

By: Representatives Frierson, Moore, Horne

To: Judiciary B

HOUSE BILL NO. 1294

1 AN ACT TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO  
 2 PROVIDE THAT NO COUNTY, MUNICIPALITY OR POLITICAL SUBDIVISION  
 3 THEREOF SHALL ADOPT ANY ORDINANCE, RULE OR REGULATION RESTRICTING  
 4 THE POSSESSION, SALE, PURCHASE, TRANSFER, LICENSING, MANUFACTURE,  
 5 OWNERSHIP OR USE OF A KNIFE, KNIFE MAKING COMPONENTS OR KNIVES IN  
 6 A MANNER MORE RESTRICTIVE THAN PROVIDED BY LAW; TO AMEND SECTION  
 7 45-9-53 AND 45-9-101, MISSISSIPPI CODE OF 1972, IN CONFORMITY  
 8 THERETO; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 45-9-51, Mississippi Code of 1972, is  
 11 amended as follows:

12 45-9-51. (1) Subject to the provisions of Section 45-9-53,  
 13 no county or municipality may adopt any ordinance that restricts  
 14 the possession, carrying, transportation, sale, transfer or  
 15 ownership of firearms or ammunition or their components.

16 (2) No public housing authority operating in this state may  
 17 adopt any rule or regulation restricting a lessee or tenant of a  
 18 dwelling owned and operated by such public housing authority from  
 19 lawfully possessing firearms or ammunition or their components  
 20 within individual dwelling units or the transportation of such



21 firearms or ammunition or their components to and from such  
22 dwelling.

23 (3) (a) No county, municipality or political subdivision  
24 thereof shall adopt any ordinance, rule or regulation restricting  
25 the possession, sale, purchase, transfer, licensing, manufacture,  
26 ownership or use of a knife, knife making components or knives in  
27 a manner that is more restrictive than the provisions of this  
28 chapter.

29 (b) Any conflicting ordinance, rule or regulation  
30 adopted by any county, municipality or political subdivision  
31 thereof, whether enacted before or after July 1, 2016, shall be  
32 repealed and is void.

33 (c) For purposes of this chapter, the term "knife"  
34 means a cutting instrument with a sharpened or pointed blade.

35 **SECTION 2.** Section 45-9-53, Mississippi Code of 1972, is  
36 amended as follows:

37 45-9-53. (1) This section and Section 45-9-51 do not affect  
38 the authority that a county or municipality may have under another  
39 law:

40 (a) To require citizens or public employees to be armed  
41 for personal or national defense, law enforcement, or another  
42 lawful purpose;

43 (b) To regulate the discharge of firearms within the  
44 limits of the county or municipality. A county or municipality  
45 may not apply a regulation relating to the discharge of firearms



46 or other weapons in the extraterritorial jurisdiction of the  
47 county or municipality or in an area annexed by the county or  
48 municipality after September 1, 1981, if the firearm or other  
49 weapon is:

50 (i) A shotgun, air rifle or air pistol, BB gun or  
51 bow and arrow discharged:

52 1. On a tract of land of ten (10) acres or  
53 more and more than one hundred fifty (150) feet from a residence  
54 or occupied building located on another property; and

55 2. In a manner not reasonably expected to  
56 cause a projectile to cross the boundary of the tract; or

57 (ii) A center fire or rimfire rifle or pistol or a  
58 muzzle-loading rifle or pistol of any caliber discharged:

59 1. On a tract of land of fifty (50) acres or  
60 more and more than three hundred (300) feet from a residence or  
61 occupied building located on another property; and

62 2. In a manner not reasonably expected to  
63 cause a projectile to cross the boundary of the tract;

64 (c) To regulate the use of property or location of  
65 businesses for uses therein pursuant to fire code, zoning  
66 ordinances, or land-use regulations, so long as such codes,  
67 ordinances and regulations are not used to circumvent the intent  
68 of Section 45-9-51 or paragraph (e) of this subsection;

69 (d) To regulate the use of firearms in cases of  
70 insurrection, riots and natural disasters in which the city finds



71 such regulation necessary to protect the health and safety of the  
72 public. However, the provisions of this section shall not apply  
73 to the lawful possession of firearms, ammunition or components of  
74 firearms or ammunition;

75 (e) To regulate the storage or transportation of  
76 explosives in order to protect the health and safety of the  
77 public, with the exception of black powder which is exempt up to  
78 twenty-five (25) pounds per private residence and fifty (50)  
79 pounds per retail dealer;

80 (f) To regulate the carrying of a firearm or knife at:  
81 (i) a public park or at a public meeting of a county, municipality  
82 or other governmental body; (ii) a political rally, parade or  
83 official political meeting; or (iii) a nonfirearm-related school,  
84 college or professional athletic event; or

85 (g) To regulate the receipt of firearms by pawnshops.

