrying a stun gun, concealed pistol or revolver and must display
254 both the license and proper identification upon demand by a law
255 enforcement officer. No licensee shall be required to submit to
256 any further demands unless the officer granting passage has
257 probable cause that the licensee has or is about to commit a
258 crime. A violation of the provisions of this paragraph (b) shall
259 constitute a noncriminal violation with a penalty of Twenty-five
260 Dollars (\$25.00) and shall be enforceable by summons.

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

263 (a) Is a resident of the state. However, this
264 residency requirement may be waived if the applicant possesses a
265 valid permit from another state, is active military personnel
266 stationed in Mississippi, or is a retired law enforcement officer
267 establishing residency in the state;

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



271 1. Is a member or veteran of the United
272 States Armed Forces, including National Guard or Reserve; and
273 2. Holds a valid Mississippi driver's license
274 or identification card issued by the Department of Public Safety;
275 (c) Does not suffer from a physical infirmity which
276 prevents the safe handling of a stun gun, pistol or revolver;
277 (d) Is not ineligible to possess a firearm by virtue of
278 having been convicted of a felony in a court of this state, of any
279 other state, or of the United States without having been pardoned
280 or without having been expunged for same;
281 (e) Does not chronically or habitually abuse controlled
282 substances to the extent that his normal faculties are impaired.
283 It shall be presumed that an applicant chronically and habitually
284 uses controlled substances to the extent that his faculties are
285 impaired if the applicant has been voluntarily or involuntarily
286 committed to a treatment facility for the abuse of a controlled
287 substance or been found guilty of a crime under the provisions of
288 the Uniform Controlled Substances Law or similar laws of any other
289 state or the United States relating to controlled substances
290 within a three-year period immediately preceding the date on which
291 the application is submitted;
292 (f) Does not chronically and habitually use alcoholic
293 beverages to the extent that his normal faculties are impaired.
294 It shall be presumed that an applicant chronically and habitually
295 uses alcoholic beverages to the extent that his normal faculties



296 are impaired if the applicant has been voluntarily or
297 involuntarily committed as an alcoholic to a treatment facility or
298 has been convicted of two (2) or more offenses related to the use
299 of alcohol under the laws of this state or similar laws of any
300 other state or the United States within the three-year period
301 immediately preceding the date on which the application is
302 submitted;

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

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

308 (i) Has not been voluntarily or involuntarily committed
309 to a mental institution or mental health treatment facility unless
310 he possesses a certificate from a psychiatrist licensed in this
311 state that he has not suffered from disability for a period of
312 five (5) years;

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

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

318 (l) Is not disqualified to possess a weapon based on
319 federal law.



320 (3) The Department of Public Safety may deny a license if
321 the applicant has been found guilty of one or more crimes of
322 violence constituting a misdemeanor unless three (3) years have
323 elapsed since probation or any other conditions set by the court
324 have been fulfilled or expunction has occurred prior to the date
325 on which the application is submitted, or may revoke a license if
326 the licensee has been found guilty of one or more crimes of
327 violence within the preceding three (3) years. The department
328 shall, upon notification by a law enforcement agency or a court
329 and subsequent written verification, suspend a license or the
330 processing of an application for a license if the licensee or
331 applicant is arrested or formally charged with a crime which would
332 disqualify such person from having a license under this section,
333 until final disposition of the case. The provisions of subsection
334 (7) of this section shall apply to any suspension or revocation of
335 a license pursuant to the provisions of this section.

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

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

341 (b) The driver's license number or social security
342 number of applicant;

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



345 (d) A statement that the applicant is in compliance
346 with criteria contained within subsections (2) and (3) of this
347 section;

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

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

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

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

359 (a) A completed application as described in subsection
360 (4) of this section;

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

366 (c) A nonrefundable license fee of Eighty Dollars
367 (\$80.00). Costs for processing the set of fingerprints as
368 required in paragraph (d) of this subsection shall be borne by the
369 applicant. Honorably retired law enforcement officers, disabled



370 veterans and active duty members of the Armed Forces of the United
371 States shall be exempt from the payment of the license fee;

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

374 (e) A waiver authorizing the Department of Public
375 Safety access to any records concerning commitments of the
376 applicant to any of the treatment facilities or institutions
377 referred to in subsection (2) and permitting access to all the
378 applicant's criminal records.

