

By: Representatives Owen, Hale

To: Judiciary B

HOUSE BILL NO. 1340

1 AN ACT TO AMEND SECTION 97-37-39, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE AN AFFIRMATIVE DEFENSE TO A VIOLATION FOR MACHINE GUN
3 CONVERSION; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-37-39, Mississippi Code of 1972, is
6 amended as follows:

7 97-37-39. (1) (a) Any person who manufactures, possesses,
8 or uses a machine gun conversion device * * * shall be guilty of a
9 felony.

10 (b) For purposes of this section, the following terms
11 shall have the meanings described herein:

12 (i) "Machine gun conversion" means a device that
13 is designed, made and intended to convert a semi-automatic firearm
14 into a machine gun. The term "machine gun conversion" does not
15 include any semi-automatic firearm or any device designed only to
16 aid the operator of a semi-automatic firearm to discharge the
17 firearm more accurately or to pull the trigger more quickly as



18 long as the operator must still function the trigger of the
19 firearm for each shot fired.

20 (ii) Machine gun means any weapon which shoots, is
21 designed to shoot, or can be readily restored to shoot,
22 automatically more than one (1) shot without manual reloading, by
23 a single function of the trigger.

24 (2) (a) Any person convicted of a first offense in
25 violation of this act shall be guilty of a felony, and shall be
26 sentenced to imprisonment for a term of not more than ten (10)
27 years, fined not more than Ten Thousand Dollars (\$10,000.00), or
28 both.

29 (b) It shall be an affirmative defense for a violation
30 of this section that the person is otherwise authorized by federal
31 law to manufacture, possess or use a machine gun conversion
32 device.

33 (3) A person convicted of a second or subsequent offense
34 shall be charged with a felony under this act and shall be
35 sentenced to imprisonment for a term of not more than fifteen (15)
36 years, fined not more than Twenty Thousand Dollars (\$20,000.00),
37 or both.

38 (4) This section shall be known as the "Jeremy Todd Malone
39 Law."

40 **SECTION 2.** This act shall take effect and be in force from
41 and after July 1, 2025.