86 (2) The exception provided by subsection (1)(f) of this  
87 section does not apply if the firearm was in or carried to and  
88 from an area designated for use in a lawful hunting, fishing or  
89 other sporting event and the firearm is of the type commonly used  
90 in the activity.

91 (3) This section and Section 45-9-51 do not authorize a  
92 county or municipality or their officers or employees to act in  
93 contravention of Section 33-7-303.



94 (4) No county or a municipality may use the written notice  
95 provisions of Section 45-9-101(13) to prohibit concealed firearms  
96 or knives on property under their control except:

97 (a) At a location listed in Section 45-9-101(13)  
98 indicating that a license issued under Section 45-9-101 does not  
99 authorize the holder to carry a firearm into that location, as  
100 long as the sign also indicates that carrying a firearm is  
101 unauthorized only for license holders without a training  
102 endorsement or that it is a location included in Section  
103 97-37-7(2) where carrying a firearm is unauthorized for all  
104 license holders; and

105 (b) At any location under the control of the county or  
106 municipality aside from a location listed in subsection (1)(f) of  
107 this section or Section 45-9-101(13) indicating that the  
108 possession of a firearm is prohibited on the premises, as long as  
109 the sign also indicates that it does not apply to a person  
110 properly licensed under Section 45-9-101 or Section 97-37-7(2) to  
111 carry a concealed firearm or to a person lawfully carrying a  
112 firearm that is not concealed.

113 (5) (a) A citizen of this state, or a person licensed to  
114 carry a concealed pistol or revolver under Section 45-9-101, or a  
115 person licensed to carry a concealed pistol or revolver with the  
116 endorsement under Section 97-37-7, who is adversely affected by an  
117 ordinance or posted written notice adopted by a county or  
118 municipality in violation of this section may file suit for



119 declarative and injunctive relief against a county or municipality  
120 in the circuit court which shall have jurisdiction over the county  
121 or municipality where the violation of this section occurs.

122 (b) Before instituting suit under this subsection, the  
123 party adversely impacted by the ordinance or posted written notice  
124 shall notify the Attorney General in writing of the violation and  
125 include evidence of the violation. The Attorney General shall,  
126 within thirty (30) days, investigate whether the county or  
127 municipality adopted an ordinance or posted written notice in  
128 violation of this section and provide the chief administrative  
129 officer of the county or municipality notice of his findings,  
130 including, if applicable, a description of the violation and  
131 specific language of the ordinance or posted written notice found  
132 to be in violation. The county or municipality shall have thirty  
133 (30) days from receipt of that notice to cure the violation. If  
134 the county or municipality fails to cure the violation within that  
135 thirty-day time period, a suit under paragraph (a) of this  
136 subsection may proceed. The findings of the Attorney General  
137 shall constitute a "Public Record" as defined by the Mississippi  
138 Public Records Act of 1983, Section 25-61-1 et seq.

139 (c) If the circuit court finds that a county or  
140 municipality adopted an ordinance or posted written notice in  
141 violation of this section and failed to cure that violation in  
142 accordance with paragraph (b) of this subsection, the circuit  
143 court shall issue a permanent injunction against a county or



144 municipality prohibiting it from enforcing the ordinance or posted  
145 written notice. Any elected county or municipal official under  
146 whose jurisdiction the violation occurred may be civilly liable in  
147 a sum not to exceed One Thousand Dollars (\$1,000.00), plus all  
148 reasonable attorney's fees and costs incurred by the party  
149 bringing the suit. Public funds may not be used to defend or  
150 reimburse officials who are found by the court to have violated  
151 this section.

