

**Adopted  
AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2107**

**BY: Representative Bain**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

18           **SECTION 1.** Section 45-9-51, Mississippi Code of 1972, is  
19 amended as follows:

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

25           (b) No state agency may adopt a posted written notice,  
26 rule, regulation, order or policy or enter into any contract or  
27 rental agreement that restricts the possession, carrying,



28 transportation, sale, transfer or ownership of firearms or  
29 ammunition or their components.

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

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

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



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

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

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

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

73           (4) This section does not apply to:

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



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

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

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

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

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

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

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

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



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

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

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

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

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

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

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

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



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

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

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

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

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



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

152 (4) No county or a municipality including, but not limited  
153 to, bureaus and other local government entities, may use \* \* \* any  
154 notice provisions \* \* \*, or any other rule, regulation, order,  
155 policy or practice to ban, delay, deny or impose additional entry  
156 requirements for concealed firearms or otherwise impede or  
157 "shadow" a license holder with a concealed firearm \* \* \* on  
158 property under their control except:

159 (a) At a location listed in Section 45-9-101(13)  
160 indicating that a license issued under Section 45-9-101 does not  
161 authorize the holder to carry a firearm into that location, as  
162 long as the \* \* \* notice or policy also indicates that carrying a  
163 firearm is unauthorized only for license holders without a  
164 training endorsement or that it is a location included in Section  
165 97-37-7(2) where carrying a firearm is unauthorized for all  
166 license holders; and

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



173 97-37-7(2) to carry a concealed firearm or to a person lawfully  
174 carrying a firearm that is not concealed.

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

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





198 time period, a suit under paragraph (a) of this subsection may  
199 proceed. The findings of the Attorney General shall constitute a  
200 "Public Record" as defined by the Mississippi Public Records Act  
201 of 1983, Section 25-61-1 et seq.

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

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



222 used to defend or reimburse officials who are found by the court  
223 to have violated this section.

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

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

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

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

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

243 \* \* \*

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



246           45-9-101. (1) (a) Except as otherwise provided, the  
247 Department of Public Safety is authorized to issue licenses to  
248 carry stun guns, concealed pistols or revolvers to persons  
249 qualified as provided in this section. Such licenses shall be  
250 valid throughout the state for a period of five (5) years from the  
251 date of issuance. Any person possessing a valid license issued  
252 pursuant to this section may carry a stun gun, concealed pistol or  
253 concealed revolver.

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

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

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



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

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

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

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

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

280 (d) Is not ineligible to possess a firearm by virtue of  
281 having been convicted of a felony in a court of this state, of any  
282 other state, or of the United States without having been pardoned  
283 or without having been expunged for same;

284 (e) Does not chronically or habitually abuse controlled  
285 substances to the extent that his normal faculties are impaired.  
286 It shall be presumed that an applicant chronically and habitually  
287 uses controlled substances to the extent that his faculties are  
288 impaired if the applicant has been voluntarily or involuntarily  
289 committed to a treatment facility for the abuse of a controlled  
290 substance or been found guilty of a crime under the provisions of  
291 the Uniform Controlled Substances Law or similar laws of any other  
292 state or the United States relating to controlled substances  
293 within a three-year period immediately preceding the date on which  
294 the application is submitted;



295 (f) Does not chronically and habitually use alcoholic  
296 beverages to the extent that his normal faculties are impaired.  
297 It shall be presumed that an applicant chronically and habitually  
298 uses alcoholic beverages to the extent that his normal faculties  
299 are impaired if the applicant has been voluntarily or  
300 involuntarily committed as an alcoholic to a treatment facility or  
301 has been convicted of two (2) or more offenses related to the use  
302 of alcohol under the laws of this state or similar laws of any  
303 other state or the United States within the three-year period  
304 immediately preceding the date on which the application is  
305 submitted;

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

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

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

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



320           (k) Is not a fugitive from justice; and  
321           (l) Is not disqualified to possess a weapon based on  
322 federal law.

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

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

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



344 (b) The driver's license number or social security  
345 number of applicant;

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

348 (d) A statement that the applicant is in compliance  
349 with criteria contained within subsections (2) and (3) of this  
350 section;

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

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

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

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

362 (a) A completed application as described in subsection  
363 (4) of this section;

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



369 (c) A nonrefundable license fee of Eighty Dollars  
370 (\$80.00). Costs for processing the set of fingerprints as  
371 required in paragraph (d) of this subsection shall be borne by the  
372 applicant. Honorably retired law enforcement officers, disabled  
373 veterans and active duty members of the Armed Forces of the United  
374 States shall be exempt from the payment of the license fee;

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

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

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

386 (b) The Department of Public Safety shall forward a  
387 copy of the applicant's application to the sheriff of the  
388 applicant's county of residence and, if applicable, the police  
389 chief of the applicant's municipality of residence. The sheriff  
390 of the applicant's county of residence and, if applicable, the  
391 police chief of the applicant's municipality of residence may, at  
392 his discretion, participate in the process by submitting a  
393 voluntary report to the Department of Public Safety containing any





394 readily discoverable prior information that he feels may be  
395 pertinent to the licensing of any applicant. The reporting shall  
396 be made within thirty (30) days after the date he receives the  
397 copy of the application. Upon receipt of a response from a  
398 sheriff or police chief, such sheriff or police chief shall be  
399 reimbursed at a rate set by the department.

