

By: Representative Moore (60th)

To: Judiciary B

HOUSE BILL NO. 1509

1 AN ACT TO REPEAL SECTION 45-9-101, MISSISSIPPI CODE OF 1972,
2 WHICH PROVIDES FOR LICENSES TO CARRY CONCEALED WEAPONS; TO REPEAL
3 SECTION 97-37-1, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS
4 CARRYING CONCEALED WEAPONS; TO AMEND SECTION 97-37-7, MISSISSIPPI
5 CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 45-9-101, Mississippi Code of 1972, which
8 provides for licenses to carry concealed weapons, is repealed.

9 **SECTION 2.** Section 97-37-1, Mississippi Code of 1972, which
10 prohibits carrying concealed weapons, is repealed.

11 **SECTION 3.** Section 97-37-7, Mississippi Code of 1972, is
12 amended as follows:

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

27 Provided, however, that where the duties of any person covered by
28 the provisions of this paragraph may carry him into more than one



29 (1) county, such person may file a bond in the sum of Two Thousand
30 Dollars (\$2,000.00) with the Commissioner of Public Safety, for
31 the lawful and faithful performance of his duties, the cost of the
32 bond shall be paid by the employer of such person, and provided
33 further that such person has first made written application with
34 and obtained a permit so to do from the Commissioner of Public
35 Safety, and said permit shall be valid as a statewide permit. No
36 such permit shall be issued to any person who has ever been
37 convicted of a felony under the laws of this or any other state or
38 of the United States.

39 (2) It shall further not be a violation of * * * any other
40 statute for pistols, firearms or other suitable and appropriate
41 weapons to be carried by Department of Wildlife, Fisheries and
42 Parks law enforcement officers, investigators employed by the
43 Attorney General, district attorneys, legal assistants to district
44 attorneys, criminal investigators employed by the district
45 attorneys, investigators or probation officers employed by the
46 Department of Corrections, employees of the State Auditor who are
47 authorized by the State Auditor to perform investigative
48 functions, or any deputy fire marshal or investigator employed by
49 the State Fire Marshal, while engaged in the performance of their
50 duties as such, or by fraud investigators with the Department of
51 Human Services, or by judges of the Mississippi Supreme Court,
52 Court of Appeals, circuit, chancery, county and municipal courts.
53 Before any person shall be authorized under this subsection to
54 carry a weapon, he shall complete a weapons training course
55 approved by the Board of Law Enforcement Officer Standards and
56 Training. Before any criminal investigator employed by a district
57 attorney shall be authorized under this section to carry a pistol,
58 firearm or other weapon, he shall have complied with Section
59 45-6-11 or any training program required for employment as an
60 agent of the Federal Bureau of Investigation. A law enforcement
61 officer, as defined in Section 45-6-3, shall be authorized to



62 carry weapons in courthouses in performance of his official
63 duties. This section shall in no way interfere with the right of
64 a trial judge to restrict the carrying of firearms in the
65 courtroom.

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

79 **SECTION 4.** This act shall take effect and be in force from
80 and after July 1, 2002.