152 (d) It shall be an affirmative defense to any claim  
153 brought against an elected county or municipal official under this  
154 subsection (5) that the elected official:

155 (i) Did not vote in the affirmative for the  
156 adopted ordinance or posted written notice deemed by the court to  
157 be in violation of this section;

158 (ii) Did attempt to take recorded action to cure  
159 the violation as noticed by the Attorney General in paragraph (b)  
160 of this subsection; or

161 (iii) Did attempt to take recorded action to  
162 rescind the ordinance or remove the posted written notice deemed  
163 by the court to be in violation of this section.

164 (6) No county or municipality or their officers or employees  
165 may participate in any program in which individuals are given a  
166 thing of value provided by another individual or other entity in  
167 exchange for surrendering a firearm to the county, municipality or  
168 other governmental body unless:



169 (a) The county or municipality has adopted an ordinance  
170 authorizing the participation of the county or municipality, or  
171 participation by an officer or employee of the county or  
172 municipality in such a program; and

173 (b) Any ordinance enacted pursuant to this section must  
174 require that any firearm received shall be offered for sale at  
175 auction as provided by Sections 19-3-85 and 21-39-21 to federally  
176 licensed firearms dealers, with the proceeds from such sale at  
177 auction reverting to the general operating fund of the county,  
178 municipality or other governmental body. Any firearm remaining in  
179 possession of the county, municipality or other governmental body  
180 after attempts to sell at auction may be disposed of in a manner  
181 that the body deems appropriate.

182 **SECTION 3.** Section 45-9-101, Mississippi Code of 1972, is  
183 amended as follows:

184 45-9-101. (1) (a) Except as otherwise provided, the  
185 Department of Public Safety is authorized to issue licenses to  
186 carry stun guns, concealed pistols or revolvers to persons  
187 qualified as provided in this section. Such licenses shall be  
188 valid throughout the state for a period of five (5) years from the  
189 date of issuance. Any person possessing a valid license issued  
190 pursuant to this section may carry a stun gun, concealed pistol or  
191 concealed revolver.

192 (b) The licensee must carry the license, together with  
193 valid identification, at all times in which the licensee is





194 carrying a stun gun, concealed pistol or revolver and must display  
195 both the license and proper identification upon demand by a law  
196 enforcement officer. A violation of the provisions of this  
197 paragraph (b) shall constitute a noncriminal violation with a  
198 penalty of Twenty-five Dollars (\$25.00) and shall be enforceable  
199 by summons.

200 (2) The Department of Public Safety shall issue a license if  
201 the applicant:

202 (a) Is a resident of the state and has been a resident  
203 for twelve (12) months or longer immediately preceding the filing  
204 of the application. However, this residency requirement may be  
205 waived if the applicant possesses a valid permit from another  
206 state, is active military personnel stationed in Mississippi, or  
207 is a retired law enforcement officer establishing residency in the  
208 state;

209 (b) (i) Is twenty-one (21) years of age or older; or  
210 (ii) Is at least eighteen (18) years of age but  
211 not yet twenty-one (21) years of age and the applicant:

212 1. Is a member or veteran of the United  
213 States Armed Forces, including National Guard or Reserve; and

214 2. Holds a valid Mississippi driver's license  
215 or identification card issued by the Department of Public Safety;

216 (c) Does not suffer from a physical infirmity which  
217 prevents the safe handling of a stun gun, pistol or revolver;



218 (d) Is not ineligible to possess a firearm by virtue of  
219 having been convicted of a felony in a court of this state, of any  
220 other state, or of the United States without having been pardoned  
221 for same;

222 (e) Does not chronically or habitually abuse controlled  
223 substances to the extent that his normal faculties are impaired.  
224 It shall be presumed that an applicant chronically and habitually  
225 uses controlled substances to the extent that his faculties are  
226 impaired if the applicant has been voluntarily or involuntarily  
227 committed to a treatment facility for the abuse of a controlled  
228 substance or been found guilty of a crime under the provisions of  
229 the Uniform Controlled Substances Law or similar laws of any other  
230 state or the United States relating to controlled substances  
231 within a three-year period immediately preceding the date on which  
232 the application is submitted;

233 (f) Does not chronically and habitually use alcoholic  
234 beverages to the extent that his normal faculties are impaired.  
235 It shall be presumed that an applicant chronically and habitually  
236 uses alcoholic beverages to the extent that his normal faculties  
237 are impaired if the applicant has been voluntarily or  
238 involuntarily committed as an alcoholic to a treatment facility or  
239 has been convicted of two (2) or more offenses related to the use  
240 of alcohol under the laws of this state or similar laws of any  
241 other state or the United States within the three-year period



