

House Amendments to Senate Bill No. 2190

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

32 **SECTION 1.** Section 63-1-1, Mississippi Code of 1972, is
33 amended as follows:

34 63-1-1. This article may be cited as the * * * Driver's
35 License * * * Act.

36 **SECTION 2.** Section 63-1-3, Mississippi Code of 1972, is
37 amended as follows:

38 63-1-3. The following words and phrases when used in this
39 article shall, for the purpose of such law, have the meanings
40 respectively ascribed to them in this section:

41 (a) The term "commissioner" means the commissioner of
42 public safety of this state * * * .

43 (b) The term "highway" means every way or place of
44 whatever nature open to the use of the public for the purpose of
45 vehicular travel, and shall include streets of
46 municipalities * * * .

47 (c) The term "operator" means any person in actual
48 physical control of a motor vehicle on the highway * * * .

49 (d) The term "owner" means a person who holds the legal
50 title of a vehicle; in the event a vehicle is the subject of an
51 agreement for the conditional sale or lease thereof with the right
52 of purchase upon performance of the conditions stated in the
53 agreement and with an immediate right of possession vested in the
54 conditional vendee or lessee, or in the event a mortgagor of a
55 vehicle is entitled to possession, then such conditional vendee or
56 lessee or mortgagor shall be deemed the owner for the purpose of
57 this article.

58 (e) The term "system of record" means the software
59 database which maintains all documents related to credentials
60 issued by the Driver Service Bureau of the Department of Public
61 Safety.

62 **SECTION 3.** Section 63-1-15, Mississippi Code of 1972, is
63 amended as follows:

64 63-1-15. (1) The commissioner * * * shall be authorized to
65 designate persons who may act as examiners for license or
66 instruction permits. The commissioner may promulgate rules and
67 regulations to effectuate this chapter. The Commissioner of
68 Public Safety shall create rules and regulations that allow
69 persons who are homeless to obtain an alternative state
70 identification card.

71 * * *

72 (2) License examiners shall input each rejected or approved
73 application into the system of record in accordance with the rules
74 and regulations promulgated by the commissioner.

75 **SECTION 4.** Section 63-1-16, Mississippi Code of 1972, is
76 amended as follows:

77 63-1-16. (1) The Department of Public Safety shall, upon
78 request of the board of supervisors, furnish a Driver Service
79 Bureau public access computer at a location in each county seat to
80 access the Driver Service Bureau website. The county shall
81 furnish the internet connectivity at the location for the Driver
82 Service Bureau public access computer.

83 (2) At each driver's license location in the state, there
84 shall be location signs prominently displayed providing for
85 required information for the various licenses, cards and other
86 services.

87 (3) On the Driver Services Bureau's website, there shall be
88 tutorial videos linked to online procedures to help clearly
89 illustrate how to use the website.

90 * * *

91 **SECTION 5.** Section 63-1-17, Mississippi Code of 1972, is
92 amended as follows:

93 63-1-17. As the license examiners file their statements
94 showing the serial numbers of licenses and temporary driving
95 permits issued pursuant to this article during the preceding
96 month, the commissioner shall keep a record of all licenses and
97 permits issued pursuant to this article by such examiners, a
98 record of all licenses and permits revoked, a record of all * * *
99 orders mailed to him by the trial judges, and such other

100 information that he deems necessary to carry out the provisions of
101 this article.

102 **SECTION 6.** Section 63-1-45, Mississippi Code of 1972, is
103 amended as follows:

104 63-1-45. (1) * * * License examiners shall retain a record
105 of all funds received from applicants upon digital record or
106 accounting systems as prescribed and furnished by the department.
107 A receipt of the transactions shall be provided to the applicant.
108 Funds received from an application shall be subject to audit at
109 any time by the department. Upon submission, application forms
110 should be digitized and stored in the system of record.

