

By: Representative Young

To: Judiciary B

HOUSE BILL NO. 1164

1 AN ACT TO AMEND SECTIONS 97-37-7 AND 45-9-101, MISSISSIPPI  
2 CODE OF 1972, TO REVISE FIREARMS PERMITTING PROCEDURES BY  
3 REQUIRING STATE OR LOCAL GOVERNING AUTHORITIES TO PROVIDE FIREARMS  
4 TRAINING; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 97-37-7, Mississippi Code of 1972, is  
7 amended as follows:

8 97-37-7. (1) (a) It shall not be a violation of Section  
9 97-37-1 or any other statute for pistols, firearms or other  
10 suitable and appropriate weapons to be carried by duly constituted  
11 bank guards, company guards, watchmen, railroad special agents or  
12 duly authorized representatives who are not sworn law enforcement  
13 officers, agents or employees of a patrol service, guard service,  
14 or a company engaged in the business of transporting money,  
15 securities or other valuables, while actually engaged in the  
16 performance of their duties as such, provided that such persons  
17 have made a written application and paid a nonrefundable permit  
18 fee of One Hundred Dollars (\$100.00) to the Department of Public  
19 Safety.



20 (b) No permit shall be issued to any person who has  
21 ever been convicted of a felony under the laws of this or any  
22 other state or of the United States. To determine an applicant's  
23 eligibility for a permit, the person shall be fingerprinted. If  
24 no disqualifying record is identified at the state level, the  
25 fingerprints shall be forwarded by the Department of Public Safety  
26 to the Federal Bureau of Investigation for a national criminal  
27 history record check. The department shall charge a fee which  
28 includes the amounts required by the Federal Bureau of  
29 Investigation and the department for the national and state  
30 criminal history record checks and any necessary costs incurred by  
31 the department for the handling and administration of the criminal  
32 history background checks. In the event a legible set of  
33 fingerprints, as determined by the Department of Public Safety and  
34 the Federal Bureau of Investigation, cannot be obtained after a  
35 minimum of three (3) attempts, the Department of Public Safety  
36 shall determine eligibility based upon a name check by the  
37 Mississippi Highway Safety Patrol and a Federal Bureau of  
38 Investigation name check conducted by the Mississippi Highway  
39 Safety Patrol at the request of the Department of Public Safety.

40 (c) A person may obtain a duplicate of a lost or  
41 destroyed permit upon payment of a Fifteen Dollar (\$15.00)  
42 replacement fee to the Department of Public Safety, if he  
43 furnishes a notarized statement to the department that the permit  
44 has been lost or destroyed.



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

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

(iii) A permit cannot be renewed six (6) months or more after its expiration date, and such permit shall be deemed to be permanently expired; the holder may reapply for an original permit as provided in this section.

(2) It shall not be a violation of this or any other statute for pistols, firearms or other suitable and appropriate weapons to be carried by Department of Wildlife, Fisheries and Parks law enforcement officers, railroad special agents who are sworn law enforcement officers, investigators employed by the Attorney



70 General, criminal investigators employed by the district  
71 attorneys, all prosecutors, public defenders, investigators or  
72 probation officers employed by the Department of Corrections,  
73 employees of the State Auditor who are authorized by the State  
74 Auditor to perform investigative functions, or any deputy fire  
75 marshal or investigator employed by the State Fire Marshal, while  
76 engaged in the performance of their duties as such, or by fraud  
77 investigators with the Department of Human Services, or by judges  
78 of the Mississippi Supreme Court, Court of Appeals, circuit,  
79 chancery, county, justice and municipal courts, or by coroners.  
80 Before any person shall be authorized under this subsection to  
81 carry a weapon, he shall complete a weapons training course  
82 approved by the Board of Law Enforcement Officer Standards and  
83 Training. Before any criminal investigator employed by a district  
84 attorney shall be authorized under this section to carry a pistol,  
85 firearm or other weapon, he shall have complied with Section  
86 45-6-11 or any training program required for employment as an  
87 agent of the Federal Bureau of Investigation. A law enforcement  
88 officer, as defined in Section 45-6-3, shall be authorized to  
89 carry weapons in courthouses in performance of his official  
90 duties. A person licensed under Section 45-9-101 to carry a  
91 concealed pistol, who (a) has voluntarily completed an  
92 instructional course in the safe handling and use of firearms  
93 offered by an instructor certified by a state or local governing  
94 authority or nationally recognized organization that customarily



