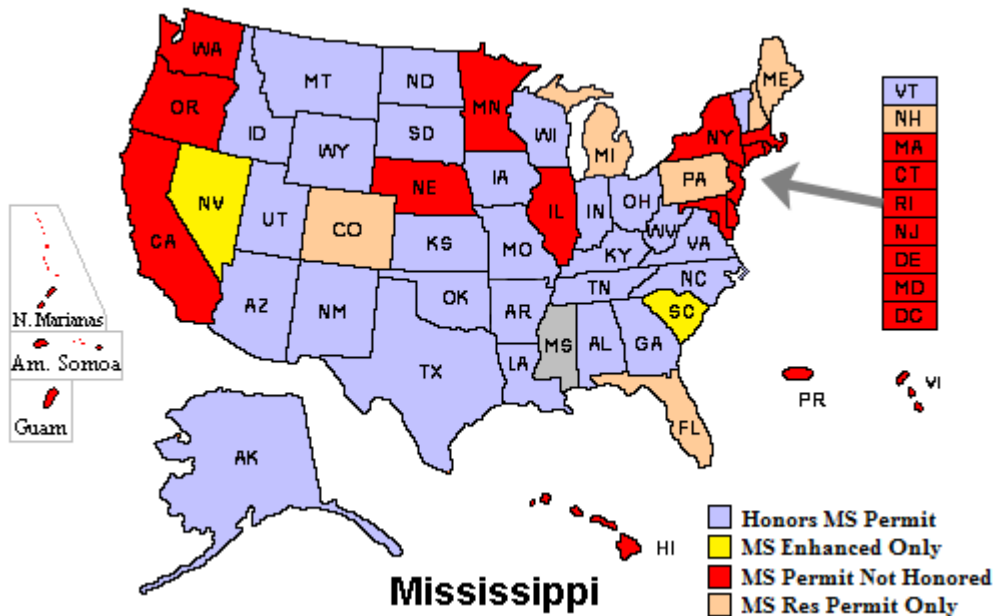


# Mississippi

**Shall Issue**

**Must Inform Officer by Law: NO**  
(See Must Inform Section Below)



## Links

[State CCW Site](#)

[CCW New Application  
Renewal Instructions](#)

[State FAQ Site](#)

[State Statutes](#)

[State Admin Rules](#)

[State Reciprocity Info](#)

[State Attorney General](#)

[Permit App Locations](#)

[Secretary of State](#)

**Last Updated: 2/24/17**

**Note:** [Alaska](#), [Arizona](#), [Kansas](#), [Maine](#), [Mississippi](#), [Missouri](#), [New Hampshire](#), [Vermont](#) and [West Virginia](#) have “Permitless Carry.” Anyone who can legally possess a firearm may carry it concealed in those states without a Permit/License. Check each states page for more information and any restrictions that may apply.

## Permits/Licenses This State Honors Listed Below

Mississippi honors all other states Permit/Licenses.

### Mississippi Honors Non-Resident Permits/Licenses From the States They Honor.

Mississippi residents can carry a concealed defensive firearm in the state of Oklahoma without any type of permit/license. You must carry your state issued ID when carrying your firearm in Oklahoma. See the Oklahoma page at [www.handgunlaw.us](http://www.handgunlaw.us) for more information on Oklahoma’s law allowing those from permitless carry states to carry there.

## Reciprocity/How This State Honors Other States Permit/Licenses

### § 45-9-101. License To Carry Stun Gun, Concealed Pistol Or Revolver

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

## Permitless Carry

§ 97-37-1. Deadly weapons; carrying while concealed; use or attempt to use; penalties; "concealed" defined

(2) It shall not be a violation of this section for any person over the age of eighteen (18) years to carry a firearm or deadly weapon concealed within the confines of his own home or his place of business, or any real property associated with his home or business or within any motor vehicle.

**45-9-101 (24)** A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a **sheath, belt holster or shoulder holster** or in a **purse, handbag, satchel, other similar bag or briefcase or fully enclosed case** if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section.

**Note:** The law states, “carried upon the person in a sheath, belt holster or shoulder holster,” Handgunlaw.us recommends that until they define or a court states what is a “Sheath” that when you carry your defensive handgun in a concealed manner on your body without a valid permit to carry that you only carry it in a holster that attaches to your belt or a shoulder holster.

## How to Apply for a Permit

1. All parts of the application must be filled out. Failure to completely fill out this application may result in the denial of the application.
2. Once the application is completed and notarized, the individual making the application must bring it to the Department of Public Safety Headquarters in Jackson, or Substations listed [Here](#)
3. The applicant must present two other forms of identification when returning the application. One must be a photo identification, either Mississippi driver’s license or Mississippi identification card. The second may be:

- |                                |  |                      |                    |
|--------------------------------|--|----------------------|--------------------|
| (1) Social Security Card       | (2) Birth Certificate                        | (3) Marriage License | (4) Divorce Decree |
| (5) Military Discharge (DD214) | (6) Military Identification Card             | (7) Passport         |                    |
| (8) W-2 Form                   | (9) Other Official Government Identification |                      |                    |

4. The applicant must have a photograph attached to the application. The photograph should form a pose straight forward and should not drop below the level of the breast-line. The photograph may be black and white or color, but must be of such quality as to make all facial features readily discernible.