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

383 (b) The Department of Public Safety shall forward a
384 copy of the applicant's application to the sheriff of the
385 applicant's county of residence and, if applicable, the police
386 chief of the applicant's municipality of residence. The sheriff
387 of the applicant's county of residence and, if applicable, the
388 police chief of the applicant's municipality of residence may, at
389 his discretion, participate in the process by submitting a
390 voluntary report to the Department of Public Safety containing any
391 readily discoverable prior information that he feels may be
392 pertinent to the licensing of any applicant. The reporting shall
393 be made within thirty (30) days after the date he receives the
394 copy of the application. Upon receipt of a response from a



395 sheriff or police chief, such sheriff or police chief shall be
396 reimbursed at a rate set by the department.

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

400 (i) Issue the license;

401 (ii) Deny the application based solely on the
402 ground that the applicant fails to qualify under the criteria
403 listed in subsections (2) and (3) of this section. If the
404 Department of Public Safety denies the application, it shall
405 notify the applicant in writing, stating the ground for denial,
406 and the denial shall be subject to the appeal process set forth in
407 subsection (7); or

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

413 (d) In the event a legible set of fingerprints, as
414 determined by the Department of Public Safety and the Federal
415 Bureau of Investigation, cannot be obtained after a minimum of two
416 (2) attempts, the Department of Public Safety shall determine
417 eligibility based upon a name check by the Mississippi Highway
418 Safety Patrol and a Federal Bureau of Investigation name check



419 conducted by the Mississippi Highway Safety Patrol at the request
420 of the Department of Public Safety.

421 (7) (a) If the Department of Public Safety denies the
422 issuance of a license, or suspends or revokes a license, the party
423 aggrieved may appeal such denial, suspension or revocation to the
424 Commissioner of Public Safety, or his authorized agent, within
425 thirty (30) days after the aggrieved party receives written notice
426 of such denial, suspension or revocation. The Commissioner of
427 Public Safety, or his duly authorized agent, shall rule upon such
428 appeal within thirty (30) days after the appeal is filed and
429 failure to rule within this thirty-day period shall constitute
430 sustaining such denial, suspension or revocation. Such review
431 shall be conducted pursuant to such reasonable rules and
432 regulations as the Commissioner of Public Safety may adopt.

433 (b) If the revocation, suspension or denial of issuance
434 is sustained by the Commissioner of Public Safety, or his duly
435 authorized agent pursuant to paragraph (a) of this subsection, the
436 aggrieved party may file within ten (10) days after the rendition
437 of such decision a petition in the circuit or county court of his
438 residence for review of such decision. A hearing for review shall
439 be held and shall proceed before the court without a jury upon the
440 record made at the hearing before the Commissioner of Public
441 Safety or his duly authorized agent. No such party shall be
442 allowed to carry a stun gun, concealed pistol or revolver pursuant



443 to the provisions of this section while any such appeal is
444 pending.

445 (8) The Department of Public Safety shall maintain an
446 automated listing of license holders and such information shall be
447 available online, upon request, at all times, to all law
448 enforcement agencies through the Mississippi Crime Information
449 Center. However, the records of the department relating to
450 applications for licenses to carry stun guns, concealed pistols or
451 revolvers and records relating to license holders shall be exempt
452 from the provisions of the Mississippi Public Records Act of 1983,
453 and shall be released only upon order of a court having proper
454 jurisdiction over a petition for release of the record or records.

455 (9) Within thirty (30) days after the changing of a
456 permanent address, or within thirty (30) days after having a
457 license lost or destroyed, the licensee shall notify the
458 Department of Public Safety in writing of such change or loss.
459 Failure to notify the Department of Public Safety pursuant to the
460 provisions of this subsection shall constitute a noncriminal
461 violation with a penalty of Twenty-five Dollars (\$25.00) and shall
462 be enforceable by a summons.

463 (10) In the event that a stun gun, concealed pistol or
464 revolver license is lost or destroyed, the person to whom the
465 license was issued shall comply with the provisions of subsection
466 (9) of this section and may obtain a duplicate, or substitute
467 thereof, upon payment of Fifteen Dollars (\$15.00) to the



468 Department of Public Safety, and furnishing a notarized statement
469 to the department that such license has been lost or destroyed.

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

473 (12) (a) No less than ninety (90) days prior to the
474 expiration date of the license, the Department of Public Safety
475 shall mail to each licensee a written notice of the expiration and
476 a renewal form prescribed by the department. The licensee must
477 renew his license on or before the expiration date by filing with
478 the department the renewal form, a notarized affidavit stating
479 that the licensee remains qualified pursuant to the criteria
480 specified in subsections (2) and (3) of this section, and a full
481 set of fingerprints administered by the Department of Public
482 Safety or the sheriff of the county of residence of the licensee.
483 The first renewal may be processed by mail and the subsequent
484 renewal must be made in person. Thereafter every other renewal
485 may be processed by mail to assure that the applicant must appear
486 in person every ten (10) years for the purpose of obtaining a new
487 photograph.