111 (2) There shall be tendered with all applications for a
112 temporary driving permit, temporary motorcycle driving permit,
113 initial issuance of any license issued pursuant to this article,
114 renewal licenses, duplicate licenses or any other services for
115 which a fee is charged, the proper fee required by law by cash,
116 certified check, money order or electronic payment as authorized
117 under Section 27-104-33.

118 (3) The Commissioner of Public Safety shall deposit the
119 amount of fees, together with all fees for duplicate licenses,
120 permits, delinquent fees and reinstatement fees collected by him
121 into the General Fund of the State Treasury, in accordance with
122 the provisions of Section 45-1-23(2); however, Seven Dollars
123 (\$7.00) of the fee derived from the fee charged for original and
124 renewal operators' licenses imposed under Section 63-1-43(1) and
125 Four Dollars (\$4.00) of the fee derived from the fee charged for

126 original and renewal Class D commercial drivers' licenses under
127 Section 63-1-43(4) shall be deposited into a special fund that is
128 created in the State Treasury. Monies in the fund may be expended
129 upon legislative appropriation solely for the purchase by the
130 Mississippi Highway Safety Patrol of patrol cars, communications
131 equipment and weapons.

132 **SECTION 7.** Section 63-1-51, Mississippi Code of 1972, is
133 amended as follows:

134 63-1-51. (1) It shall be the duty of the court clerk, upon
135 conviction of any person holding a license issued pursuant to this
136 article where the penalty for a traffic violation is as much as
137 Ten Dollars (\$10.00), to mail a copy of abstract of the court
138 record or provide an electronically or computer generated copy of
139 abstract of the court record immediately to the
140 commissioner * * *, showing the date of conviction, penalty, etc.,
141 so that a record of same may be made by the Department of Public
142 Safety. The commissioner shall forthwith revoke the license of
143 any person for a period of one (1) year upon receiving a duly
144 certified record of each person's convictions of any of the
145 following offenses when such conviction has become final:

146 (a) Manslaughter or negligent homicide resulting from
147 the operation of a motor vehicle;

148 (b) Any felony in the commission of which a motor
149 vehicle is used;

150 (c) Failure to stop and render aid as required under
151 the laws of this state in event of a motor vehicle accident
152 resulting in the death or personal injury of another;

153 (d) Perjury or the willful making of a false affidavit
154 or statement under oath to the department under this article or
155 under any other law relating to the ownership or operation of
156 motor vehicles; or

157 (e) Conviction, or forfeiture of bail not vacated, upon
158 three (3) charges of reckless driving committed within a period of
159 twelve (12) months.

160 (2) The commissioner shall revoke the license issued
161 pursuant to this article of any person convicted of negligent
162 homicide, in addition to any penalty now provided by law.

163 (3) In addition to the reasons specified in this section,
164 the commissioner shall be authorized to suspend the license issued
165 to any person pursuant to this article for being out of compliance
166 with an order for support, as defined in Section 93-11-153. The
167 procedure for suspension of a license for being out of compliance
168 with an order for support, and the procedure for the reissuance or
169 reinstatement of a license suspended for that purpose, and the
170 payment of any fees for the reissuance or reinstatement of a
171 license suspended for that purpose, shall be governed by Section
172 93-11-157 or 93-11-163, as the case may be. If there is any
173 conflict between any provision of Section 93-11-157 or 93-11-163
174 and any provision of this article, the provisions of Section
175 93-11-157 or 93-11-163, as the case may be, shall control.

176 **SECTION 8.** Section 63-1-52, Mississippi Code of 1972, is
177 amended as follows:

178 63-1-52. (1) Whenever the Commissioner of Public Safety
179 suspends, cancels or revokes the driver's license or driving
180 privileges of any person, notice of the suspension, cancellation
181 or revocation shall be given to such person by the commissioner,
182 or his duly authorized agent, in the manner provided in subsection
183 (2) of this section and at the time provided in subsection (3) of
184 this section or in the manner and at the time provided in
185 subsection (4) of this section.