5. The fee for an individual firearm permit is eighty dollars (\$80), plus all costs for processing of fingerprints which is thirty-two dollars (\$32), for a total of one hundred twelve dollars (\$112), nonrefundable. This fee may be paid in any one of the following methods: (A) Cash (B) Cashier’s Checks (C) Debit and Credit Cards will be accepted.

6. Retired law enforcement officers must have the “Retired Law Enforcement Officer Only” affidavit filled out and notarized. There must also be attached to this application. For all details on applying go [Here](#). For Fee charges for New Applicants/Renewals go [Here](#).

**Cost is 80.00 +Fingerprint Charges** Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States shall be exempt from the payment of the license fee;

Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States shall be exempt from the renewal fee; and the renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

## **Enhanced Permit NRA Instructors**

2/7/14 - The Mississippi Handgun Permit Unit is now stating **“Enhanced endorsements are now valid indefinitely instead of 5yrs.”** So when you renew your enhanced permit it will automatically have the endorsement.

The Mississippi Attorney General has released an Opinion on where Enhanced Permit holders can carry. You can read the Opinion [Here](#) or by clicking on the link in the AG Opinions/Court Case Section.

House Bill 506 was signed by the Governor. Starting July 1, 2011 the State will have a procedure set up for those with a Permit/License to Carry to obtain an endorsement for certain training. The Law says: an instructional course in the safe handling and use of firearms offered by an instructor certified by a nationally recognized organization that customarily offers firearms training, or by any other organization approved by the Department of Public Safety,

If you obtain this endorsement you will be allowed to carry in all places listed as off limits in 45-9-101 except for any police, sheriff or highway patrol station or any detention facility, prison or jail. The rules/procedure for obtaining an endorsement have been described to me as the following by a person who has been through the process.

Take a class from a Mississippi DPS Certified Enhanced Permit Instructor. You can view the list of Certified Instructors [Here](#).

Upon completion of the program, the course instructor will issue a completed MS DPS approved certificate. The CCW holder will report to a CCW issuing location and present the certificate AND their current CCW. DPS will copy the certificate and adhere a sticker endorsement on the CCW Permit.

The CCW holder does NOT need to complete any additional paperwork at this time, August 15, 2011 or pay any additional fees.

While MSDPS CCW Permit locations normally restrict New Applications, Renewals and Professional permits to certain days, the endorsement can be obtained any day.

### **Senate Bill 2619, Made Effective Upon Signing**

Allows active duty military, including active reserve to obtain IC sticker, must have a copy of active duty orders with application.

Allows Veterans to obtain IC sticker, must present a DD214 with Honorable Discharge, have “Vet” on your driver’s license, or a form from the Veterans Affairs Board with the red stamp used to get the designation.

Allows Disabled Veterans to receive the IC sticker, documentation must be presented stating that you receive service connected disability compensation if the DAV status is not already in the system.

Allows retired military from any branch or component to receive the IC sticker, you must present a copy of your retired military ID or official documentation with the application.

Allows Honorably Retired Law Enforcement to receive the IC sticker, you must show PERS statement and retirement letter from retiring agency unless the system already reflects that you have retired LE status.

For each of these situations a completed Affidavit, attached here, must be submitted. Click here for affidavit for [Military, Retired Military, Disabled Vet, Veterans, or Retired Military](#).

**Note:** I have been told by the Head of the Firearms Permit Unit in Mississippi that you must have the endorsement on the reverse of your Permit/License to be legal in the Off Limits Places described in the New [www.handgunlaw.us](http://www.handgunlaw.us)

Law. That Non-Residents can't obtain an Endorsement and are restricted from carrying in all places listed in Mississippi Law.

[97-37-7](#) Deadly weapons; persons permitted to carry weapons; bond; permit to carry weapon; grounds for denying application for permit; required weapons training course; reciprocal agreements

(2) ..... A person licensed under Section 45-9-101 to carry a concealed pistol, who has voluntarily completed an instructional course in the safe handling and use of firearms offered by an instructor certified by a nationally recognized organization that customarily offers firearms training, or by any other organization approved by the Department of Public Safety, shall also be authorized to carry weapons in courthouses except in courtrooms during a judicial proceeding, and any location listed in subsection (13) of Section 45-9-101, except any place of nuisance as defined in Section 95-3-1, any police, sheriff or highway patrol station or any detention facility, prison or jail. The department shall promulgate rules and regulations allowing concealed pistol permit holders to obtain an endorsement on their permit indicating that they have completed the aforementioned course and have the authority to carry in these locations. This section shall in no way interfere with the right of a trial judge to restrict the carrying of firearms in the courtroom.