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

403 (i) Issue the license;

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

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

416 (d) In the event a legible set of fingerprints, as  
417 determined by the Department of Public Safety and the Federal  
418 Bureau of Investigation, cannot be obtained after a minimum of two



419 (2) attempts, the Department of Public Safety shall determine  
420 eligibility based upon a name check by the Mississippi Highway  
421 Safety Patrol and a Federal Bureau of Investigation name check  
422 conducted by the Mississippi Highway Safety Patrol at the request  
423 of the Department of Public Safety.

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

436 (b) If the revocation, suspension or denial of issuance  
437 is sustained by the Commissioner of Public Safety, or his duly  
438 authorized agent pursuant to paragraph (a) of this subsection, the  
439 aggrieved party may file within ten (10) days after the rendition  
440 of such decision a petition in the circuit or county court of his  
441 residence for review of such decision. A hearing for review shall  
442 be held and shall proceed before the court without a jury upon the  
443 record made at the hearing before the Commissioner of Public



444 Safety or his duly authorized agent. No such party shall be  
445 allowed to carry a stun gun, concealed pistol or revolver pursuant  
446 to the provisions of this section while any such appeal is  
447 pending.

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

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

466 (10) In the event that a stun gun, concealed pistol or  
467 revolver license is lost or destroyed, the person to whom the  
468 license was issued shall comply with the provisions of subsection



469 (9) of this section and may obtain a duplicate, or substitute  
470 thereof, upon payment of Fifteen Dollars (\$15.00) to the  
471 Department of Public Safety, and furnishing a notarized statement  
472 to the department that such license has been lost or destroyed.

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

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

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



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

497 (iii) The renewal fee for a Mississippi resident  
498 aged sixty-five (65) years of age or older shall be Twenty Dollars  
499 (\$20.00).

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

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

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



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



544 control over the physical location of such place by the placing of  
545 a written notice clearly readable at a distance of not less than  
546 ten (10) feet that the "carrying of a pistol or revolver is  
547 prohibited \* \* \*" or authorizing a policy with the same effect.  
548 No license issued pursuant to this section shall authorize the  
549 participants in a parade or demonstration for which a permit is  
550 required to carry a stun gun, concealed pistol or revolver.

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

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

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



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

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

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

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

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

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





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

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

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

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



619 States Department of Veterans Affairs indicating a  
620 service-connected disability, which shall be sufficient proof of  
621 such service-connected disability.

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

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

633 7-5-59. (1) The following terms shall have the meanings  
634 ascribed to them herein unless the context requires otherwise:

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

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

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

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



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

646 (iv) Section 97-9-10, which relates to commercial  
647 bribery.

648 (v) Section 97-45-3, which relates to computer  
649 fraud.

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

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

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

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

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

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

664 (xii) Sections 97-11-11, 97-11-13 and 97-11-53,  
665 which relate to acceptance of bribes by public officials and  
666 bribery of public officials.

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



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

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

673 (c) "White-collar crime investigations" means an  
674 investigation into any illegal act or acts defined as white-collar  
675 crime.

676 (d) "Computer crimes investigations" means an  
677 investigation into any illegal act or acts defined as computer  
678 crime.

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

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

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



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

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

717 "SUBPOENA TO PRODUCE DOCUMENTS PURSUANT TO AN  
718 INVESTIGATION BY THE ATTORNEY GENERAL



719 TO:

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

725 Place \_\_\_\_\_ Date and Time \_\_\_\_\_

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

728 \_\_\_\_\_

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

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



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

746 ISSUED BY AND UNDER SEAL OF THE ATTORNEY GENERAL OF THE STATE  
747 OF MISSISSIPPI, this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

748 (SEAL) \_\_\_\_\_"

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

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

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

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



769 section by concealing or destroying any documents, papers or other  
770 tangible evidence which are relevant to an investigation under  
771 this section shall be guilty of a felony and, upon conviction,  
772 shall be punished by a fine of not more than Five Thousand Dollars  
773 (\$5,000.00) or by imprisonment for not more than five (5) years,  
774 or by both such fine and imprisonment.