242 immediately preceding the date on which the application is  
243 submitted;

244 (g) Desires a legal means to carry a stun gun,  
245 concealed pistol or revolver to defend himself;

246 (h) Has not been adjudicated mentally incompetent, or  
247 has waited five (5) years from the date of his restoration to  
248 capacity by court order;

249 (i) Has not been voluntarily or involuntarily committed  
250 to a mental institution or mental health treatment facility unless  
251 he possesses a certificate from a psychiatrist licensed in this  
252 state that he has not suffered from disability for a period of  
253 five (5) years;

254 (j) Has not had adjudication of guilt withheld or  
255 imposition of sentence suspended on any felony unless three (3)  
256 years have elapsed since probation or any other conditions set by  
257 the court have been fulfilled;

258 (k) Is not a fugitive from justice; and

259 (l) Is not disqualified to possess a weapon based on  
260 federal law.

261 (3) The Department of Public Safety may deny a license if  
262 the applicant has been found guilty of one or more crimes of  
263 violence constituting a misdemeanor unless three (3) years have  
264 elapsed since probation or any other conditions set by the court  
265 have been fulfilled or expunction has occurred prior to the date  
266 on which the application is submitted, or may revoke a license if



267 the licensee has been found guilty of one or more crimes of  
268 violence within the preceding three (3) years. The department  
269 shall, upon notification by a law enforcement agency or a court  
270 and subsequent written verification, suspend a license or the  
271 processing of an application for a license if the licensee or  
272 applicant is arrested or formally charged with a crime which would  
273 disqualify such person from having a license under this section,  
274 until final disposition of the case. The provisions of subsection  
275 (7) of this section shall apply to any suspension or revocation of  
276 a license pursuant to the provisions of this section.

277 (4) The application shall be completed, under oath, on a  
278 form promulgated by the Department of Public Safety and shall  
279 include only:

280 (a) The name, address, place and date of birth, race,  
281 sex and occupation of the applicant;

282 (b) The driver's license number or social security  
283 number of applicant;

284 (c) Any previous address of the applicant for the two  
285 (2) years preceding the date of the application;

286 (d) A statement that the applicant is in compliance  
287 with criteria contained within subsections (2) and (3) of this  
288 section;

289 (e) A statement that the applicant has been furnished a  
290 copy of this section and is knowledgeable of its provisions;



291 (f) A conspicuous warning that the application is  
292 executed under oath and that a knowingly false answer to any  
293 question, or the knowing submission of any false document by the  
294 applicant, subjects the applicant to criminal prosecution; and

295 (g) A statement that the applicant desires a legal  
296 means to carry a stun gun, concealed pistol or revolver to defend  
297 himself.

298 (5) The applicant shall submit only the following to the  
299 Department of Public Safety:

300 (a) A completed application as described in subsection  
301 (4) of this section;

302 (b) A full-face photograph of the applicant taken  
303 within the preceding thirty (30) days in which the head, including  
304 hair, in a size as determined by the Department of Public Safety,  
305 except that an applicant who is younger than twenty-one (21) years  
306 of age must submit a photograph in profile of the applicant;

307 (c) A nonrefundable license fee of Eighty Dollars  
308 (\$80.00). Costs for processing the set of fingerprints as  
309 required in paragraph (d) of this subsection shall be borne by the  
310 applicant. Honorably retired law enforcement officers, disabled  
311 veterans and active duty members of the Armed Forces of the United  
312 States shall be exempt from the payment of the license fee;

313 (d) A full set of fingerprints of the applicant  
314 administered by the Department of Public Safety; and



315           (e) A waiver authorizing the Department of Public  
316 Safety access to any records concerning commitments of the  
317 applicant to any of the treatment facilities or institutions  
318 referred to in subsection (2) and permitting access to all the  
319 applicant's criminal records.

320           (6) (a) The Department of Public Safety, upon receipt of  
321 the items listed in subsection (5) of this section, shall forward  
322 the full set of fingerprints of the applicant to the appropriate  
323 agencies for state and federal processing.