**Below is 45-9-101 which lists places off limits & 95-3-1 which defines places of nuisance as noted in the new law.**

[SEC. 45-9-101.](#) (13) No license issued pursuant to this section shall authorize any person to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section 95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship; or any place where the carrying of firearms is prohibited by federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited." No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

[§ 95-3-1.](#) **Definitions of Terms "Person," "Place" and "Nuisance."**

For the purpose of this chapter the terms place, person and nuisance are defined as follows:

**a.** "Place" shall include any building, erection, or structure or any separate part or portion thereof or the ground itself.

**b.** "Person" shall include any individual, corporation, association, partnership, trustee, lessee, agent or assignee.

c. "Nuisance" shall mean any place as above defined in or upon which lewdness, assignation or prostitution is conducted, permitted, continued or exists or any other place as above defined in or upon which a controlled substance as defined in Section 41-29-105, Mississippi Code of 1972, is unlawfully used, possessed, sold or delivered and the personal property and contents used in conducting or maintaining any such place for any such purpose. One single act of unlawful cohabitation, lewdness or possession, use, sale or delivery of a controlled substance about such property shall not come within the terms hereof.

## Non-Resident Permits

### § 45-9-101. License to Carry Stun Gun, Concealed Pistol or Revolver

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

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

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

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

1. Is a member or veteran of the United States Armed Forces; and

2. Holds a valid Mississippi driver's license or identification card with the "Veteran" designation issued by the Department of Public Safety.

## Places Off-Limits Even With a Permit/License

**SEC. 45-9-101 Note:** (See List Below for those with an Enhanced Permit as they can legally carry in some places listed here with an Enhanced Permit. Also see AG Opinions.)

- Any police, sheriff or highway patrol station; any detention facility, prison or jail.
- Any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom;
- Any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof.
- Any school, college or professional athletic event not related to firearms;
- Any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer or light wine is consumed on the premises, that is primarily devoted to such purpose;
- Any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity;
- Inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft;
- Any church or other place of worship;
- Or any place where the carrying of firearms is prohibited by federal law.
- In addition to the places enumerated in this subsection, the carrying of a concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited."
- No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a concealed pistol or revolver

**97-37-17 Possession of weapons by students; aiding or encouraging.**

(6) It shall not be a violation of this section for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol or other firearm of any kind on educational property if:

- (a) The person is not a student attending school on any educational property;
- (b) The firearm is within a motor vehicle; and
- (c) The person does not brandish, exhibit or display the firearm in any careless, angry or threatening manner.

**Mississippi Attorney General Jim Hood put out “An Opinion” on December 5, 2013, written to the City of Corinth, which outlines the following places where the Mississippi statutes authorize a person with an enhanced permit to carry regardless of signage posted by a state governmental entity:**

1. Any polling place. – (Other than the Section 45-9-101(13) prohibiting regular permit holders from carrying in polling places, Mississippi Code Sections 23-15-895 (relating to armed candidates) and 97-13-29 (military officer keeping armed troops within one mile of an election) are the only other state law restrictions regarding firearms in polling places.)
2. Any meeting place of the governing body of any governmental entity. – (It is the opinion of this office that the phrase meeting place means the room in which a meeting transpires as opposed to the entire building. Thus, although an enhanced permit holder would be entitled to carry a concealed pistol or revolver into a meeting place, that individual would not have unfettered gun carrying access to places within the building that are not generally open to the general public. See MS AG Op. Cantrell (Oct. 1, 2013)).
3. Any meeting of the Legislature or a committee thereof. – (Notwithstanding this language, it is the understanding of this office that the House and the Senate have each passed rules or regulations restricting the right of individuals to carry weapons at meetings of the Legislature or its committees.)
4. Any school, college or professional athletic event not related to firearms. – (This provision authorizes an enhanced permit holder to carry a stun gun, concealed pistol or revolver into non-firearm related events even if signage is posted pursuant to Section 45-9-101(13). However, if signage were posted relating to a firearm related school, college or professional event, enhanced permit holders would not be authorized to carry their weapons.)
5. Any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages. -- (This provision would only have applicability to governmental entities to the extent that such entities owned an establishment that was primarily devoted to consuming alcoholic beverages.)
6. Any portion of an establishment in which beer or light wine is consumed on the premises, that is primarily devoted to such purpose. -- (This provision would only have applicability to governmental entities to the extent that such entities owned an establishment that was primarily devoted to consuming beer or light wine.)
7. Any elementary or secondary school facility. – (See MS AG Op. Cantrell (Oct. 1, 2013)).
8. Any junior college, community college, college or university facility.
9. Inside the passenger terminal of any airport. – (Any person may bring a weapon into a passenger terminal if brought in for the purposes of properly lawfully checking or shipping such weapon. An enhanced permit holder could of course still be arrested under federal law for possessing a weapon in areas prohibited by federal law.)
10. Any church or other place of worship. (Practically speaking this provision would not apply to public entities who do not own or control places of worship. This provision has little practical value because private

land owners can generally always allow or disallow anyone from carrying a weapon on their private property regardless of whether the state has granted a license. – See MS AG Op. Cantrell (Oct. 1, 2013)).