95 offers firearms training, or by any other organization approved by  
96 the Department of Public Safety, (b) is a member or veteran of any  
97 active or reserve component branch of the United States of America  
98 Armed Forces having completed law enforcement or combat training  
99 with pistols or other handguns as recognized by such branch after  
100 submitting an affidavit attesting to have read, understand and  
101 agree to comply with all provisions of the enhanced carry law, or  
102 (c) is an honorably retired law enforcement officer or honorably  
103 retired member or veteran of any active or reserve component  
104 branch of the United States of America Armed Forces having  
105 completed law enforcement or combat training with pistols or other  
106 handguns, after submitting an affidavit attesting to have read,  
107 understand and agree to comply with all provisions of Mississippi  
108 enhanced carry law shall also be authorized to carry weapons in  
109 courthouses except in courtrooms during a judicial proceeding, and  
110 any location listed in subsection (13) of Section 45-9-101, except  
111 any place of nuisance as defined in Section 95-3-1, any police,  
112 sheriff or highway patrol station or any detention facility,  
113 prison or jail. For the purposes of this subsection (2),  
114 component branch of the United States Armed Forces includes the  
115 Army, Navy, Air Force, Coast Guard or Marine Corps, or the Army  
116 National Guard, the Army National Guard of the United States, the  
117 Air National Guard or the Air National Guard of the United States,  
118 as those terms are defined in Section 101, Title 10, United States  
119 Code, and any other reserve component of the United States Armed



Forces enumerated in Section 10101, Title 10, United States Code. The department shall promulgate rules and regulations allowing concealed pistol permit holders to obtain an endorsement on their permit indicating that they have completed the aforementioned course and have the authority to carry in these locations. This section shall in no way interfere with the right of a trial judge to restrict the carrying of firearms in the courtroom.

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

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

(ii) "Courtroom" means the actual room in which a judicial proceeding occurs, including any jury room, witness room, judge's chamber, office housing the judge's staff, or similar room. "Courtroom" shall not mean hallways, courtroom entrances, courthouse grounds, lobbies, corridors, or other areas within a courthouse which are generally open to the public for the transaction of business outside of an active judicial proceeding, the grassed areas, cultivated flower beds, sidewalks, parking lots, or other areas contained within the boundaries of the public land upon which the courthouse is located.



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

**SECTION 2.** Section 45-9-101, Mississippi Code of 1972, is amended as follows:

45-9-101. (1) (a) Except as otherwise provided, the Department of Public Safety is authorized to issue licenses to carry stun guns, concealed pistols or revolvers to persons qualified as provided in this section. Such licenses shall be valid throughout the state for a period of five (5) years from the date of issuance, except as provided in subsection (25) of this section. Any person possessing a valid license issued pursuant to this section may carry a stun gun, concealed pistol or concealed revolver.



(b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

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

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, is the spouse of a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

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

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

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

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





or a valid and current tribal identification card issued by a federally recognized Indian tribe containing a photograph of the holder;

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

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

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

(f) Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or



218 involuntarily committed as an alcoholic to a treatment facility or  
219 has been convicted of two (2) or more offenses related to the use  
220 of alcohol under the laws of this state or similar laws of any  
221 other state or the United States within the three-year period  
222 immediately preceding the date on which the application is  
223 submitted;

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

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

229 (i) Has not been voluntarily or involuntarily committed  
230 to a mental institution or mental health treatment facility unless  
231 he possesses a certificate from a psychiatrist licensed in this  
232 state that he has not suffered from disability for a period of  
233 five (5) years;

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

238 (k) Is not a fugitive from justice; \* \* \*

239 (l) Is not disqualified to possess a weapon based on  
240 federal law \* \* \*;



241           (m) Received basic firearms training from a state or  
242 local governing authority that is approved by the Department of  
243 Public Safety.