324           (b) The Department of Public Safety shall forward a  
325 copy of the applicant's application to the sheriff of the  
326 applicant's county of residence and, if applicable, the police  
327 chief of the applicant's municipality of residence. The sheriff  
328 of the applicant's county of residence and, if applicable, the  
329 police chief of the applicant's municipality of residence may, at  
330 his discretion, participate in the process by submitting a  
331 voluntary report to the Department of Public Safety containing any  
332 readily discoverable prior information that he feels may be  
333 pertinent to the licensing of any applicant. The reporting shall  
334 be made within thirty (30) days after the date he receives the  
335 copy of the application. Upon receipt of a response from a  
336 sheriff or police chief, such sheriff or police chief shall be  
337 reimbursed at a rate set by the department.



338 (c) The Department of Public Safety shall, within  
339 forty-five (45) days after the date of receipt of the items listed  
340 in subsection (5) of this section:

341 (i) Issue the license;

342 (ii) Deny the application based solely on the  
343 ground that the applicant fails to qualify under the criteria  
344 listed in subsections (2) and (3) of this section. If the  
345 Department of Public Safety denies the application, it shall  
346 notify the applicant in writing, stating the ground for denial,  
347 and the denial shall be subject to the appeal process set forth in  
348 subsection (7); or

349 (iii) Notify the applicant that the department is  
350 unable to make a determination regarding the issuance or denial of  
351 a license within the forty-five-day period prescribed by this  
352 subsection, and provide an estimate of the amount of time the  
353 department will need to make the determination.

354 (d) In the event a legible set of fingerprints, as  
355 determined by the Department of Public Safety and the Federal  
356 Bureau of Investigation, cannot be obtained after a minimum of two  
357 (2) attempts, the Department of Public Safety shall determine  
358 eligibility based upon a name check by the Mississippi Highway  
359 Safety Patrol and a Federal Bureau of Investigation name check  
360 conducted by the Mississippi Highway Safety Patrol at the request  
361 of the Department of Public Safety.



362           (7)   (a)   If the Department of Public Safety denies the  
363 issuance of a license, or suspends or revokes a license, the party  
364 aggrieved may appeal such denial, suspension or revocation to the  
365 Commissioner of Public Safety, or his authorized agent, within  
366 thirty (30) days after the aggrieved party receives written notice  
367 of such denial, suspension or revocation. The Commissioner of  
368 Public Safety, or his duly authorized agent, shall rule upon such  
369 appeal within thirty (30) days after the appeal is filed and  
370 failure to rule within this thirty-day period shall constitute  
371 sustaining such denial, suspension or revocation. Such review  
372 shall be conducted pursuant to such reasonable rules and  
373 regulations as the Commissioner of Public Safety may adopt.

374           (b)   If the revocation, suspension or denial of issuance  
375 is sustained by the Commissioner of Public Safety, or his duly  
376 authorized agent pursuant to paragraph (a) of this subsection, the  
377 aggrieved party may file within ten (10) days after the rendition  
378 of such decision a petition in the circuit or county court of his  
379 residence for review of such decision. A hearing for review shall  
380 be held and shall proceed before the court without a jury upon the  
381 record made at the hearing before the Commissioner of Public  
382 Safety or his duly authorized agent. No such party shall be  
383 allowed to carry a stun gun, concealed pistol or revolver pursuant  
384 to the provisions of this section while any such appeal is  
385 pending.





386 (8) The Department of Public Safety shall maintain an  
387 automated listing of license holders and such information shall be  
388 available online, upon request, at all times, to all law  
389 enforcement agencies through the Mississippi Crime Information  
390 Center. However, the records of the department relating to  
391 applications for licenses to carry stun guns, concealed pistols or  
392 revolvers and records relating to license holders shall be exempt  
393 from the provisions of the Mississippi Public Records Act of 1983,  
394 and shall be released only upon order of a court having proper  
395 jurisdiction over a petition for release of the record or records.

396 (9) Within thirty (30) days after the changing of a  
397 permanent address, or within thirty (30) days after having a  
398 license lost or destroyed, the licensee shall notify the  
399 Department of Public Safety in writing of such change or loss.  
400 Failure to notify the Department of Public Safety pursuant to the  
401 provisions of this subsection shall constitute a noncriminal  
402 violation with a penalty of Twenty-five Dollars (\$25.00) and shall  
403 be enforceable by a summons.