**11.** Any place where the carrying of firearms is prohibited by federal law. – (This provision can only be read to mean that an enhanced permit holder carrying a weapon on prohibited federal property would not be subject to prosecution for state law violations. The federal government certainly could and probably would prosecute anyone bringing a weapon into an unauthorized area regardless of the person’s possession of a state permit.).

**12.** In a parade or demonstration for which a permit is required.

**13.** In courthouses except in courtrooms during a judicial proceeding. -- (The right to carry in courthouses except in courtrooms during judicial proceedings is granted to enhanced permit holders expressly by Section 97-37-7 without reference to Section 45-9-101(13). Section 45-9-101(13) states that regular permit holders may not carry in “courthouses” or “courtrooms” with the caveat that nothing contained therein precludes a judge from determining who “will” carry a weapon “in his courtroom.” Presumably under this authority, a judge has authority to determine who will, who can and who cannot carry a weapon in his courtroom. However, the governing authority of the jurisdiction, whether municipal or county could restrict a regular permit holder from initial entry into the courthouse, as opposed to the courtroom, by posting a sign. However, such signage could not prevent an enhanced permit holder from entry into the courthouse. Under no interpretation of the law would either a regular or enhanced permit holder be authorized to carry a firearm into a courtroom during a judicial proceeding unless authorized by the judge. Likewise, as noted above, an individual would not have unfettered gun carrying access to places within the building that are not generally open to the general public. See MS AG Op. Cantrell (Oct. 1, 2013)

**This opinion does not affect the rights of property owners or custodians as follows:**

1. Private landowners may post signs or otherwise prevent carrying of onto weapons onto their private property
2. State or local governmental entities may prohibit concealed carry by enhanced permit holders into areas posted with no weapons signage if the place is not one of the 13 enumerated places above.
3. Federal installations and buildings can prohibit the carrying of weapons regardless of these state statutes.

The opinion likewise points out that an enhanced permit holder who carries a weapon onto property in a place not listed in the 13 places above in violation of a posted sign could be charged for criminal trespass

**The following list identifies places which by statute you cannot carry regardless of the type of permit you have:**

1. Any place of nuisance defined in Section 95-3-1 which would include “any place . . . in or upon which lewdness, assignation or prostitution is conducted, permitted, continued or exists or any other place . . . or upon which a controlled substance as defined in section 41-29-105 . . . is unlawfully used, possessed, sold or delivered and the personal property and contents used in conducting or maintaining any such place for any such purpose. See Miss. Code Ann. Section 95-3-1 (as amended).
2. Any police, sheriff or highway patrol station.
3. Any detention facility, prison or jail

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**45-9-51. (2)** No public housing authority operating in this state may adopt any rule or regulation restricting a lessee or tenant of a dwelling owned and operated by such public housing authority from lawfully possessing firearms or ammunition or their components within individual dwelling units or the transportation of such firearms or ammunition or their components to and from such dwelling.

## 45-9-53

(4) No county or a municipality may use the written notice provisions of Section 45-9-101(13) to prohibit firearms on property under their control except in the locations listed in subsection (1)(f) of this section. Nothing in this subsection shall limit the ability of a county or municipality to post signs:

(a) At a location listed in Section 45-9-101(13) indicating that a license issued under Section 45-9-101 does not authorize the holder to carry a firearm into that location, as long as the sign also indicates that carrying a firearm is unauthorized only for license holders without a training endorsement or that it is a location included in Section 310 97-37-7(2) where carrying a firearm is unauthorized for all license holders; and

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

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

(5) (a) A citizen of this state, or a person licensed to carry a concealed pistol or revolver under Section 45-9-101, or a person licensed to carry a concealed pistol or revolver with the endorsement under Section 97-37-7, who is adversely affected by an ordinance or posted written notice adopted by a county or municipality in violation of this section may file suit for declarative and injunctive relief against a county or municipality in the circuit court which shall have jurisdiction over the county or municipality where the violation of this section occurs.

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For Federal Restrictions on Firearms see the [USA Page](#).

### Do “No Gun Signs” Have the Force of Law?

“YES” (For Non Enhanced Permit Holders)

“YES/NO” ? For Enhanced Permit Holders. See AG Opinion No. [2001-00295](#) See Note Below.