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



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

494 (iii) The renewal fee for a Mississippi resident
495 aged sixty-five (65) years of age or older shall be Twenty Dollars
496 (\$20.00).

497 (b) The Department of Public Safety shall forward the
498 full set of fingerprints of the applicant to the appropriate
499 agencies for state and federal processing. The license shall be
500 renewed upon receipt of the completed renewal application and
501 appropriate payment of fees.

502 (c) A licensee who fails to file a renewal application
503 on or before its expiration date must renew his license by paying
504 a late fee of Fifteen Dollars (\$15.00). No license shall be
505 renewed six (6) months or more after its expiration date, and such
506 license shall be deemed to be permanently expired. A person whose
507 license has been permanently expired may reapply for licensure;
508 however, an application for licensure and fees pursuant to
509 subsection (5) of this section must be submitted, and a background
510 investigation shall be conducted pursuant to the provisions of
511 this section.

512 (13) No license issued pursuant to this section shall
513 authorize any person to carry a stun gun, concealed pistol or
514 revolver into any place of nuisance as defined in Section 95-3-1,
515 Mississippi Code of 1972; any police, sheriff or highway patrol



516 station; any detention facility, prison or jail; any courthouse;
517 any courtroom, except that nothing in this section shall preclude
518 a judge from carrying a concealed weapon or determining who will
519 carry a concealed weapon in his courtroom; any polling place; any
520 meeting place of the governing body of any governmental entity;
521 any meeting of the Legislature or a committee thereof; any school,
522 college or professional athletic event not related to firearms;
523 any portion of an establishment, licensed to dispense alcoholic
524 beverages for consumption on the premises, that is primarily
525 devoted to dispensing alcoholic beverages; any portion of an
526 establishment in which beer, light spirit product or light wine is
527 consumed on the premises, that is primarily devoted to such
528 purpose; any elementary or secondary school facility; any junior
529 college, community college, college or university facility unless
530 for the purpose of participating in any authorized
531 firearms-related activity; inside the passenger terminal of any
532 airport, except that no person shall be prohibited from carrying
533 any legal firearm into the terminal if the firearm is encased for
534 shipment, for purposes of checking such firearm as baggage to be
535 lawfully transported on any aircraft; any church or other place of
536 worship, except as provided in Section 45-9-171; or any place
537 where the carrying of firearms is prohibited by federal law. In
538 addition to the places enumerated in this subsection, the carrying
539 of a stun gun, concealed pistol or revolver may be disallowed in
540 any place in the discretion of the person or entity exercising



541 control over the physical location of such place by the placing of
542 a written notice clearly readable at a distance of not less than
543 ten (10) feet that the "carrying of a pistol or revolver is
544 prohibited * * *" or authorizing a policy with the same effect.

545 No license issued pursuant to this section shall authorize the
546 participants in a parade or demonstration for which a permit is
547 required to carry a stun gun, concealed pistol or revolver.

548 (14) A law enforcement officer as defined in Section 45-6-3,
549 chiefs of police, sheriffs and persons licensed as professional
550 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of
551 1972, shall be exempt from the licensing requirements of this
552 section. The licensing requirements of this section do not apply
553 to the carrying by any person of a stun gun, pistol or revolver,
554 knife, or other deadly weapon that is not concealed as defined in
555 Section 97-37-1.

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

562 (16) All fees collected by the Department of Public Safety
563 pursuant to this section shall be deposited into a special fund
564 hereby created in the State Treasury and shall be used for
565 implementation and administration of this section. After the



566 close of each fiscal year, the balance in this fund shall be
567 certified to the Legislature and then may be used by the
568 Department of Public Safety as directed by the Legislature.

569 (17) All funds received by a sheriff or police chief
570 pursuant to the provisions of this section shall be deposited into
571 the general fund of the county or municipality, as appropriate,
572 and shall be budgeted to the sheriff's office or police department
573 as appropriate.

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

577 (19) Any person holding a valid unrevoked and unexpired
578 license to carry stun guns, concealed pistols or revolvers issued
579 in another state shall have such license recognized by this state
580 to carry stun guns, concealed pistols or revolvers. The
581 Department of Public Safety is authorized to enter into a
582 reciprocal agreement with another state if that state requires a
583 written agreement in order to recognize licenses to carry stun
584 guns, concealed pistols or revolvers issued by this state.