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

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

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





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

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

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

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

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

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



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

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



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

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

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

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

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



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

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



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

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

901 (d) (i) No less than ninety (90) days prior to the  
902 expiration date of a permit, the Department of Public Safety shall  
903 mail to the permit holder written notice of expiration together  
904 with the renewal form prescribed by the department. The permit  
905 holder shall renew the permit on or before the expiration date by  
906 filing with the department the renewal form, a notarized affidavit  
907 stating that the permit holder remains qualified, and the renewal  
908 fee of Fifty Dollars (\$50.00); honorably retired law enforcement  
909 officers shall be exempt from payment of the renewal fee. A  
910 permit holder who fails to file a renewal application on or before  
911 its expiration date shall pay a late fee of Fifteen Dollars  
912 (\$15.00).

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

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



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

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



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



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

985 For purposes of this subsection (2), the following words  
986 shall have the meanings described herein, unless the context  
987 otherwise requires:

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

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





994 judge's chamber, office housing the judge's staff, or similar  
995 room. "Courtroom" shall not mean hallways, courtroom entrances,  
996 courthouse grounds, lobbies, corridors, or other areas within a  
997 courthouse which are generally open to the public for the  
998 transaction of business outside of an active judicial proceeding,  
999 the grassed areas, cultivated flower beds, sidewalks, parking  
1000 lots, or other areas contained within the boundaries of the public  
1001 land upon which the courthouse is located.

1002 (3) It shall not be a violation of this or any other statute  
1003 for pistols, firearms or other suitable and appropriate weapons,  
1004 to be carried by any out-of-state, full-time commissioned law  
1005 enforcement officer who holds a valid commission card from the  
1006 appropriate out-of-state law enforcement agency and a photo  
1007 identification. The provisions of this subsection shall only  
1008 apply if the state where the out-of-state officer is employed has  
1009 entered into a reciprocity agreement with the state that allows  
1010 full-time commissioned law enforcement officers in Mississippi to  
1011 lawfully carry or possess a weapon in such other states. The  
1012 Commissioner of Public Safety is authorized to enter into  
1013 reciprocal agreements with other states to carry out the  
1014 provisions of this subsection.

1015 **SECTION 6.** Section 97-37-5, Mississippi Code of 1972, is  
1016 amended as follows:

1017 97-37-5. (1) It shall be unlawful for any person who has  
1018 been convicted of a felony under the laws of this state, any other



1019 state, or of the United States to possess any firearm or any bowie  
1020 knife, dirk knife, butcher knife, switchblade knife, metallic  
1021 knuckles, blackjack, or any muffler or silencer for any firearm  
1022 unless such person has received a pardon for such felony, has  
1023 received a relief from disability pursuant to Section 925(c) of  
1024 Title 18 of the United States Code, or has received a certificate  
1025 of rehabilitation pursuant to subsection (3) of this section.

1026 (2) Any person violating this section shall be guilty of a  
1027 felony and, upon conviction thereof, shall be fined not more than  
1028 Five Thousand Dollars (\$5,000.00), or committed to the custody of  
1029 the State Department of Corrections for not less than one (1) year  
1030 nor more than ten (10) years, or both.

1031 (3) A person who has been convicted of a federal crime or a  
1032 felony under the laws of this state or any other state may apply  
1033 to the court in which he was convicted or in the court of the  
1034 person's residence if the person was convicted out of state or of  
1035 a federal crime for a certificate of rehabilitation. A person who  
1036 has been convicted of a federal crime or a felony in another state  
1037 shall attach a certified copy of his or her judgment and a  
1038 certified copy of his or her completion of sentence to the  
1039 petition for a certificate of rehabilitation. The court may grant  
1040 such certificate in its discretion upon a showing to the  
1041 satisfaction of the court that the applicant has been  
1042 rehabilitated and has led a useful, productive and law-abiding  
1043 life since the completion of his sentence and upon the finding of



1044 the court that he will not be likely to act in a manner dangerous  
1045 to public safety.

1046 (4) (a) A person who is discharged from court-ordered  
1047 mental health treatment may petition the court which entered the  
1048 commitment order for an order stating that the person qualifies  
1049 for relief from a firearms disability.

1050 (b) In determining whether to grant relief, the court  
1051 must hear and consider evidence about:

1052 (i) The circumstances that led to imposition of  
1053 the firearms disability under 18 \* \* \* USCS, Section 922(d)(4);

1054 (ii) The person's mental history;

1055 (iii) The person's criminal history; and

1056 (iv) The person's reputation.

1057 (c) A court may not grant relief unless it makes and  
1058 enters in the record the following affirmative findings:

1059 (i) That the person is no longer likely to act in  
1060 a manner dangerous to public safety; and

1061 (ii) Removing the person's disability to purchase  
1062 a firearm is not against the public interest.

1063 **SECTION 7.** This act shall take effect and be in force from  
1064 and after July 1, 2021, and shall stand repealed on June 30, 2021.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

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; TO AMEND SECTION  
14 97-37-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A CERTIFICATE OF  
15 REHABILITATION FOR ANY PERSON CONVICTED OF A FEDERAL CRIME OR A  
16 FELONY OUT OF STATE; AND FOR RELATED PURPOSES.