#### § 45-9-101. License to Carry Stun Gun, Concealed Pistol or Revolver

(13) ... In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited."

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**Note:** Below used with Permission of the attorneys and staff of [Freeland Martz Shull, PLLC](#), This Information can be found at Freeland Martz Shull, PLLC website [Here](#).

§ 97-37-7(2) ... all provisions of Mississippi enhanced carry law shall also be authorized to carry weapons in courthouses except in courtrooms during a judicial proceeding, and any location listed in subsection (13) of Section 45-9-101, except any place of nuisance as defined in Section 95-3-1, any police, sheriff or highway patrol station or any detention facility, prison or jail.



## Parking Lot Storage Law

### **§ 45-9-55. Employer not Permitted to Prohibit Transportation or Storage of Firearms on Employer Property; Exceptions; Certain Immunity for Employer**

(1) Except as otherwise provided in subsection (2) of this section, a public or private employer may not establish, maintain, or enforce any policy or rule that has the effect of prohibiting a person from transporting or storing a firearm in a locked vehicle in any parking lot, parking garage, or other designated parking area.

(2) A private employer may prohibit an employee from transporting or storing a firearm in a vehicle in a parking lot, parking garage, or other parking area the employer provides for employees to which access is restricted or limited through the use of a gate, security station or other means of restricting or limiting general public access onto the property.

(3) This section shall not apply to vehicles owned or leased by an employer and used by the employee in the course of his business.

(4) This section does not authorize a person to transport or store a firearm on any premises where the possession of a firearm is prohibited by state or federal law.

(5) A public or private employer shall not be liable in a civil action for damages resulting from or arising out of an occurrence involving the transportation, storage, possession or use of a firearm covered by this section.

**HISTORY:** SOURCES: Laws, 2006, ch. 450, § 2, eff from and after July 1, 2006.

## Must Inform Officer Immediately on Contact By Law?

**“NO”**

§ 45-9-101 (1) (b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$ 25.00) and shall be enforceable by summons.

## Carry In State Parks//WMA/Road Side Rest Areas & St. /Nat. Forests

### **Carry Allowed in these Areas:**

**State Parks:** **YES** Sec. 45-9-101.

**State/National Forests:** I can find no reference to no firearms allowed.

**State WMA's:** **YES /NO?** Only During Hunting Season and .22 Cal Max is for hunting purposes. Regulations are quiet on self defense firearms carried with a valid permit/license. See [WMA Regulations](#)

**Road Side Rest Areas:** **YES** If Not Posted

## RV/Car Carry Without a Permit/License

§ 97-37-1. Deadly weapons; carrying while concealed; use or attempt to use; penalties; "concealed" defined

(2) It shall not be a violation of this section for any person over the age of eighteen (18) years to carry a firearm or deadly weapon concealed within the confines of his own home or his place of business, or any real property associated with his home or business or within any motor vehicle.

**45-9-101** A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a **sheath, belt holster or shoulder holster** or in a **purse, handbag, satchel, other similar bag or briefcase or fully enclosed case** if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section.

**Note:** Handgunlaw.us believes this means the firearm can't be on your body. It must be in a container that you can carry. Handgunlaw.us believes a Fanny Pack would meet the requirements. That would be the same as a purse over a shoulder. An open top purse or bag that would make the handgun visible without physically opening it would most likely not be acceptable. The law states "fully enclosed."

## Open Carry (Without a Valid Permit/License)

Starting July 1, 2013 Mississippi is an Open Carry State without any type of Permit/License needed. Places as listed in the "Places Off Limits" would apply to those who open carry. See the "RV/Car Carry Without a Permit" section for carrying in a vehicle.

### 97-37-1

(4) For the purposes of this section, "concealed" means hidden or obscured from common observation and shall not include any weapon listed in subsection (1) of this section, including, but not limited to, a loaded or unloaded pistol carried upon the person in a sheath, belt holster or shoulder holster that is wholly or partially visible, or carried upon the person in a scabbard or case for carrying the weapon that is wholly or partially visible.

**Note:** Sec 4 above was added as this change in Mississippi law as a partially concealed firearm was considered concealed under the old law. (Effective Date 7/1/13)

The state preempts all firearm laws in the state and local authorities can't have Laws/Ordinances against open carry. Local Authorities can prohibit carrying firearms in city parks, municipal buildings etc. see State Preemption Section below. Remember that if you enter any property and the owner/responsible person ask you to leave you must leave. Failure to leave can result in Trespass Charges. The Minimum age for Open Carry is 18.

In some states Open Carry is forbidden in places where those with a valid permit/license can carry. This is not the last word on Open Carry in this state. Check at [www.opencarry.org](http://www.opencarry.org) or go to Google and type in State Name Open Carry or Open Carry State Name for a search for open carry info in this state. Check with the [State's RKBA](#) Organization/s. Also see "Attorney General Opinions/Court Cases" Section for an Official AG Opinion on Open Carry.

