

By: Senator(s) Johnson (38th)

To: Judiciary

COMMITTEE SUBSTITUTE  
FOR  
SENATE BILL NO. 2523

1 AN ACT TO AMEND SECTION 97-37-13, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT THE SALE OF WEAPONS TO MINORS SHALL BE A FELONY;  
3 TO PROVIDE FOR A FINE AND IMPRISONMENT FOR A VIOLATION OF THIS  
4 ACT; TO AMEND SECTION 97-37-14, MISSISSIPPI CODE OF 1972, TO  
5 PROVIDE PENALTIES FOR MINORS WHO POSSESS WEAPONS ILLEGALLY; AND  
6 FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 97-37-13, Mississippi Code of 1972, is  
9 amended as follows:

10 97-37-13. (1) It shall not be lawful for any person to  
11 sell, give or lend to any \* \* \* person intoxicated, knowing him to  
12 be \* \* \* in a state of intoxication, any deadly weapon, or other  
13 weapon the carrying of which concealed is prohibited, or pistol  
14 cartridge; and, on conviction thereof, he shall be punished by a  
15 fine not more than One Thousand Dollars (\$1,000.00), or imprisoned  
16 in the county jail not exceeding one (1) year, or both.

17 (2) Unless the consent of the parent or guardian of a minor  
18 has been given, it shall be unlawful for any person to sell, give  
19 or lend to a minor, knowing such person to be a minor, any weapon,  
20 the carrying of which concealed is prohibited, or pistol  
21 cartridge; and on conviction thereof, he shall be guilty of a  
22 felony and shall be punished by a fine of not less than One  
23 Thousand Dollars (\$1,000.00) and imprisonment not less than five  
24 (5) years in the State Penitentiary.

25 **SECTION 2.** Section 97-37-14, Mississippi Code of 1972, is  
26 amended as follows:

27 97-37-14. (1) Except as otherwise provided in this section,  
28 it is an act of delinquency for any person who has not attained



29 the age of eighteen (18) years knowingly to have any handgun in  
30 such person's possession.

31 (2) This section shall not apply to:

32 (a) Any person who is:

33 (i) In attendance at a hunter's safety course or a  
34 firearms safety course; or

35 (ii) Engaging in practice in the use of a firearm  
36 or target shooting at an established range authorized by the  
37 governing body of the jurisdiction in which such range is located  
38 or any other area where the discharge of a firearm is not  
39 prohibited; or

40 (iii) Engaging in an organized competition  
41 involving the use of a firearm, or participating in or practicing  
42 for a performance by an organized group under 501(c)(3) as  
43 determined by the federal Internal Revenue Service which uses  
44 firearms as a part of such performance; or

45 (iv) Hunting or trapping pursuant to a valid  
46 license issued to such person by the Department of Wildlife,  
47 Fisheries and Parks or as otherwise allowed by law; or

48 (v) Traveling with any handgun in such person's  
49 possession being unloaded to or from any activity described in  
50 subparagraph (i), (ii), (iii) or (iv) of this paragraph (a) and  
51 paragraph (b).

52 (b) Any person under the age of eighteen (18) years who  
53 is on real property under the control of an adult and who has the  
54 permission of such adult to possess a handgun.

55 (3) This section shall not apply to any person who uses a  
56 handgun or other firearm to lawfully defend himself from imminent  
57 danger at his home or place of domicile and any such person shall  
58 not be held criminally liable for such use of a handgun or other  
59 firearm.

60 (4) For the purposes of this section, "handgun" means a  
61 pistol, revolver or other firearm of any description, loaded or



62 unloaded, from which any shot, bullet or other missile can be  
63 discharged, the length of the barrel of which, not including any  
64 revolving, detachable or magazine breech, is less than sixteen  
65 (16) inches.

66 (5) Any person under the age of eighteen (18) years who  
67 violates this section, upon conviction, shall perform two hundred  
68 (200) hours of community service within one (1) year, shall have  
69 his driver's license suspended for one (1) year and shall be fined  
70 up to Two Hundred Fifty Dollars (\$250.00). For a second or  
71 subsequent offense such person shall have his driver's license  
72 suspended until he reaches the age of eighteen (18) years and  
73 shall pay a fine of Five Hundred Dollars (\$500.00).

74 **SECTION 3.** This act shall take effect and be in force from  
75 and after its passage.