186 (2) Notice shall be given in the following manner:

187 (a) In writing, (i) by United States * * * first-class
188 mail; * * * (ii) by personal service at the person's address as it
189 appears on the driving record maintained by the Department of
190 Public Safety or at the person's last-known address; or (iii) by
191 personal notice being given by any law enforcement officer of this
192 state or any duly authorized agent of the Commissioner of Public
193 Safety on forms prescribed and furnished by the Commissioner of
194 Public Safety; or (iv) by notification made to the person's duly
195 issued mobile identification, whenever a person's driver's license
196 or driving privileges are suspended, revoked or cancelled in
197 accordance with the Mississippi Driver License Compact Law, the
198 Mississippi Implied Consent Law, the Mississippi Motor Vehicle
199 Safety Responsibility Law or subsection (2) (c), (2) (d), (2) (e) or
200 (2) (f) of Section 63-1-53.

201 (b) In writing, by United States first class mail,
202 whenever a person's driver's license or driving privileges are
203 suspended, revoked or cancelled in accordance with the Mississippi
204 Commercial Driver's License Law, the Youth Court Law, Chapter 23
205 of Title 43, Mississippi Code of 1972, Section 63-1-45, Section
206 63-1-51, subsection (2)(g) or (2)(h) of Section 63-1-53, or
207 Section 63-9-25.

208 (3) Notice shall be given at the following time:

209 (a) Before suspension, revocation or cancellation,
210 whenever a person's driver's license or driving privileges are
211 suspended, revoked or cancelled in accordance with the Mississippi
212 Driver License Compact Law, the Mississippi Motor Vehicle Safety
213 Responsibility Law or subsection (2)(c), (2)(d), (2)(e) or (2)(f)
214 of Section 63-1-53.

215 (b) Unless otherwise specifically provided for by law,
216 at the time of suspension, revocation or cancellation, whenever a
217 person's driver's license or driving privileges are suspended,
218 revoked or cancelled in accordance with the Mississippi Commercial
219 Driver's License Law, the Mississippi Implied Consent Law, the
220 Youth Court Law, Chapter 23 of Title 43, Mississippi Code of 1972,
221 Section 63-1-45, Section 63-1-51, subsection (2)(g) or (2)(h) of
222 Section 63-1-53, or Section 63-9-25.

223 (4) Whenever the Commissioner of Public Safety suspends,
224 revokes or cancels the driver's license or driving privileges of
225 any person in accordance with some provision of law other than a
226 provision of law referred to in subsections (2) and (3) of this

227 section, and the manner and time for giving notice is not provided
228 for in such law, then notice of such suspension, revocation or
229 cancellation shall be given in the manner and at the time provided
230 for under subsections (2)(b) and (3)(b) of this section.

231 **SECTION 9.** Section 45-9-101, Mississippi Code of 1972, is
232 amended as follows:

233 45-9-101. (1) (a) Except as otherwise provided, the
234 Department of Public Safety is authorized to issue licenses to
235 carry stun guns, concealed pistols or revolvers to persons
236 qualified as provided in this section. Such licenses shall be
237 valid throughout the state for a period of five (5) years from the
238 date of issuance, except as provided in subsection (25) of this
239 section. Any person possessing a valid license issued pursuant to
240 this section may carry a stun gun, concealed pistol or concealed
241 revolver.

242 (b) The licensee must carry the license, together with
243 valid identification, at all times in which the licensee is
244 carrying a stun gun, concealed pistol or revolver and must display
245 both the license and proper identification upon demand by a law
246 enforcement officer. A violation of the provisions of this
247 paragraph (b) shall constitute a noncriminal violation with a
248 penalty of Twenty-five Dollars (\$25.00) and shall be enforceable
249 by summons.