585 (20) The provisions of this section shall be under the
586 supervision of the Commissioner of Public Safety. The
587 commissioner is authorized to promulgate reasonable rules and
588 regulations to carry out the provisions of this section.

589 (21) For the purposes of this section, the term "stun gun"
590 means a portable device or weapon from which an electric current,



591 impulse, wave or beam may be directed, which current, impulse,
592 wave or beam is designed to incapacitate temporarily, injure,
593 momentarily stun, knock out, cause mental disorientation or
594 paralyze.

595 (22) (a) From and after January 1, 2016, the Commissioner
596 of Public Safety shall promulgate rules and regulations which
597 provide that licenses authorized by this section for honorably
598 retired law enforcement officers and honorably retired
599 correctional officers from the Mississippi Department of
600 Corrections shall (i) include the words "retired law enforcement
601 officer" on the front of the license, and (ii) that the license
602 itself have a red background to distinguish it from other licenses
603 issued under this section.

604 (b) An honorably retired law enforcement officer and
605 honorably retired correctional officer shall provide the following
606 information to receive the license described in this section: (i)
607 a letter, with the official letterhead of the agency or department
608 from which such officer is retiring, which explains that such
609 officer is honorably retired, and (ii) a letter with the official
610 letterhead of the agency or department, which explains that such
611 officer has completed a certified law enforcement training
612 academy.

613 (23) A disabled veteran who seeks to qualify for an
614 exemption under this section shall be required to provide a
615 veterans health services identification card issued by the United



616 States Department of Veterans Affairs indicating a
617 service-connected disability, which shall be sufficient proof of
618 such service-connected disability.

619 (24) A license under this section is not required for a
620 loaded or unloaded pistol or revolver to be carried upon the
621 person in a sheath, belt holster or shoulder holster or in a
622 purse, handbag, satchel, other similar bag or briefcase or fully
623 enclosed case if the person is not engaged in criminal activity
624 other than a misdemeanor traffic offense, is not otherwise
625 prohibited from possessing a pistol or revolver under state or
626 federal law, and is not in a location prohibited under subsection
627 (13) of this section.

628 **SECTION 4.** Section 7-5-59, Mississippi Code of 1972, is
629 amended as follows:

630 7-5-59. (1) The following terms shall have the meanings
631 ascribed to them herein unless the context requires otherwise:

632 (a) "Computer crimes" means those crimes defined in
633 Chapter 45 of Title 97 and sex offenses involving a computer
634 affecting children as defined in Chapter 5 of Title 97.

635 (b) "White-collar crime and official corruption"
636 includes crimes chargeable under the following provisions of law:

637 (i) Paragraphs (b) and (c) of Section 7-5-59(4),
638 which relates to obstruction of white-collar crime investigations.

639 (ii) Section 97-7-10, which relates to the
640 defrauding of state and local governments.



641 (iii) Section 97-19-73, which relates to fraud by
642 mail, wire, radio or television.

643 (iv) Section 97-9-10, which relates to commercial
644 bribery.

645 (v) Section 97-45-3, which relates to computer
646 fraud.

647 (vi) Sections 97-11-25 through 97-11-31, which
648 relate to embezzlement by public officials.

649 (vii) Section 97-11-33, which relates to extortion
650 by public officials.

651 (viii) Sections 97-19-5 through 97-19-31, which
652 relate to unlawful procurement or use of credit cards.

653 (ix) Sections 97-23-1 and 97-23-3, which relate to
654 false, misleading or deceptive advertising.

655 (x) Sections 97-15-3 and 97-15-5, which relate to
656 bribery of members and employees of the Highway Commission and the
657 defrauding of the state by Highway Commission members, employees
658 or highway contractors.

659 (xi) Section 97-9-5, which relates to bribery of
660 jurors.

661 (xii) Sections 97-11-11, 97-11-13 and 97-11-53,
662 which relate to acceptance of bribes by public officials and
663 bribery of public officials.

664 (xiii) Sections 97-13-1 and 97-13-3, which relate
665 to bribery of electors or election officials.



666 (xiv) Sections 97-23-19 through 97-23-27, which
667 relate to embezzlement.

668 (xv) Section 45-9-53 which relates to corruption
669 for violating concealed firearm provisions.

