

By: Senator(s) Seymour

To: Wildlife, Fisheries and
Parks; Judiciary, Division B

SENATE BILL NO. 2641

1 AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC
3 ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD IN ORDER TO COMPLY WITH
4 SECTION 12 OF THE MISSISSIPPI CONSTITUTION AND THE SECOND
5 AMENDMENT TO THE UNITED STATES CONSTITUTION AS INTERPRETED BY THE
6 UNITED STATES SUPREME COURT IN *DISTRICT OF COLUMBIA V. HELLER*, 554
7 U.S. 570 (2008), AND *NEW YORK RIFLE & PISTOL ASSOCIATION, INC. V.*
8 *BRUEN*, 597 U.S. 1 (2022); AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 97-15-13, Mississippi Code of 1972, is
11 amended as follows:

12 97-15-13. (1) * * * For purposes of this section, the
13 following terms shall have the meanings ascribed to them herein:

14 (a) "Right-of-way" means that part of a street, public
15 road, public highway, levee or railroad maintained by a city,
16 county, levee board, state or federal entity or railroad
17 corporation and including that portion up to the adjacent property
18 line or fence line.

19 * * *

20 (* * * b) "Firearm" means any firearm * * *.

21 * * *



22 (* * *2) If any person * * * discharges or attempts to
23 discharge any firearm in, on or across any street, public road,
24 public highway, levee, railroad or the right-of-way thereof, such
25 person is guilty of a misdemeanor and, upon conviction, shall be
26 punished by a fine not less than One Hundred Dollars (\$100.00) nor
27 more than Five Hundred Dollars (\$500.00) or by imprisonment in the
28 county jail for not less than sixty (60) days nor more than six
29 (6) months, or by both such fine and imprisonment. This
30 subsection shall not apply to any law enforcement officer while in
31 the performance of his official duty or to any person engaged in a
32 lawful action of self-defense or protection of his property or
33 livestock. It shall not be a violation of this section to
34 lawfully be in possession of a firearm in a motor vehicle, or to
35 ingress or egress from a motor vehicle parked on a right-of-way to
36 lawfully access a site off the right-of-way or return from a
37 lawfully accessed site off the right-of-way.

38 (* * *3) If any person shall willfully shoot any firearms
39 or hurl any missile at any street, highway or railroad traffic
40 light; street, highway or railroad marker or other sign for the
41 regulation or designation of street, highway or railroad travel,
42 such person, upon conviction, shall be fined not less than One
43 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars
44 (\$500.00), or be imprisoned not longer than thirty (30) days in
45 the county jail, or both.



46 (* * *4) It shall be the duty of all sheriffs, deputy
47 sheriffs, constables, conservation officers and peace officers of
48 this state to enforce the provisions of this section.

49 (* * *5) If any subsection, paragraph, sentence, clause,
50 phrase or any part of this section is hereafter declared to be
51 unconstitutional or void, or if for any reason is declared to be
52 invalid or of no effect, the remaining subsections, paragraphs,
53 sentences, clauses, phrases or parts thereof shall be in no manner
54 affected thereby but shall remain in full force and effect.

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