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

252 (a) Is a resident of the state. However, this
253 residency requirement may be waived if the applicant possesses a
254 valid permit from another state, is a member of any active or
255 reserve component branch of the United States of America Armed
256 Forces stationed in Mississippi, is the spouse of a member of any
257 active or reserve component branch of the United States of America
258 Armed Forces stationed in Mississippi, or is a retired law
259 enforcement officer establishing residency in the state;

260 (b) (i) Is twenty-one (21) years of age or older; or

261 (ii) Is at least eighteen (18) years of age but
262 not yet twenty-one (21) years of age and the applicant:

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

265 2. Holds a valid Mississippi driver's license
266 or identification card issued by the Department of Public Safety
267 or a valid and current tribal identification card issued by a
268 federally recognized Indian tribe containing a photograph of the
269 holder;

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

272 (d) Is not ineligible to possess a firearm by virtue of
273 having been convicted of a felony in a court of this state, of any
274 other state, or of the United States without having been pardoned
275 or without having been expunged for same;

276 (e) Does not chronically or habitually abuse controlled
277 substances to the extent that his normal faculties are impaired.

278 It shall be presumed that an applicant chronically and habitually
279 uses controlled substances to the extent that his faculties are
280 impaired if the applicant has been voluntarily or involuntarily
281 committed to a treatment facility for the abuse of a controlled
282 substance or been found guilty of a crime under the provisions of
283 the Uniform Controlled Substances Law or similar laws of any other
284 state or the United States relating to controlled substances
285 within a three-year period immediately preceding the date on which
286 the application is submitted;

287 (f) Does not chronically and habitually use alcoholic
288 beverages to the extent that his normal faculties are impaired.
289 It shall be presumed that an applicant chronically and habitually
290 uses alcoholic beverages to the extent that his normal faculties
291 are impaired if the applicant has been voluntarily or
292 involuntarily committed as an alcoholic to a treatment facility or
293 has been convicted of two (2) or more offenses related to the use
294 of alcohol under the laws of this state or similar laws of any
295 other state or the United States within the three-year period
296 immediately preceding the date on which the application is
297 submitted;

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

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

303 (i) Has not been voluntarily or involuntarily committed
304 to a mental institution or mental health treatment facility unless
305 he possesses a certificate from a psychiatrist licensed in this
306 state that he has not suffered from disability for a period of
307 five (5) years;

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

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

313 (l) Is not disqualified to possess a weapon based on
314 federal law.

315 (3) The Department of Public Safety may deny a license if
316 the applicant has been found guilty of one or more crimes of
317 violence constituting a misdemeanor unless three (3) years have
318 elapsed since probation or any other conditions set by the court
319 have been fulfilled or expunction has occurred prior to the date
320 on which the application is submitted, or may revoke a license if
321 the licensee has been found guilty of one or more crimes of
322 violence within the preceding three (3) years. The department
323 shall, upon notification by a law enforcement agency or a court
324 and subsequent written verification, suspend a license or the
325 processing of an application for a license if the licensee or
326 applicant is arrested or formally charged with a crime which would
327 disqualify such person from having a license under this section,
328 until final disposition of the case. The provisions of subsection

329 (7) of this section shall apply to any suspension or revocation of
330 a license pursuant to the provisions of this section.

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

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

336 (b) The driver's license number or social security
337 number of applicant;

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

340 (d) A statement that the applicant is in compliance
341 with criteria contained within subsections (2) and (3) of this
342 section;

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

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

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

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

354 (a) A completed application as described in subsection
355 (4) of this section;

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

361 (c) A nonrefundable license fee of Eighty Dollars
362 (\$80.00). Costs for processing the set of fingerprints as
363 required in paragraph (d) of this subsection shall be borne by the
364 applicant. Honorably retired law enforcement officers, disabled
365 veterans and active duty members of the Armed Forces of the United
366 States, and law enforcement officers employed with a law
367 enforcement agency of a municipality, county or state at the time
368 of application for the license, shall be exempt from the payment
369 of the license fee;

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

372 (e) A waiver authorizing the Department of Public
373 Safety access to any records concerning commitments of the
374 applicant to any of the treatment facilities or institutions
375 referred to in subsection (2) of this section and permitting
376 access to all the applicant's criminal records.

377 (6) (a) The Department of Public Safety, upon receipt of
378 the items listed in subsection (5) of this section, shall forward

379 the full set of fingerprints of the applicant to the appropriate
380 agencies for state and federal processing.