670 (c) "White-collar crime investigations" means an
671 investigation into any illegal act or acts defined as white-collar
672 crime.

673 (d) "Computer crimes investigations" means an
674 investigation into any illegal act or acts defined as computer
675 crime.

676 (e) "Person" means and includes not only an individual,
677 but also a partnership, corporation, professional firm, nonprofit
678 organization or other business entity.

679 (2) The Attorney General is hereby authorized to conduct
680 official corruption investigations and such other white-collar
681 crime investigations and computer crime investigations that are of
682 statewide interest or which are in the protection of public
683 rights.

684 (3) (a) In conducting white-collar crime and computer crime
685 investigations, the Attorney General shall have the authority to
686 issue and serve subpoenas to any person in control of any
687 designated documents for the production of such documents,
688 including, but not limited to, writings, drawings, graphs, charts,
689 photographs, phono-records, subscriber records and other data
690 compilations from which information can be obtained, or translated



691 through detection devices into reasonably usable form. Such
692 subpoenas shall require the named person, his agent or attorney,
693 to appear and deliver the designated documents to a location in
694 the county of his residence unless the court for good cause shown
695 directs that the subpoena be issued for the person to deliver such
696 documents to a location outside of the county of his residence.
697 Mere convenience of the Attorney General shall not be considered
698 good cause. The Attorney General or his designee shall have the
699 authority to inspect and copy such documents. Such subpoenas
700 shall be issued only upon the ex parte and in camera application
701 of the Attorney General to the circuit or chancery court of the
702 county of residence of the person in control of the documents or
703 the circuit or chancery court of the county where the person in
704 control of the documents may be found, and only upon a showing
705 that the documents sought are relevant to a criminal investigation
706 under this section or may lead to the discovery of such relevant
707 evidence. Thereafter said court shall have jurisdiction to
708 enforce or quash such subpoenas and to enter appropriate orders
709 thereon, and nothing contained in this section shall affect the
710 right of a person to assert a claim that the information sought is
711 privileged by law.

712 (b) A subpoena issued pursuant to this subsection shall
713 be in substantially the following form:

714 "SUBPOENA TO PRODUCE DOCUMENTS PURSUANT TO AN
715 INVESTIGATION BY THE ATTORNEY GENERAL



716 TO:

717 YOU ARE HEREBY COMMANDED to appear before the Attorney
718 General of the State of Mississippi or his designated staff
719 attorney at the place, date and time specified below in an
720 investigation being conducted by the Attorney General pursuant to
721 Section 7-5-59, Mississippi Code of 1972:

722 Place _____ Date and Time _____

723 YOU ARE ALSO COMMANDED to bring with you the following
724 document(s) or object(s).

725 _____

726 You are advised that the _____ Court of the _____
727 Judicial District of _____ County, Mississippi, has
728 approved the ex parte and in camera application of the Attorney
729 General to issue this subpoena, and jurisdiction to enforce and/or
730 quash the subpoena and to enter appropriate orders thereon is
731 statutorily vested in the said court; enforcement and penal
732 provisions applicable to an Attorney General's investigation
733 include those set forth in Section 7-5-59(4), Mississippi Code of
734 1972; and disclosure of testimony and/or records coming into
735 possession of the Attorney General pursuant to this subpoena shall
736 be limited by and subject to the provisions of Section 7-5-59(6),
737 Mississippi Code of 1972, (for informational purposes, these cited
738 statutes are reproduced on the reverse side of this subpoena).

739 You may wish to consult an attorney in regard to this
740 subpoena. You have certain state and federal constitutional



741 rights, including your protection against self-incrimination and
742 unreasonable search and seizure which this subpoena may affect.

743 ISSUED BY AND UNDER SEAL OF THE ATTORNEY GENERAL OF THE STATE
744 OF MISSISSIPPI, this the ____ day of _____, 20__.

745 (SEAL) _____"

746 (c) Following service of any subpoena, pursuant to the
747 provisions of this subsection, a record of the return shall be
748 made and kept by the Attorney General and subject only to such
749 disclosure as may be authorized pursuant to the provisions of this
750 section.

751 (4) Enforcement and penal provisions applicable to an
752 investigation under this section shall include the following:

753 (a) If a person who has been served with a subpoena,
754 which has been issued and served upon him in accordance with the
755 provisions of this section, shall fail to deliver or have
756 delivered the designated documents at the time and place required
757 in the subpoena, on application of the Attorney General the
758 circuit or chancery court having approved the issuance of the
759 subpoena may issue an attachment for such person, returnable
760 immediately, or at such time and place as the court may direct.
761 Bond may be required and fine imposed and proceedings had thereon
762 as in the case of a subpoenaed witness who fails to appear in
763 circuit or chancery court.

