

By: Senator(s) Younger, Norwood

To: Judiciary, Division B

SENATE BILL NO. 2432

1 AN ACT TO CRIMINALIZE THE DISCHARGE OF A FIREARM WITHIN OR  
2 INTO THE LIMITS OF ANY MUNICIPALITY; TO PROVIDE THAT A PERSON  
3 CONVICTED OF DISCHARGING A FIREARM WITHIN OR INTO THE LIMITS OF  
4 ANY MUNICIPALITY MAY BE SENTENCED TO A TERM OF IMPRISONMENT UNDER  
5 CERTAIN CIRCUMSTANCES; TO PROVIDE FOR A CIVIL PENALTY IMPOSED BY  
6 THE MUNICIPALITY IN CERTAIN CIRCUMSTANCES; TO PROVIDE EXCEPTIONS  
7 TO THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** (1) (a) A person who with criminal negligence  
10 discharges a firearm within or into the limits of any municipality  
11 is guilty of a felony. Upon conviction, the defendant shall be  
12 fined up to One Thousand Dollars (\$1,000.00) or imprisoned for a  
13 term of years not exceeding two (2) years, or both.

14 (b) Under this subsection (1), if a person is convicted  
15 of a felony and if the court, either upon acceptance of a  
16 prosecutor's recommendation or having regard to the nature and  
17 circumstances of the crime and to the history and character of the  
18 defendant, is of the opinion that it would be unduly harsh to  
19 sentence the defendant for a felony, the court may enter judgment  
20 of conviction for a misdemeanor or may place the defendant on



21 probation in accordance with Title 47, Chapter 7, Mississippi Code  
22 of 1972, and refrain from designating the offense as a felony or  
23 misdemeanor until the probation is terminated. The offense shall  
24 be treated as a felony for all purposes until such time as the  
25 court may actually enter an order designating the offense a  
26 misdemeanor. This paragraph (b) does not apply to any person who  
27 stands convicted of a felony under this subsection (1) and who has  
28 previously been convicted of two (2) or more felonies. Upon  
29 sentencing as a misdemeanor under this paragraph (b), the court  
30 may fine the defendant up to Five Hundred Dollars (\$500.00) or  
31 imprison the defendant for a term of six (6) months in the county  
32 jail, or both.

33 (c) The governing authority of a municipality may impose a  
34 civil penalty of Ten Thousand Dollars (\$10,000.00) if a bullet  
35 discharged in violation of this section causes damage to any  
36 building or structure affixed to real property.

37 (2) This section does not apply if the firearm is  
38 discharged:

39 (a) As allowed pursuant to Section 97-3-15;

40 (b) On a properly supervised range;

41 (c) To lawfully take wildlife as provided for in Title  
42 49, Chapter 7, Mississippi Code of 1972, and in the rules and  
43 regulations of the Mississippi Department of Wildlife, Fisheries,  
44 and Parks. This paragraph (c) does not prevent a city, town or  
45 county from adopting an ordinance or rule restricting the



46 discharge of a firearm within one-fourth (1/4) mile of an occupied  
47 structure without the consent of the owner or occupant of the  
48 structure;

49 (d) For the control of nuisance wildlife by permit from  
50 the Mississippi Department of Wildlife, Fisheries, and Parks or  
51 the United States Fish and Wildlife Service;

52 (e) By special permit of the chief of police of the  
53 municipality;

54 (f) As required by an animal control officer in the  
55 performance of his or her duties;

56 (g) Using blanks;

57 (h) More than one (1) mile from any occupied structure;  
58 or

59 (i) In self-defense or defense of another person  
60 against an animal attack if a reasonable person would believe that  
61 deadly physical force against the animal is immediately necessary  
62 and reasonable under the circumstances to protect oneself or the  
63 other person.

64 (3) For the purposes of this section:

65 (a) "Municipality" means any city or town and includes  
66 any property that is fully enclosed within the city or town.

67 (b) "Properly supervised range" means a range that is  
68 any of the following:

69 (i) Operated by a club affiliated with the  
70 National Rifle Association of America, the Amateur Trapshooting



71 Association, the National Skeet Shooting Association or any other  
72 nationally recognized shooting organization or by any public or  
73 private school;

74 (ii) Approved by any agency of the federal  
75 government, this state or a county or city within which the range  
76 is located; or

77 (iii) Operated with adult supervision for shooting  
78 air or carbon dioxide gas operated guns or for shooting in  
79 underground ranges on private or public property.

80 (c) "Occupied structure" means any building, object,  
81 vehicle, watercraft, aircraft or place with sides and a floor that  
82 is separately securable from any other structure attached to it,  
83 that is used for lodging, business, transportation, recreation or  
84 storage and in which one or more human beings either are or are  
85 likely to be present or so near as to be in equivalent danger at  
86 the time the discharge of a firearm occurs. Occupied structure  
87 includes any dwelling house, whether occupied, unoccupied or  
88 vacant.

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

