

By: Senator(s) Carter

To: Judiciary, Division B

SENATE BILL NO. 2197

1 AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE EMPLOYEES OF THE SECRETARY OF STATE WHO ARE AUTHORIZED
3 BY THE SECRETARY OF STATE TO PERFORM INVESTIGATIVE OR REGULATORY
4 FUNCTIONS TO CARRY FIREARMS; 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.



45 (d) (i) No less than ninety (90) days prior to the
46 expiration date of a permit, the Department of Public Safety shall
47 mail to the permit holder written notice of expiration together
48 with the renewal form prescribed by the department. The permit
49 holder shall renew the permit on or before the expiration date by
50 filing with the department the renewal form, a notarized affidavit
51 stating that the permit holder remains qualified, and the renewal
52 fee of Fifty Dollars (\$50.00); honorably retired law enforcement
53 officers shall be exempt from payment of the renewal fee. A
54 permit holder who fails to file a renewal application on or before
55 its expiration date shall pay a late fee of Fifteen Dollars
56 (\$15.00).

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

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

65 (2) It shall not be a violation of this or any other statute
66 for pistols, firearms or other suitable and appropriate weapons to
67 be carried by Department of Wildlife, Fisheries and Parks law
68 enforcement officers, employees of the Secretary of State who are
69 authorized by the Secretary of State to perform investigative or



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



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



120 as those terms are defined in Section 101, Title 10, United States
121 Code, and any other reserve component of the United States Armed
122 Forces enumerated in Section 10101, Title 10, United States Code.
123 The department shall promulgate rules and regulations allowing
124 concealed pistol permit holders to obtain an endorsement on their
125 permit indicating that they have completed the aforementioned
126 course and have the authority to carry in these locations. This
127 section shall in no way interfere with the right of a trial judge
128 to restrict the carrying of firearms in the courtroom.

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

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

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



144 lots, or other areas contained within the boundaries of the public
145 land upon which the courthouse is located.

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

159 **SECTION 2.** This act shall take effect and be in force from
160 and after July 1, 2024.