764 (b) Every person who shall knowingly and willfully
765 obstruct, interfere with or impede an investigation under this



766 section by concealing or destroying any documents, papers or other
767 tangible evidence which are relevant to an investigation under
768 this section shall be guilty of a felony and, upon conviction,
769 shall be punished by a fine of not more than Five Thousand Dollars
770 (\$5,000.00) or by imprisonment for not more than five (5) years,
771 or by both such fine and imprisonment.

772 (c) Every person who shall knowingly and willfully
773 endeavor, by means of bribery, force or intimidation, to obstruct,
774 delay or prevent the communication of information to any agent or
775 employee of the Office of the Attorney General or who injures
776 another person for the purpose of preventing the communication of
777 such information or an account of the giving of such information
778 relevant to an investigation under this section shall be guilty of
779 a felony and, upon conviction, shall be punished by a fine of not
780 more than Five Thousand Dollars (\$5,000.00) or by imprisonment for
781 not more than five (5) years, or by both such fine and
782 imprisonment.

783 (d) The provisions of paragraphs (a), (b) and (c) of
784 this subsection shall not prohibit the enforcement of, or
785 prosecution under, any other statutes of this state.

786 (5) (a) If any person shall refuse, or is likely to refuse,
787 on the basis of his privilege against self-incrimination, produce
788 the designated documents as requested by a subpoena issued under
789 this section or issued by a court, the Attorney General may
790 request the court, ex parte and in camera, to issue an order



791 requiring such person to produce the documents information which
792 he refuses to give or provide on the basis of his privilege
793 against self-incrimination. The Attorney General may request said
794 order under this subsection when, in his judgment:

795 (i) The documents sought from such individual may
796 be necessary to the public interest; and

797 (ii) Such individual has refused or is likely to
798 refuse to produce the designated document on the basis of his
799 privilege against self-incrimination.

800 Following such request, an order shall issue in accordance
801 with this section requiring such person to produce the documents
802 which he refuses to produce on the basis of his privilege against
803 self-incrimination.

804 (b) Whenever a witness refuses, on the basis of his
805 privilege against self-incrimination, to produce documents, and
806 the court issues to the witness an order under paragraph (a) of
807 this subsection, the witness may not refuse to comply with the
808 order on the basis of his privilege against self-incrimination,
809 but no documents or information compelled under the aforesaid
810 order, or any information directly or indirectly derived from such
811 documents may be used against the witness in any criminal
812 proceeding, except a prosecution for perjury, giving a false
813 statement, or otherwise failing to comply with the order.

814 (6) Documents in the possession of the Attorney General
815 gathered pursuant to the provisions of this section and subpoenas



816 issued by him shall be maintained in confidential files with
817 access limited to prosecutorial and other law enforcement
818 investigative personnel on a "need-to-know" basis and shall be
819 exempt from the provisions of the Mississippi Public Records Act
820 of 1983, except that upon the filing of an indictment or
821 information, or upon the filing of an action for recovery of
822 property, funds or fines, such documents shall be subject to such
823 disclosure as may be required pursuant to the applicable statutes
824 or court rules governing the trial of any such judicial
825 proceeding.

826 (7) No person, including the Attorney General, a member of
827 his staff, prosecuting attorney, law enforcement officer, witness,
828 court reporter, attorney or other person, shall disclose to an
829 unauthorized person documents, including subpoenas issued and
830 served, gathered by the Attorney General pursuant to the
831 provisions of this section, except that upon the filing of an
832 indictment or information, or upon the filing of an action for
833 recovery of property, funds or fines, or in other legal
834 proceedings, such documents shall be subject to such disclosure as
835 may be required pursuant to applicable statutes and court rules
836 governing the trial of any such judicial proceeding. In event of
837 an unauthorized disclosure of any such documents gathered by the
838 Attorney General pursuant to the provisions of this section, the
839 person making any such unauthorized disclosure shall be guilty of
840 a misdemeanor, and upon conviction thereof, shall be punished by a



841 fine of not more than One Thousand Dollars (\$1,000.00) or
842 imprisonment of not more than six (6) months, or by both such fine
843 and imprisonment.

