

By: Representative Fleming

To: Judiciary B

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 32

1 AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO
2 CLARIFY RECIPROCITY ALLOWING LAW ENFORCEMENT OFFICERS TO CARRY
3 WEAPONS IN OTHER STATES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-37-7, Mississippi Code of 1972, is
6 amended as follows:

7 97-37-7. (1) It shall not be a violation of Section 97-37-1
8 or any other statute for pistols, firearms or other suitable and
9 appropriate weapons to be carried by duly constituted bank guards,
10 company guards, watchmen, railroad special agents or duly
11 authorized representatives, agents or employees of a patrol
12 service, guard service, or a company engaged in the business of
13 transporting money, securities or other valuables, while actually
14 engaged in the performance of their duties as such, provided that
15 such persons are under bond in a sum of not less than One Thousand
16 Dollars (\$1,000.00) for the lawful and faithful performance of
17 their duties, the cost of which bond shall be paid by the employer
18 of such persons; and further provided that such persons have first
19 made written application and obtained an annual permit so to do
20 from the sheriff of the county in which they are employed.

21 Provided, however, that where the duties of any person covered by
22 the provisions of this paragraph may carry him into more than one
23 (1) county, such person may file a bond in the sum of Two Thousand
24 Dollars (\$2,000.00) with the Commissioner of Public Safety, for
25 the lawful and faithful performance of his duties, the cost of the
26 bond shall be paid by the employer of such person, and provided
27 further that such person has first made written application with



28 and obtained a permit so to do from the Commissioner of Public
29 Safety, and said permit shall be valid as a statewide permit. No
30 such permit shall be issued to any person who has ever been
31 convicted of a felony under the laws of this or any other state or
32 of the United States.

33 (2) It shall further not be a violation of this or any other
34 statute for pistols, firearms or other suitable and appropriate
35 weapons to be carried by Department of Wildlife, Fisheries and
36 Parks law enforcement officers, investigators employed by the
37 Attorney General, district attorneys, legal assistants to district
38 attorneys, criminal investigators employed by the district
39 attorneys, investigators or probation officers employed by the
40 Department of Corrections, employees of the State Auditor who are
41 authorized by the State Auditor to perform investigative
42 functions, or any deputy fire marshal or investigator employed by
43 the State Fire Marshal, while engaged in the performance of their
44 duties as such, or by fraud investigators with the Department of
45 Human Services, or by judges of the Mississippi Supreme Court,
46 Court of Appeals, circuit, chancery, county and municipal courts.
47 Before any person shall be authorized under this subsection to
48 carry a weapon, he shall complete a weapons training course
49 approved by the Board of Law Enforcement Officer Standards and
50 Training. Before any criminal investigator employed by a district
51 attorney shall be authorized under this section to carry a pistol,
52 firearm or other weapon, he shall have complied with Section
53 45-6-11 or any training program required for employment as an
54 agent of the Federal Bureau of Investigation. A law enforcement
55 officer, as defined in Section 45-6-3, shall be authorized to
56 carry weapons in courthouses in performance of his official
57 duties. This section shall in no way interfere with the right of
58 a trial judge to restrict the carrying of firearms in the
59 courtroom.



60 (3) It shall not be a violation of this or any other statute
61 for pistols, firearms or other suitable and appropriate weapons,
62 to be carried by any out-of-state, full-time commissioned law
63 enforcement officer who holds a valid commission card from the
64 appropriate out-of-state law enforcement agency and a photo
65 identification. The provisions of this subsection shall only
66 apply if the state where the out-of-state officer is employed has
67 entered into a reciprocity agreement with the state that allows
68 full-time commissioned law enforcement officers, as defined in
69 Section 45-6-3, in Mississippi to lawfully carry or possess a
70 weapon in such other states. The Commissioner of Public Safety is
71 authorized to enter into reciprocal agreements with other states
72 to carry out the provisions of this subsection.

73 **SECTION 2.** This act shall take effect and be in force from
74 and after July 1, 2002.