244           (3) The Department of Public Safety may deny a license if  
245 the applicant has been found guilty of one or more crimes of  
246 violence constituting a misdemeanor unless three (3) years have  
247 elapsed since probation or any other conditions set by the court  
248 have been fulfilled or expunction has occurred prior to the date  
249 on which the application is submitted, or may revoke a license if  
250 the licensee has been found guilty of one or more crimes of  
251 violence within the preceding three (3) years. The department  
252 shall, upon notification by a law enforcement agency or a court  
253 and subsequent written verification, suspend a license or the  
254 processing of an application for a license if the licensee or  
255 applicant is arrested or formally charged with a crime which would  
256 disqualify such person from having a license under this section,  
257 until final disposition of the case. The provisions of subsection  
258 (7) of this section shall apply to any suspension or revocation of  
259 a license pursuant to the provisions of this section.

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

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



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

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

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

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

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

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

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

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

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



290 (c) A nonrefundable license fee of Eighty Dollars  
291 (\$80.00). Costs for processing the set of fingerprints as  
292 required in paragraph (d) of this subsection shall be borne by the  
293 applicant. Honorably retired law enforcement officers, disabled  
294 veterans and active duty members of the Armed Forces of the United  
295 States, and law enforcement officers employed with a law  
296 enforcement agency of a municipality, county or state at the time  
297 of application for the license, shall be exempt from the payment  
298 of the license fee;

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

301 (e) A waiver authorizing the Department of Public  
302 Safety access to any records concerning commitments of the  
303 applicant to any of the treatment facilities or institutions  
304 referred to in subsection (2) of this section and permitting  
305 access to all the applicant's criminal records.

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

310 (b) The Department of Public Safety shall forward a  
311 copy of the applicant's application to the sheriff of the  
312 applicant's county of residence and, if applicable, the police  
313 chief of the applicant's municipality of residence. The sheriff  
314 of the applicant's county of residence, and, if applicable, the



315 police chief of the applicant's municipality of residence may, at  
316 his discretion, participate in the process by submitting a  
317 voluntary report to the Department of Public Safety containing any  
318 readily discoverable prior information that he feels may be  
319 pertinent to the licensing of any applicant. The reporting shall  
320 be made within thirty (30) days after the date he receives the  
321 copy of the application. Upon receipt of a response from a  
322 sheriff or police chief, such sheriff or police chief shall be  
323 reimbursed at a rate set by the department.

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

327 (i) Issue the license;

328 (ii) Deny the application based solely on the  
329 ground that the applicant fails to qualify under the criteria  
330 listed in subsections (2) and (3) of this section. If the  
331 Department of Public Safety denies the application, it shall  
332 notify the applicant in writing, stating the ground for denial,  
333 and the denial shall be subject to the appeal process set forth in  
334 subsection (7); or

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



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

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

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



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

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

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





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

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

400           (12) (a) Except as provided in subsection (25) of this  
401 section, no less than ninety (90) days prior to the expiration  
402 date of the license, the Department of Public Safety shall mail to  
403 each licensee a written notice of the expiration and a renewal  
404 form prescribed by the department. The licensee must renew his  
405 license on or before the expiration date by filing with the  
406 department the renewal form, a notarized affidavit stating that  
407 the licensee remains qualified pursuant to the criteria specified  
408 in subsections (2) and (3) of this section, and a full set of  
409 fingerprints administered by the Department of Public Safety or  
410 the sheriff of the county of residence of the licensee. The first  
411 renewal may be processed by mail and the subsequent renewal must  
412 be made in person. Thereafter every other renewal may be  
413 processed by mail to assure that the applicant must appear in



person every ten (10) years for the purpose of obtaining a new photograph.