844 (8) The powers of the Attorney General under this section
845 shall not diminish the powers of local authorities to investigate
846 or prosecute any type of white-collar crime violation, computer
847 crime violation or any other criminal conduct within their
848 respective jurisdictions, and the provisions of this section shall
849 be in addition to the powers and authority previously granted the
850 Attorney General by common, constitutional, statutory or case law.

851 (9) No person, agent or employee upon whom a subpoena is
852 served pursuant to this section shall disclose the existence of
853 the investigation to any person unless such disclosure is
854 necessary for compliance with the subpoena. Any person who
855 willfully violates this subsection shall be guilty of a
856 misdemeanor and may be confined in the county jail for a period
857 not to exceed one (1) year or fined not more than Ten Thousand
858 Dollars (\$10,000.00), or both.

859 **SECTION 5.** Section 97-37-7, Mississippi Code of 1972, is
860 amended as follows:

861 97-37-7. (1) (a) It shall not be a violation of Section
862 97-37-1 or any other statute for pistols, firearms or other
863 suitable and appropriate weapons to be carried by duly constituted
864 bank guards, company guards, watchmen, railroad special agents or
865 duly authorized representatives who are not sworn law enforcement



866 officers, agents or employees of a patrol service, guard service,
867 or a company engaged in the business of transporting money,
868 securities or other valuables, while actually engaged in the
869 performance of their duties as such, provided that such persons
870 have made a written application and paid a nonrefundable permit
871 fee of One Hundred Dollars (\$100.00) to the Department of Public
872 Safety.

873 (b) No permit shall be issued to any person who has
874 ever been convicted of a felony under the laws of this or any
875 other state or of the United States. To determine an applicant's
876 eligibility for a permit, the person shall be fingerprinted. If
877 no disqualifying record is identified at the state level, the
878 fingerprints shall be forwarded by the Department of Public Safety
879 to the Federal Bureau of Investigation for a national criminal
880 history record check. The department shall charge a fee which
881 includes the amounts required by the Federal Bureau of
882 Investigation and the department for the national and state
883 criminal history record checks and any necessary costs incurred by
884 the department for the handling and administration of the criminal
885 history background checks. In the event a legible set of
886 fingerprints, as determined by the Department of Public Safety and
887 the Federal Bureau of Investigation, cannot be obtained after a
888 minimum of three (3) attempts, the Department of Public Safety
889 shall determine eligibility based upon a name check by the
890 Mississippi Highway Safety Patrol and a Federal Bureau of



891 Investigation name check conducted by the Mississippi Highway
892 Safety Patrol at the request of the Department of Public Safety.

893 (c) A person may obtain a duplicate of a lost or
894 destroyed permit upon payment of a Fifteen Dollar (\$15.00)
895 replacement fee to the Department of Public Safety, if he
896 furnishes a notarized statement to the department that the permit
897 has been lost or destroyed.

898 (d) (i) No less than ninety (90) days prior to the
899 expiration date of a permit, the Department of Public Safety shall
900 mail to the permit holder written notice of expiration together
901 with the renewal form prescribed by the department. The permit
902 holder shall renew the permit on or before the expiration date by
903 filing with the department the renewal form, a notarized affidavit
904 stating that the permit holder remains qualified, and the renewal
905 fee of Fifty Dollars (\$50.00); honorably retired law enforcement
906 officers shall be exempt from payment of the renewal fee. A
907 permit holder who fails to file a renewal application on or before
908 its expiration date shall pay a late fee of Fifteen Dollars
909 (\$15.00).

910 (ii) Renewal of the permit shall be required every
911 four (4) years. The permit of a qualified renewal applicant shall
912 be renewed upon receipt of the completed renewal application and
913 appropriate payment of fees.

914 (iii) A permit cannot be renewed six (6) months or
915 more after its expiration date, and such permit shall be deemed to



916 be permanently expired; the holder may reapply for an original
917 permit as provided in this section.

918 (2) It shall not be a violation of this or any other statute
919 for pistols, firearms or other suitable and appropriate weapons to
920 be carried by Department of Wildlife, Fisheries and Parks law
921 enforcement officers, railroad special agents who are sworn law
922 enforcement officers, investigators employed by the Attorney
923 General, criminal investigators employed by the district
924 attorneys, all prosecutors, public defenders, investigators or
925 probation officers employed by the Department of Corrections,
926 employees of the State Auditor who are authorized by the State
927 Auditor to perform investigative functions, employees of the
928 Secretary of State who are authorized by the Secretary to perform
929 investigative or regulatory enforcement functions, or any deputy
930 fire marshal or investigator employed by the State Fire Marshal,
931 while engaged in the performance of their duties as such, or by
932 fraud investigators with the Department of Human Services, or by
933 judges of the Mississippi Supreme Court, Court of Appeals,
934 circuit, chancery, county, justice and municipal courts, or by
935 coroners. Before any person shall be authorized under this
936 subsection to carry a weapon, he shall complete a weapons training
937 course approved by the Board of Law Enforcement Officer Standards
938 and Training. Before any criminal investigator employed by a
939 district attorney shall be authorized under this section to carry
940 a pistol, firearm or other weapon, he shall have complied with