**Note:** Also see AG Opinions/Court Case Section below for AG Opinion on Open Carry.

## State Preemption

### **SEC. 45-9-51. Prohibition Against Adoption of Certain Ordinances.**

Subject to the provisions of Section 45-9-53, no county or municipality may adopt any ordinance that restricts or requires the possession, transportation, sale, transfer or ownership of firearms or ammunition or their components. Sources: Laws, 1986, ch. 471, § 1, eff from and after passage (approved April 14, 1986).

**§ 45-9-53. Exceptions.**

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

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

(b) To regulate the discharge of firearms within the limits of the county or municipality. A county or municipality may not apply a regulation relating to the discharge of firearms or other weapons in the extraterritorial jurisdiction of the county or municipality or in an area annexed by the county or municipality after September 1, 1981, if the firearm or other weapon is:

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

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

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

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

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

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

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

(d) To regulate the use of firearms in cases of insurrection, riots and natural disasters in which the city finds such regulation necessary to protect the health and safety of the public.

However, the provisions of this section shall not apply to the lawful possession of firearms ammunition or components of firearms or ammunition;

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

(f) To regulate the carrying of a firearm at:

(i) a public park or at a public meeting of a county, municipality or other governmental body;

(ii) a political rally, parade or official political meeting; or

(iii) a nonfirearm-related school, college or professional athletic event; or

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

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

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

(4) No county or a municipality may use the written notice provisions of Section 45-9-101(13) to prohibit firearms on property under their control except in the locations listed in subsection (1)(f) of this section. Nothing in this subsection shall limit the ability of a county or municipality to post signs:

(a) At a location listed in Section 45-9-101(13) indicating that a license issued under Section 45-9-101 does not authorize the holder to carry a firearm into that location, as long as the sign also indicates that carrying a firearm is unauthorized only for license holders without a training endorsement or that it is a location included in Section 310 97-37-7(2) where carrying a firearm is unauthorized for all license holders; and

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

(5) (a) A citizen of this state, or a person licensed to carry a concealed pistol or revolver under Section 45-9-101, or a person licensed to carry a concealed pistol or revolver with the endorsement under Section 97-37-7, who is adversely affected by an ordinance or posted written notice adopted by a county or municipality in violation of this section may file suit for declarative and injunctive relief against a county or municipality in the circuit court which shall have jurisdiction over the county or municipality where the violation of this section occurs.

## Deadly Force Laws

§ 97-3-15 Homicide; Justifiable Homicide.

§ 97-3-17 Homicide; excusable homicide.

## Knife Laws State/Cities

To access State/Local Knife Laws Click [“Here”](#)

## Carry in Restaurants That Serve Alcohol

**YES** 45-9-101

**Note:** A “YES” above means you can carry into places like described below. “NO” means you can’t. Handgunlaw.us definition of “Restaurant Carry” is carry in a restaurant that serves alcohol. Places like Friday’s or Red Lobster unless posted with “No Gun Signs.” This may or may not mean the bar or the bar area of a restaurant. But you can carry your firearm into a restaurant that serves alcohol and sit and eat without consuming. Handgunlaw.us recommends you not sit at the Bar or in the Bar area of such restaurants. In some states it is illegal to be in the Bar area of such restaurants. Handgunlaw.us believes you should never consume alcohol when carrying your firearm. In some states it is illegal to take even one drink while carrying a firearm. If you want further info on carrying in places that serve alcohol check your state laws.

## Chemical Sprays/Stun Gun/Higher Capacity Magazine Laws

§ 45-9-101 Must be licensed to carry a stun gun.

## LEOSA State Information

**Note:** Contact the Mississippi Association of Chiefs of Police to get certified

See the LEOSA Section on the [USA Page](#) at Handgunlaw.us for more LEOSA Information.

## Attorney General Opinions/Court Cases

- [Mississippi AG - Students and Firearm in Car on School Grounds](#)
- [Mississippi AG - Are Knives Deadly Weapons? Concealed?](#)
- [Mississippi AG - Carry in Vehicle Without Permit](#)
- [Mississippi AG - Carry in Vehicle Without Permit](#)
- [Mississippi AG – Carry Restrictions With Endorsement](#)
- [Mississippi AG – Enhanced Permit and College/University Campus](#)
- [Mississippi AG - Open Carry Opinion \(New Law 2013\)](#)
- [Mississippi AG – Carry With Enhanced Permit on School Property and Buildings](#)
- [Mississippi AG – Fees That Can Be Charged an Applicant.](#)
- [Mississippi AG – Where Enhanced Permit Holders Can Carry.](#)
- [Mississippi AG – Full Opinion \(On Above\) Addresses Open and Concealed Carry](#)
- [Mississippi AG – Cities Can’t Ban Open Carry in Their facilities](#)
- [MS Supreme Ct – Upholds Parking Lot Storage Law](#)

## Airport Carry/Misc. Information

**Airport Carry:** Not inside the Terminal SEC. 45-9-101

**Training Valid for:** No set time period.

**Time Period to Establish Residency:** Is a resident of the state and has been a resident for twelve (12) months or longer immediately preceding the filing of the application. However, this residency requirement may be waived, provided the applicant possesses a valid permit from another state, is active military personnel stationed in Mississippi or is a retired law enforcement officer establishing residency in the state.