381 (b) The Department of Public Safety shall forward a
382 copy of the applicant's application to the sheriff of the
383 applicant's county of residence and, if applicable, the police
384 chief of the applicant's municipality of residence. The sheriff
385 of the applicant's county of residence, and, if applicable, the
386 police chief of the applicant's municipality of residence may, at
387 his discretion, participate in the process by submitting a
388 voluntary report to the Department of Public Safety containing any
389 readily discoverable prior information that he feels may be
390 pertinent to the licensing of any applicant. The reporting shall
391 be made within thirty (30) days after the date he receives the
392 copy of the application. Upon receipt of a response from a
393 sheriff or police chief, such sheriff or police chief shall be
394 reimbursed at a rate set by the department.

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

- 398 (i) Issue the license;
- 399 (ii) Deny the application based solely on the
400 ground that the applicant fails to qualify under the criteria
401 listed in subsections (2) and (3) of this section. If the
402 Department of Public Safety denies the application, it shall
403 notify the applicant in writing, stating the ground for denial,

404 and the denial shall be subject to the appeal process set forth in
405 subsection (7); or

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

411 (d) In the event a legible set of fingerprints, as
412 determined by the Department of Public Safety and the Federal
413 Bureau of Investigation, cannot be obtained after a minimum of two
414 (2) attempts, the Department of Public Safety shall determine
415 eligibility based upon a name check by the Mississippi Highway
416 Safety Patrol and a Federal Bureau of Investigation name check
417 conducted by the Mississippi Highway Safety Patrol at the request
418 of the Department of Public Safety.

419 (7) (a) If the Department of Public Safety denies the
420 issuance of a license, or suspends or revokes a license, the party
421 aggrieved may appeal such denial, suspension or revocation to the
422 Commissioner of Public Safety, or his authorized agent, within
423 thirty (30) days after the aggrieved party receives written notice
424 of such denial, suspension or revocation. The Commissioner of
425 Public Safety, or his duly authorized agent, shall rule upon such
426 appeal within thirty (30) days after the appeal is filed and
427 failure to rule within this thirty-day period shall constitute
428 sustaining such denial, suspension or revocation. Such review

429 shall be conducted pursuant to such reasonable rules and
430 regulations as the Commissioner of Public Safety may adopt.

431 (b) If the revocation, suspension or denial of issuance
432 is sustained by the Commissioner of Public Safety, or his duly
433 authorized agent pursuant to paragraph (a) of this subsection, the
434 aggrieved party may file within ten (10) days after the rendition
435 of such decision a petition in the circuit or county court of his
436 residence for review of such decision. A hearing for review shall
437 be held and shall proceed before the court without a jury upon the
438 record made at the hearing before the Commissioner of Public
439 Safety or his duly authorized agent. No such party shall be
440 allowed to carry a stun gun, concealed pistol or revolver pursuant
441 to the provisions of this section while any such appeal is
442 pending.

443 (8) The Department of Public Safety shall maintain an
444 automated listing of license holders and such information shall be
445 available online, upon request, at all times, to all law
446 enforcement agencies through the Mississippi Crime Information
447 Center. However, the records of the department relating to
448 applications for licenses to carry stun guns, concealed pistols or
449 revolvers and records relating to license holders shall be exempt
450 from the provisions of the Mississippi Public Records Act of 1983,
451 and shall be released only upon order of a court having proper
452 jurisdiction over a petition for release of the record or records.

453 (9) Within thirty (30) days after the changing of a
454 permanent address, or within thirty (30) days after having a

455 license lost or destroyed, the licensee shall notify the
456 Department of Public Safety in writing of such change or loss.
457 Failure to notify the Department of Public Safety pursuant to the
458 provisions of this subsection shall constitute a noncriminal
459 violation with a penalty of Twenty-five Dollars (\$25.00) and shall
460 be enforceable by a summons.