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

(ii) Honorably retired law enforcement officers, disabled veterans, active duty members of the Armed Forces of the United States and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of renewal, shall be exempt from the renewal fee; and

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

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

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to



subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person, except a law enforcement officer as defined in Section 45-6-3 with a distinct license authorized by the Department of Public Safety, to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section 95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any



464 airport, except that no person shall be prohibited from carrying  
465 any legal firearm into the terminal if the firearm is encased for  
466 shipment, for purposes of checking such firearm as baggage to be  
467 lawfully transported on any aircraft; any church or other place of  
468 worship, except as provided in Section 45-9-171; or any place  
469 where the carrying of firearms is prohibited by federal law. In  
470 addition to the places enumerated in this subsection, the carrying  
471 of a stun gun, concealed pistol or revolver may be disallowed in  
472 any place in the discretion of the person or entity exercising  
473 control over the physical location of such place by the placing of  
474 a written notice clearly readable at a distance of not less than  
475 ten (10) feet that the "carrying of a pistol or revolver is  
476 prohibited." No license issued pursuant to this section shall  
477 authorize the participants in a parade or demonstration for which  
478 a permit is required to carry a stun gun, concealed pistol or  
479 revolver.

480 (14) A law enforcement officer as defined in Section 45-6-3,  
481 chiefs of police, sheriffs and persons licensed as professional  
482 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of  
483 1972, shall be exempt from the licensing requirements of this  
484 section.

485 (a) The Commissioner of Public Safety shall promulgate  
486 rules and regulations to provide licenses to law enforcement  
487 officers as defined in Section 45-6-3 who choose to obtain a  
488 license under the provisions of this section, which shall include



489 a distinction that the officer is an "active duty" law enforcement  
490 officer and an endorsement that such officer is authorized to  
491 carry in the locations listed in subsection (13). A law  
492 enforcement officer shall provide the following information to  
493 receive the license described in this subsection: (i) a letter,  
494 with the official letterhead of the agency or department for which  
495 the officer is employed at the time of application and (ii) a  
496 letter with the official letterhead of the agency or department,  
497 which explains that such officer has completed a certified law  
498 enforcement training academy.

499 (b) The licensing requirements of this section do not  
500 apply to the carrying by any person of a stun gun, pistol or  
501 revolver, knife, or other deadly weapon that is not concealed as  
502 defined in Section 97-37-1.

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

509 (16) All fees collected by the Department of Public Safety  
510 pursuant to this section shall be deposited into a special fund  
511 hereby created in the State Treasury and shall be used for  
512 implementation and administration of this section. After the  
513 close of each fiscal year, the balance in this fund shall be



certified to the Legislature and then may be used by the  
Department of Public Safety as directed by the Legislature.

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

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

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

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

(21) For the purposes of this section, the term "stun gun"  
means a portable device or weapon from which an electric current,  
impulse, wave or beam may be directed, which current, impulse,



wave or beam is designed to incapacitate temporarily, injure, momentarily stun, knock out, cause mental disorientation or paralyze.

(22) (a) From and after January 1, 2016, the Commissioner of Public Safety shall promulgate rules and regulations which provide that licenses authorized by this section for honorably retired law enforcement officers and honorably retired correctional officers from the Mississippi Department of Corrections shall (i) include the words "retired law enforcement officer" on the front of the license, and (ii) unless the licensee chooses to have this license combined with a driver's license or identification card under subsection (25) of this section, that the license itself have a red background to distinguish it from other licenses issued under this section.

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

(23) A disabled veteran who seeks to qualify for an exemption under this section shall be required to provide a



veterans health services identification card issued by the United States Department of Veterans Affairs indicating a service-connected disability, which shall be sufficient proof of such service-connected disability.

(24) A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a sheath, belt holster or shoulder holster or in a purse, handbag, satchel, other similar bag or briefcase or fully enclosed case if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section. However, the medical use of medical cannabis by a cardholder who is a registered qualifying patient which is lawful under the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not disqualify a person under this subsection (24) solely because the person is prohibited from possessing a firearm under 18 USCS Section 922(g)(3) due to such medical use of medical cannabis.

(25) An applicant for a license under this section shall have the option of, instead of being issued a separate card for the license, having the license appear as a notation on the individual's driver's license or identification card. If the applicant chooses this option, the license issued under this





589 section shall have the same expiration date as the driver's  
590 license or identification card, and renewal shall take place at  
591 the same time and place as renewal of the driver's license or  
592 identification card. The Commissioner of Public Safety shall have  
593 the authority to promulgate rules and regulations which may be  
594 necessary to ensure the effectiveness of the concurrent  
595 application and renewal processes.

596       **SECTION 3.** This act shall take effect and be in force from  
597 and after July 1, 2023.