404 (10) In the event that a stun gun, concealed pistol or  
405 revolver license is lost or destroyed, the person to whom the  
406 license was issued shall comply with the provisions of subsection  
407 (9) of this section and may obtain a duplicate, or substitute  
408 thereof, upon payment of Fifteen Dollars (\$15.00) to the  
409 Department of Public Safety, and furnishing a notarized statement  
410 to the department that such license has been lost or destroyed.



411 (11) A license issued under this section shall be revoked if  
412 the licensee becomes ineligible under the criteria set forth in  
413 subsection (2) of this section.

414 (12) (a) No less than ninety (90) days prior to the  
415 expiration date of the license, the Department of Public Safety  
416 shall mail to each licensee a written notice of the expiration and  
417 a renewal form prescribed by the department. The licensee must  
418 renew his license on or before the expiration date by filing with  
419 the department the renewal form, a notarized affidavit stating  
420 that the licensee remains qualified pursuant to the criteria  
421 specified in subsections (2) and (3) of this section, and a full  
422 set of fingerprints administered by the Department of Public  
423 Safety or the sheriff of the county of residence of the licensee.  
424 The first renewal may be processed by mail and the subsequent  
425 renewal must be made in person. Thereafter every other renewal  
426 may be processed by mail to assure that the applicant must appear  
427 in person every ten (10) years for the purpose of obtaining a new  
428 photograph.

429 (i) Except as provided in this subsection, a  
430 renewal fee of Forty Dollars (\$40.00) shall also be submitted  
431 along with costs for processing the fingerprints;

432 (ii) Honorably retired law enforcement officers,  
433 disabled veterans and active duty members of the Armed Forces of  
434 the United States shall be exempt from the renewal fee; and



435 (iii) The renewal fee for a Mississippi resident  
436 aged sixty-five (65) years of age or older shall be Twenty Dollars  
437 (\$20.00).

438 (b) The Department of Public Safety shall forward the  
439 full set of fingerprints of the applicant to the appropriate  
440 agencies for state and federal processing. The license shall be  
441 renewed upon receipt of the completed renewal application and  
442 appropriate payment of fees.

443 (c) A licensee who fails to file a renewal application  
444 on or before its expiration date must renew his license by paying  
445 a late fee of Fifteen Dollars (\$15.00). No license shall be  
446 renewed six (6) months or more after its expiration date, and such  
447 license shall be deemed to be permanently expired. A person whose  
448 license has been permanently expired may reapply for licensure;  
449 however, an application for licensure and fees pursuant to  
450 subsection (5) of this section must be submitted, and a background  
451 investigation shall be conducted pursuant to the provisions of  
452 this section.

453 (13) No license issued pursuant to this section shall  
454 authorize any person to carry a stun gun, concealed pistol or  
455 revolver into any place of nuisance as defined in Section 95-3-1,  
456 Mississippi Code of 1972; any police, sheriff or highway patrol  
457 station; any detention facility, prison or jail; any courthouse;  
458 any courtroom, except that nothing in this section shall preclude  
459 a judge from carrying a concealed weapon or determining who will



460 carry a concealed weapon in his courtroom; any polling place; any  
461 meeting place of the governing body of any governmental entity;  
462 any meeting of the Legislature or a committee thereof; any school,  
463 college or professional athletic event not related to firearms;  
464 any portion of an establishment, licensed to dispense alcoholic  
465 beverages for consumption on the premises, that is primarily  
466 devoted to dispensing alcoholic beverages; any portion of an  
467 establishment in which beer or light wine is consumed on the  
468 premises, that is primarily devoted to such purpose; any  
469 elementary or secondary school facility; any junior college,  
470 community college, college or university facility unless for the  
471 purpose of participating in any authorized firearms-related  
472 activity; inside the passenger terminal of any airport, except  
473 that no person shall be prohibited from carrying any legal firearm  
474 into the terminal if the firearm is encased for shipment, for  
475 purposes of checking such firearm as baggage to be lawfully  
476 transported on any aircraft; any church or other place of worship;  
477 or any place where the carrying of firearms is prohibited by  
478 federal law. In addition to the places enumerated in this  
479 subsection, the carrying of a stun gun, concealed pistol or  
480 revolver may be disallowed in any place in the discretion of the  
481 person or entity exercising control over the physical location of  
482 such place by the placing of a written notice clearly readable at  
483 a distance of not less than ten (10) feet that the "carrying of a  
484 pistol or revolver is prohibited." No license issued pursuant to



485 this section shall authorize the participants in a parade or  
486 demonstration for which a permit is required to carry a stun gun,  
487 concealed pistol or revolver.