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

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

471 (12) (a) Except as provided in subsection (25) of this
472 section, no less than ninety (90) days prior to the expiration
473 date of the license, the Department of Public Safety shall send to
474 each licensee a written notice of the expiration and a renewal
475 form prescribed by the department. The licensee must renew his
476 license on or before the expiration date by filing with the
477 department the renewal form, a notarized affidavit stating that
478 the licensee remains qualified pursuant to the criteria specified
479 in subsections (2) and (3) of this section if necessary, and a
480 full set of fingerprints administered by the Department of Public

481 Safety or the sheriff of the county of residence of the licensee.
482 The first renewal may be processed by mail "or other means as
483 determined by the Department" and the subsequent renewal must be
484 made in person. Thereafter every other renewal may be processed
485 by mail to assure that the applicant must appear in person every
486 ten (10) years for the purpose of obtaining a new photograph.

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

490 (ii) Honorably retired law enforcement officers,
491 disabled veterans, active duty members of the Armed Forces of the
492 United States and law enforcement officers employed with a law
493 enforcement agency of a municipality, county or state at the time
494 of renewal, shall be exempt from the renewal fee; and

495 (iii) The renewal fee for a Mississippi resident
496 aged sixty-five (65) years of age or older shall be Twenty Dollars
497 (\$20.00).

498 (b) The Department of Public Safety shall forward the
499 full set of fingerprints of the applicant to the appropriate
500 agencies for state and federal processing. The license shall be
501 renewed upon receipt of the completed renewal application and
502 appropriate payment of fees.

503 (c) A licensee who fails to file a renewal application
504 on or before its expiration date must renew his license by paying
505 a late fee of Fifteen Dollars (\$15.00). No license shall be
506 renewed six (6) months or more after its expiration date, and such

507 license shall be deemed to be permanently expired. A person whose
508 license has been permanently expired may reapply for licensure;
509 however, an application for licensure and fees pursuant to
510 subsection (5) of this section must be submitted, and a background
511 investigation shall be conducted pursuant to the provisions of
512 this section.

513 (13) No license issued pursuant to this section shall
514 authorize any person, except a law enforcement officer as defined
515 in Section 45-6-3 with a distinct license authorized by the
516 Department of Public Safety, to carry a stun gun, concealed pistol
517 or revolver into any place of nuisance as defined in Section
518 95-3-1, Mississippi Code of 1972; any police, sheriff or highway
519 patrol station; any detention facility, prison or jail; any
520 courthouse; any courtroom, except that nothing in this section
521 shall preclude a judge from carrying a concealed weapon or
522 determining who will carry a concealed weapon in his courtroom;
523 any polling place; any meeting place of the governing body of any
524 governmental entity; any meeting of the Legislature or a committee
525 thereof; any school, college or professional athletic event not
526 related to firearms; any portion of an establishment, licensed to
527 dispense alcoholic beverages for consumption on the premises, that
528 is primarily devoted to dispensing alcoholic beverages; any
529 portion of an establishment in which beer, light spirit product or
530 light wine is consumed on the premises, that is primarily devoted
531 to such purpose; any elementary or secondary school facility; any
532 junior college, community college, college or university facility

533 unless for the purpose of participating in any authorized
534 firearms-related activity; inside the passenger terminal of any
535 airport, except that no person shall be prohibited from carrying
536 any legal firearm into the terminal if the firearm is encased for
537 shipment, for purposes of checking such firearm as baggage to be
538 lawfully transported on any aircraft; any church or other place of
539 worship, except as provided in Section 45-9-171; or any place
540 where the carrying of firearms is prohibited by federal law. In
541 addition to the places enumerated in this subsection, the carrying
542 of a stun gun, concealed pistol or revolver may be disallowed in
543 any place in the discretion of the person or entity exercising
544 control over the physical location of such place by the placing of
545 a written notice clearly readable at a distance of not less than
546 ten (10) feet that the "carrying of a pistol or revolver is
547 prohibited." No license issued pursuant to this section shall
548 authorize the participants in a parade or demonstration for which
549 a permit is required to carry a stun gun, concealed pistol or
550 revolver.

