

By: Senator(s) England

To: Judiciary, Division B

SENATE BILL NO. 2245

1 AN ACT TO AMEND SECTION 97-37-3, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE LAW ENFORCEMENT TO PURCHASE EQUIPMENT WITH THE PROCEEDS  
3 OF THE SALE OF FORFEITED WEAPONS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-37-3, Mississippi Code of 1972, is  
6 amended as follows:

7 97-37-3. (1) Any weapon used in violation of Section  
8 97-37-1, or used in the commission of any other crime, shall be  
9 seized by the arresting officer, may be introduced in evidence,  
10 and in the event of a conviction, shall be ordered to be  
11 forfeited, and shall be disposed of as ordered by the court having  
12 jurisdiction of such offense. In the event of dismissal or  
13 acquittal of charges, such weapon shall be returned to the accused  
14 from whom it was seized.

15 (2) (a) If the weapon to be forfeited is merchantable, the  
16 court may order the weapon forfeited to the seizing law  
17 enforcement agency.



18                   (b) A weapon so forfeited to a law enforcement agency  
19 may be sold at auction as provided by Sections 19-3-85 and  
20 21-39-21 to a federally-licensed firearms dealer, with the  
21 proceeds from such sale at auction to be used to buy \* \* \*  
22 equipment for the seizing law enforcement agency.

23                   **SECTION 2.** This act shall take effect and be in force from  
24 and after July 1, 2023.