**Minimum Age for Permit/License:** 21 (18 if Active Military or Veteran)

**Permit/License Info Public Information:** NO

**State Reciprocity/How They Honor Other States Statute:** § 45-9-101.

**State Fire arm Laws:** 45-9-31 thru 45-9-151 & 97-37-1 thru 97-37-37

**State Deadly Force Laws:** 97-3-15

**State Knife Laws:** 97-37-1 / 37-5 / 37-7 & 97-37-17 / 37-19

**Chemical/Electric Weapons Laws:** Electric Weapons § 45-9-101 (Must have permit to carry)

**Body Armor Laws: Unknown**

**Does Your Permit Cover Other Weapons Besides Firearms? NO 45-9-101**

**Is carrying of a Concealed Firearm with Permit/License for Defensive Purposes Only While Hunting Legal? YES** Except When Hunting with Primitive Weapons & Bows. Not allowed to Shine while in possession of a firearm. AL Outdoor Digest

## Notes

**What Does MS Consider A Loaded Firearm?**

**Mississippi Wildlife, Fisheries & Parks**

### Hunting From Roads, Vehicles and Boats

**"Unloaded"** means that a cartridge or shell is not positioned in the barrel or magazine of the firearm or in a clip, magazine, or retainer attached to the firearm. An unloaded muzzle-loading caplock firearm is one with the cap removed.

An unloaded muzzleloading flintlock firearm is one with no powder in the flashpan. It is illegal to hunt or kill any game animal, furbearing animal or game bird from any motorized vehicle or boat. However, squirrels and game birds may be hunted from a boat if the motor is off and the progress of the boat has ceased.

### **State Emergency Powers**

**33-7-303. (1)** The Governor, if he deems it necessary to preserve law and order, may by proclamation declare martial law to be in effect in any county or area in the state. Such proclamation shall be in writing, shall define the limits of such martial law, and specify the forces to be used, and the extent and degree to which martial law may be employed.

**(2) (a)** Nothing in this section or in any other statute shall be construed to confer upon the Governor or any official or employee of any department, agency or political subdivision of the state the power to:

- (i)** Confiscate or seize a firearm, ammunition, or components of firearms or ammunition from a person who is in lawful possession of such firearm, ammunition, or components of ammunition; or
- (ii)** Impose additional restrictions as to the lawful possession, transfer, sale, carrying, storage, display or use of firearms, ammunition, or components of firearms or ammunition.

**(b)** For the purposes of this subsection:

- (i)** "Ammunition" means a cartridge, shell or other device containing explosive or incendiary material designed and intended for use in a firearm.
- (ii)** "Firearm" means any weapon which will or is designed to expel any projectile by the action of an explosive.

This section and Section 45-9-51 do not affect 242 the authority that a county or municipality may have under another 243 law:

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

**(d)** To regulate the use of firearms in cases of insurrection, riots and natural disasters in which the city finds such regulation necessary to protect the health and safety of the public. However, the provisions of this section shall not apply to the lawful possession of firearms, ammunition or components of firearms or ammunition;

**Note:** Local Government authorities in time of emergency have no authority over the lawful possession of firearms, ammunition or components of firearms or ammunition;

**§ 33-15-11. Emergency Management Powers of Governor (Edited for Space Considerations)**

**(a)** The Governor shall have general direction and control of the activities of the Emergency Management Agency and Council and shall be responsible for the carrying out of the provisions of this article, and in the event of a man-made, technological or natural disaster or emergency beyond local control, may assume direct operational control over all or any part of the emergency management functions within this state.

**(b)** In performing his duties under this article, the Governor is further authorized and empowered:

**(1)** To make, amend and rescind the necessary orders, rules and regulations to carry out the provisions of this article with due consideration of the plans of the federal government, and to enter into disaster assistance grants and agreements with the federal government under the terms as may be required by federal law.

**(5)** To take such action and give such directions to state and local law enforcement officers and agencies as may be reasonable and necessary for the purpose of securing compliance with the provisions of this article and with the orders, rules and regulations made pursuant thereto.

**(9)** To delegate any authority vested in him under this article, and to provide for the sub delegation of any such authority.