941 Section 45-6-11 or any training program required for employment as
942 an agent of the Federal Bureau of Investigation. A law
943 enforcement officer, as defined in Section 45-6-3, shall be
944 authorized to carry weapons in courthouses in performance of his
945 official duties. A person licensed under Section 45-9-101 to
946 carry a concealed pistol, who (a) has voluntarily completed an
947 instructional course in the safe handling and use of firearms
948 offered by an instructor certified by a nationally recognized
949 organization that customarily offers firearms training, or by any
950 other organization approved by the Department of Public Safety,
951 (b) is a member or veteran of any active or reserve component
952 branch of the United States of America Armed Forces having
953 completed law enforcement or combat training with pistols or other
954 handguns as recognized by such branch after submitting an
955 affidavit attesting to have read, understand and agree to comply
956 with all provisions of the enhanced carry law, or (c) is an
957 honorably retired law enforcement officer or honorably retired
958 member or veteran of any active or reserve component branch of the
959 United States of America Armed Forces having completed law
960 enforcement or combat training with pistols or other handguns,
961 after submitting an affidavit attesting to have read, understand
962 and agree to comply with all provisions of Mississippi enhanced
963 carry law shall also be authorized to carry weapons in courthouses
964 except in courtrooms during a judicial proceeding, and any
965 location listed in subsection (13) of Section 45-9-101, except any



966 place of nuisance as defined in Section 95-3-1, any police,
967 sheriff or highway patrol station or any detention facility,
968 prison or jail. For the purposes of this subsection (2),
969 component branch of the United States Armed Forces includes the
970 Army, Navy, Air Force, Coast Guard or Marine Corps, or the Army
971 National Guard, the Army National Guard of the United States, the
972 Air National Guard or the Air National Guard of the United States,
973 as those terms are defined in Section 101, Title 10, United States
974 Code, and any other reserve component of the United States Armed
975 Forces enumerated in Section 10101, Title 10, United States Code.
976 The department shall promulgate rules and regulations allowing
977 concealed pistol permit holders to obtain an endorsement on their
978 permit indicating that they have completed the aforementioned
979 course and have the authority to carry in these locations. This
980 section shall in no way interfere with the right of a trial judge
981 to restrict the carrying of firearms in the courtroom.

982 For purposes of this subsection (2), the following words
983 shall have the meanings described herein, unless the context
984 otherwise requires:

985 (i) "Courthouse" means any building in which a
986 circuit court, chancery court, youth court, municipal court,
987 justice court or any appellate court is located, or any building
988 in which a court of law is regularly held.

989 (ii) "Courtroom" means the actual room in which a
990 judicial proceeding occurs, including any jury room, witness room,



991 judge's chamber, office housing the judge's staff, or similar
992 room. "Courtroom" shall not mean hallways, courtroom entrances,
993 courthouse grounds, lobbies, corridors, or other areas within a
994 courthouse which are generally open to the public for the
995 transaction of business outside of an active judicial proceeding,
996 the grassed areas, cultivated flower beds, sidewalks, parking
997 lots, or other areas contained within the boundaries of the public
998 land upon which the courthouse is located.

999 (3) It shall not be a violation of this or any other statute
1000 for pistols, firearms or other suitable and appropriate weapons,
1001 to be carried by any out-of-state, full-time commissioned law
1002 enforcement officer who holds a valid commission card from the
1003 appropriate out-of-state law enforcement agency and a photo
1004 identification. The provisions of this subsection shall only
1005 apply if the state where the out-of-state officer is employed has
1006 entered into a reciprocity agreement with the state that allows
1007 full-time commissioned law enforcement officers in Mississippi to
1008 lawfully carry or possess a weapon in such other states. The
1009 Commissioner of Public Safety is authorized to enter into
1010 reciprocal agreements with other states to carry out the
1011 provisions of this subsection.

1012 **SECTION 6.** This act shall take effect and be in force from
1013 and after July 1, 2021.