488 (14) A law enforcement officer as defined in Section 45-6-3,  
489 chiefs of police, sheriffs and persons licensed as professional  
490 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of  
491 1972, shall be exempt from the licensing requirements of this  
492 section. The licensing requirements of this section do not apply  
493 to the carrying by any person of a stun gun, pistol or revolver,  
494 knife, or other deadly weapon that is not concealed as defined in  
495 Section 97-37-1.

496 (15) Any person who knowingly submits a false answer to any  
497 question on an application for a license issued pursuant to this  
498 section, or who knowingly submits a false document when applying  
499 for a license issued pursuant to this section, shall, upon  
500 conviction, be guilty of a misdemeanor and shall be punished as  
501 provided in Section 99-19-31, Mississippi Code of 1972.

502 (16) All fees collected by the Department of Public Safety  
503 pursuant to this section shall be deposited into a special fund  
504 hereby created in the State Treasury and shall be used for  
505 implementation and administration of this section. After the  
506 close of each fiscal year, the balance in this fund shall be  
507 certified to the Legislature and then may be used by the  
508 Department of Public Safety as directed by the Legislature.



509           (17) All funds received by a sheriff or police chief  
510 pursuant to the provisions of this section shall be deposited into  
511 the general fund of the county or municipality, as appropriate,  
512 and shall be budgeted to the sheriff's office or police department  
513 as appropriate.

514           (18) Nothing in this section shall be construed to require  
515 or allow the registration, documentation or providing of serial  
516 numbers with regard to any stun gun or firearm.

517           (19) Any person holding a valid unrevoked and unexpired  
518 license to carry stun guns, concealed pistols or revolvers issued  
519 in another state shall have such license recognized by this state  
520 to carry stun guns, concealed pistols or revolvers. The  
521 Department of Public Safety is authorized to enter into a  
522 reciprocal agreement with another state if that state requires a  
523 written agreement in order to recognize licenses to carry stun  
524 guns, concealed pistols or revolvers issued by this state.

525           (20) The provisions of this section shall be under the  
526 supervision of the Commissioner of Public Safety. The  
527 commissioner is authorized to promulgate reasonable rules and  
528 regulations to carry out the provisions of this section.

529           (21) For the purposes of this section, the term "stun gun"  
530 means a portable device or weapon from which an electric current,  
531 impulse, wave or beam may be directed, which current, impulse,  
532 wave or beam is designed to incapacitate temporarily, injure,



533 momentarily stun, knock out, cause mental disorientation or  
534 paralyze.

535 (22) (a) From and after January 1, 2016, the Commissioner  
536 of Public Safety shall promulgate rules and regulations which  
537 provide that licenses authorized by this section for honorably  
538 retired law enforcement officers and honorably retired  
539 correctional officers from the Mississippi Department of  
540 Corrections shall (i) include the words "retired law enforcement  
541 officer" on the front of the license, and (ii) that the license  
542 itself have a red background to distinguish it from other licenses  
543 issued under this section.

544 (b) An honorably retired law enforcement officer and  
545 honorably retired correctional officer shall provide the following  
546 information to receive the license described in this section: (i)  
547 a letter, with the official letterhead of the agency or department  
548 from which such officer is retiring, which explains that such  
549 officer is honorably retired, and (ii) a letter with the official  
550 letterhead of the agency or department, which explains that such  
551 officer has completed a certified law enforcement training  
552 academy.

553 (23) A disabled veteran who seeks to qualify for an  
554 exemption under this section shall be required to provide, as  
555 proof of service-connected disability, verification from the  
556 United States Department of Veterans Affairs.



557           (24) No license shall be required under this section for a  
558 loaded or unloaded pistol or revolver carried in a purse, handbag,  
559 satchel, other similar bag or briefcase or fully enclosed case.

560           (25) For the purposes of this section, the term "knife"  
561 means a cutting instrument with a sharpened or pointed blade.

562           **SECTION 4.** This act shall take effect and be in force from  
563 and after July 1, 2016.