**(14)** To authorize the Commissioner of Public Safety to select, train, organize and equip a ready reserve of auxiliary highway patrolmen.

**(15)** To suspend or limit the sale, dispensing or transportation of alcoholic beverages, firearms, explosives and combustibles.

**(16)** To control, restrict and regulate by rationing, freezing, use of quotas, prohibitions on shipments, price fixing, allocation or other means, the use, sale or distribution of food, feed, fuel, clothing and other commodities, materials, goods or services.

**(c)** In addition to the powers conferred upon the Governor in this section, the Legislature hereby expressly delegates to the Governor the following powers and duties in the event of an impending enemy attack, an enemy attack, or a man-made, technological or natural disaster where such disaster is beyond local control:

**(1)** To suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business, or the orders, rules or regulations of any state agency, if strict compliance with the provisions of any statute, order, rule or regulation would in any way prevent, hinder or delay necessary action in coping with a disaster or emergency.

**(4)** To perform and exercise such other functions, powers and duties as may be necessary to promote and secure the safety and protection of the civilian population in coping with a disaster or emergency.

**(d)** This section does not authorize the Governor or a 224 designee of the Governor to act in contravention of Section 225 33-7-303.

**§ 45-9-51. Prohibition Against Adoption of Certain Ordinances**

Subject to the provisions of Section 45-9-53, no county or municipality may adopt any ordinance that

restricts or requires the possession, transportation, sale, transfer or ownership of firearms or ammunition or their components.

### § 45-9-53. Exceptions

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

(d) To regulate the use of firearms in cases of insurrection, riots and natural disasters in which the city finds such regulation necessary to protect the health and safety of the public. However, the provisions of this section shall not apply to the lawful possession of firearms in the home, place of business or in transit to and from the home or place of business;

**Note:** Federal Law can apply if the state is receiving monetary and/or other assistance from the Federal Government. See [US Code 42-5207](#) for Federal Law as it applies to States of Emergencies. The state quoted code may also not be all of the law on Emergency Powers held by the state. You should read the entire code on Emergency Powers etc for this state by following the link to the state code.

### **Minimum Age for Possessing and Transporting of Handguns.**

**Mississippi 18 Y/O § 97-37-14**

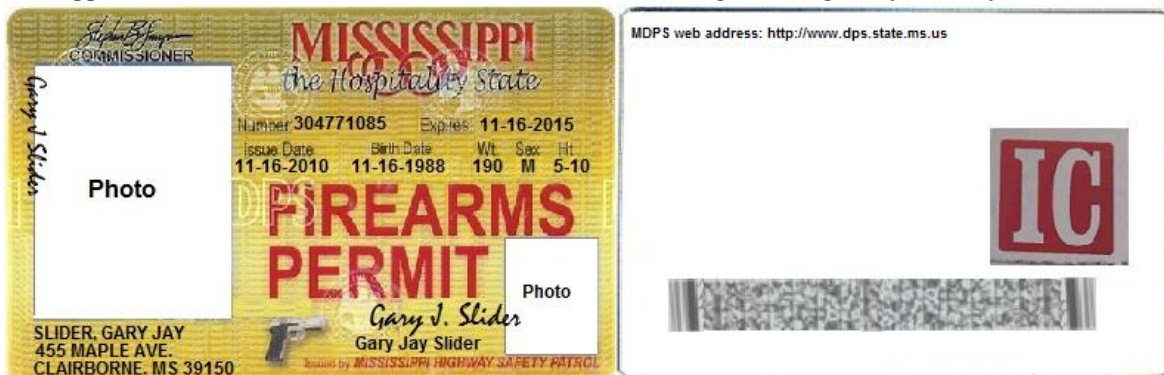
This is the minimum age for possessing and transporting a handgun unloaded and secured in a vehicle without any type of permit/license to carry firearms.

**Note:** In some states Possession and Transportation CAN be very restrictive in that you can ONLY possess and transport a handgun to and from a Shooting Range, Gun Shop, property you own or other places you can legally possess a handgun. Some states do not have this restriction.

This is not the last word on possession and transporting of handguns in this, or any other state. Study your state law further for more information. See “RV/Car Carry” Section Above for more information.

### **Permit/License Image**

Mississippi Permit with Endorsement on back for Advanced Training Allowing Carry In Many Off Limit Places.



This image has been digitally assembled from 2 or more images. It may not be 100% accurate but gives a good representation of the actual Permit/License.

### **Updates to this Page**

[Archive of Previous Updates](#)

8/1/16 – All Links Checked.

1/1/17 – Missouri Added as Permitless Carry State to List of States Under Map at Top of Page.

2/9/17 – All Links Checked and Repaired if Required.

2/15/17 – South Carolina Now Honors the Mississippi Enhanced Permit.

2/24/17 – New Hampshire Added as Permitless Carry State to List of States Under Map at Top of Page.

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