551 (14) A law enforcement officer as defined in Section 45-6-3,
552 chiefs of police, sheriffs and persons licensed as professional
553 bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of
554 1972, shall be exempt from the licensing requirements of this
555 section.

556 (a) The Commissioner of Public Safety shall promulgate
557 rules and regulations to provide licenses to law enforcement
558 officers as defined in Section 45-6-3 who choose to obtain a

559 license under the provisions of this section, which shall include
560 a distinction that the officer is an "active duty" law enforcement
561 officer and an endorsement that such officer is authorized to
562 carry in the locations listed in subsection (13). A law
563 enforcement officer shall provide the following information to
564 receive the license described in this subsection: (i) a letter,
565 with the official letterhead of the agency or department for which
566 the officer is employed at the time of application and (ii) a
567 letter with the official letterhead of the agency or department,
568 which explains that such officer has completed a certified law
569 enforcement training academy.

570 (b) The licensing requirements of this section do not
571 apply to the carrying by any person of a stun gun, pistol or
572 revolver, knife, or other deadly weapon that is not concealed as
573 defined in Section 97-37-1.

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

580 (16) All fees collected by the Department of Public Safety
581 pursuant to this section shall be deposited into a special fund
582 hereby created in the State Treasury and shall be used for
583 implementation and administration of this section. After the
584 close of each fiscal year, the balance in this fund shall be

585 certified to the Legislature and then may be used by the
586 Department of Public Safety as directed by the Legislature.

587 (17) All funds received by a sheriff or police chief
588 pursuant to the provisions of this section shall be deposited into
589 the general fund of the county or municipality, as appropriate,
590 and shall be budgeted to the sheriff's office or police department
591 as appropriate.

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

595 (19) Any person holding a valid unrevoked and unexpired
596 license to carry stun guns, concealed pistols or revolvers issued
597 in another state shall have such license recognized by this state
598 to carry stun guns, concealed pistols or revolvers. The
599 Department of Public Safety is authorized to enter into a
600 reciprocal agreement with another state if that state requires a
601 written agreement in order to recognize licenses to carry stun
602 guns, concealed pistols or revolvers issued by this state.

603 (20) The provisions of this section shall be under the
604 supervision of the Commissioner of Public Safety. The
605 commissioner is authorized to promulgate reasonable rules and
606 regulations to carry out the provisions of this section.

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

611 momentarily stun, knock out, cause mental disorientation or
612 paralyze.

613 (22) (a) From and after January 1, 2016, the Commissioner
614 of Public Safety shall promulgate rules and regulations which
615 provide that licenses authorized by this section for honorably
616 retired law enforcement officers and honorably retired
617 correctional officers from the Mississippi Department of
618 Corrections shall (i) include the words "retired law enforcement
619 officer" on the front of the license, and (ii) unless the licensee
620 chooses to have this license combined with a driver's license or
621 identification card under subsection (25) of this section, that
622 the license itself have a red background to distinguish it from
623 other licenses issued under this section.

624 (b) An honorably retired law enforcement officer and
625 honorably retired correctional officer shall provide the following
626 information to receive the license described in this section: (i)
627 a letter, with the official letterhead of the agency or department
628 from which such officer is retiring, which explains that such
629 officer is honorably retired, and (ii) a letter with the official
630 letterhead of the agency or department, which explains that such
631 officer has completed a certified law enforcement training
632 academy.

633 (23) A disabled veteran who seeks to qualify for an
634 exemption under this section shall be required to provide a
635 veterans health services identification card issued by the United
636 States Department of Veterans Affairs indicating a

637 service-connected disability, which shall be sufficient proof of
638 such service-connected disability.

639 (24) A license under this section is not required for a
640 loaded or unloaded pistol or revolver to be carried upon the
641 person in a sheath, belt holster or shoulder holster or in a
642 purse, handbag, satchel, other similar bag or briefcase or fully
643 enclosed case if the person is not engaged in criminal activity
644 other than a misdemeanor traffic offense, is not otherwise
645 prohibited from possessing a pistol or revolver under state or
646 federal law, and is not in a location prohibited under subsection
647 (13) of this section. However, the medical use of medical
648 cannabis by a cardholder who is a registered qualifying patient
649 which is lawful under the provisions of the Mississippi Medical
650 Cannabis Act and in compliance with rules and regulations adopted
651 thereunder shall not disqualify a person under this subsection
652 (24) solely because the person is prohibited from possessing a
653 firearm under 18 USCS Section 922(g)(3) due to such medical use of
654 medical cannabis.

655 * * *

656 **SECTION 10.** Section 63-1-34, Mississippi Code of 1972, which
657 requires the Commissioner of Public Safety to prepare and make
658 available assistive videotapes for reading impaired applicants, is
659 repealed.

660 **SECTION 11.** This act shall take effect and be in force from
661 and after July 1, 2025, and shall stand repealed on June 30, 2025.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 63-1-1, MISSISSIPPI CODE OF 1972, TO
2 REVISE THE TITLE OF THE HIGHWAY SAFETY PATROL AND DRIVER'S LICENSE
3 LAW OF 1938; TO AMEND SECTION 63-1-3, MISSISSIPPI CODE OF 1972, TO
4 DEFINE THE TERM "SYSTEM OF RECORD"; TO AMEND SECTION 63-1-15,
5 MISSISSIPPI CODE OF 1972, TO REQUIRE LICENSE EXAMINERS TO INPUT
6 EACH REJECTED AND ACCEPTED APPLICATION INTO THE SYSTEM OF RECORD;
7 TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO DELETE THE
8 REQUIREMENT THAT THE "WAIT ANYWHERE APPOINTMENT" PROGRAM BE MADE
9 AVAILABLE ON THE DRIVER SERVICE BUREAU'S WEBSITE; TO AMEND SECTION
10 63-1-17, MISSISSIPPI CODE OF 1972, TO UPDATE CERTAIN LANGUAGE
11 RELATED TO RECORDKEEPING; TO AMEND SECTION 63-1-45, MISSISSIPPI
12 CODE OF 1972, TO REVISE THE MECHANISMS FOR KEEPING RECORDS OF ALL
13 FUNDS RECEIVED FROM APPLICANTS; TO REQUIRE LICENSE EXAMINERS TO
14 RETAIN A RECORD OF ALL FUNDS RECEIVED FROM APPLICANTS UPON DIGITAL
15 RECORD OR ACCOUNTING SYSTEMS AS PRESCRIBED AND FURNISHED BY THE
16 DEPARTMENT; TO PROVIDE THAT FUNDS RECEIVED FROM AN APPLICATION
17 SHALL BE SUBJECT TO AUDIT AT ANY TIME BY THE DEPARTMENT; TO
18 REQUIRE THAT THE APPLICATIONS BE DIGITIZED AND STORED IN THE
19 SYSTEM OF RECORD; TO AMEND SECTION 63-1-51, MISSISSIPPI CODE OF
20 1972, TO DELETE THE REQUIREMENT THAT THE COMMISSIONER OF PUBLIC
21 SAFETY BE LOCATED IN JACKSON, MISSISSIPPI; TO AMEND SECTION
22 63-1-52, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD OF SERVICE
23 FOR NOTICES OF SUSPENSION, CANCELLATION OR REVOCATION; TO REPEAL
24 SECTION 63-1-34, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE
25 COMMISSIONER OF PUBLIC SAFETY TO PREPARE AND MAKE AVAILABLE
26 ASSISTIVE VIDEOTAPES FOR READING IMPAIRED APPLICANTS; TO AMEND
27 SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO DELETE THE
28 AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY TO PLACE CERTAIN
29 ENDORSEMENTS ON DRIVER'S LICENSES OR IDENTIFICATION CARDS; AND FOR
30 RELATED PURPOSES.

HR26\SB2190PH.J

Andrew Ketchings
Clerk of the House of Representatives