

## SAFETY FIRST: HOW ARMING MISSISSIPPI TEACHERS WOULD PROTECT STUDENTS

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#### INTRODUCTION

Picture it: 9:35 on a Wednesday morning in early November—a day like any other day. A man enters a small public school in rural Mississippi and ducks into a classroom. The students' looks of rapt attention change instantly to wide-eyed fear, and the teacher's becomes one of utter bewilderment as her eyes moisten. The man points a gun straight at her face and a gunshot echoes throughout the entire school. The last thing she saw was the shooter turning the gun on her students. The distinctive *tap, tap, tap* of gunfire is barely heard over the scramble and screams that resulted from the first shot as the rest of the school emptied pell-mell seeking safety. Twenty-six victims later, the shooter takes his own life right after the police arrive. The classroom door wasn't locked; it wasn't even shut. Why should it be? The worst thing anyone thought would happen was that another teacher or student might interrupt class to ask a question or make a request.

Now picture a related set of facts—the same time, the same day. Only this time, the teacher is an enhanced, concealed-carry permit holder. This time, when the would-be-shooter entered her classroom and turned the gun on her, she drew her pistol and shot

him. Instead of twenty-six victims, there are none; the only person dead is the gunman. Unfortunately, there just is not enough armed presence in Mississippi schools; some schools still have no armed presence. No one expects anything like that to happen here. The trouble with that line of thinking is that no one ever expected a mass shooting to occur at any of the places where one has occurred.<sup>1</sup>

A basic analysis of the Second Amendment right to bear arms and its incorporation into the Fourteenth Amendment, the Mississippi Constitution's right to bear arms and regulation of concealed weapons, and the federal Gun Free School Zone Act—along with its Mississippi counterpart—are the ambit of Part I of this comment. Part II then discusses diverse support of campus carry by education personnel including the Mississippi legislature and attorney general, along with a look at its impact on jurisdictions that allow campus carry. Part III presents and counters common objections to campus carry. Using Nevada as a case study, Part IV applies the supporting and opposing arguments of campus carry to an unfortunate—and recent—tragedy. Part V proposes statutory amendments to unequivocally allow any education personnel possessing an enhanced carry firearms permit from the state of Mississippi to carry concealed firearms on educational property within the state. Finally, Part VI discusses residual effects and issues if Mississippi endorses campus carry by its education personnel.

Rather than protecting school children, Gun Free School Zone acts make them easy targets for mass murderers. The time it takes police to respond increases the body count. Considering absolute campus firearm bans have proven to be little deterrence for mass murderers, this Comment suggests the Mississippi legislature enact a statute that allows its education personnel who choose to acquire an enhanced concealed-carry permit be allowed to carry on campus. In the alternative—in the absence of an express statute—this Comment beseeches the Mississippi courts to interpret the State's standing statutes to allow campus carry by enhanced permit holding education personnel.

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<sup>1</sup> See *infra* text accompanying notes 66 (discussing the Columbine and Sandy Hook shootings), 44-49 (discussing the Pearl and Appalachian shootings), and 82-87 (discussing the Nevada shooting).

## I. BACKGROUND

*A. Constitutional Right to Bear Arms*

The Second Amendment of the United States Constitution guarantees the right to bear arms.<sup>2</sup> In 2010, the Supreme Court of the United States finally held the guarantees of the Second Amendment are applicable to the states via incorporation into the Fourteenth Amendment.<sup>3</sup>

Even without incorporation, the Mississippi Constitution unequivocally guarantees its citizens the right to bears arms, but expressly states that the legislature may regulate the carrying of concealed weapons.<sup>4</sup>

*B. Gun Free School Zone Acts and Campus Carry*

Both the federal Gun Free School Zone Act and Mississippi's state counterpart restrict "campus carry."<sup>5</sup> However, the federal act allows campus carry by anyone in a state who has a concealed-carry permit issued by that state if that state allows campus carry.<sup>6</sup> Mississippi's gun free schools law states, in pertinent part, "It shall be a felony for any person to possess or carry, whether openly or concealed, any gun, rifle, pistol or other firearm of any kind . . . on educational property."<sup>7</sup>

Mississippi's basic concealed-carry law expressly states a license issued pursuant to its specific section does not authorize a person to carry a gun into any "school, college or professional athletic event," "any elementary or secondary school facility," or "any junior college, community college, college or university

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<sup>2</sup> "A well regulated Militia, being necessary to the security of a free State, the right of the people to keep and bear Arms, shall not be infringed." U.S. CONST. amend. II. *See also* District of Columbia v. Heller, 554 U.S. 570, 576 (2008).

<sup>3</sup> McDonald v. City of Chicago, 130 S. Ct. 3020, 3050 (2010). *See also* U.S. CONST. amend. XIV ("No State shall . . . deprive any person of life, liberty, or property, without due process of law . . .").

<sup>4</sup> MISS. CONST. art. III, § 12.

<sup>5</sup> "It shall be unlawful for any individual knowingly to possess a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a school zone." 18 U.S.C. § 922(q)(2)(A) (2012). *See also* MISS. CODE ANN. § 97-37-17(2) (2013).

<sup>6</sup> 18 U.S.C. § 922(q)(2)(B)(ii) (2012).

<sup>7</sup> MISS. CODE ANN. § 97-37-17(2) (2013).

facility.”<sup>8</sup> However, Mississippi’s enhanced carry statute expressly states a license holder who undergoes approved weapons training “shall also be authorized to carry weapons in . . . any location listed in subsection (13) of Section 45-9-101 [with exception for places of nuisance and detention facilities].”<sup>9</sup>

Because educational facilities are listed in subsection 13 and do not fall under the place of nuisance<sup>10</sup> or detention facility exception, concealed campus carry by education personnel possessing an instructor-certified, enhanced Mississippi concealed firearms permit is permitted on the face of the statutes, but whether Mississippi’s enhanced concealed-carry law provides an exception to its gun free schools law is ambiguous at best.<sup>11</sup>

## II. IN SUPPORT OF CAMPUS CARRY BY EDUCATION PERSONNEL

### A. Attorney General Opinions

Attorney General opinions issued over a course of several years endorse concealed campus carry by teachers.<sup>12</sup> However, the opinions are quick to point out the ambiguities under the existing statutes.<sup>13</sup>

#### 1. School Districts may Allow Employees with Enhanced Carry Permits to Carry on Campus.

Local school districts are free to establish policies and procedures prohibiting school district employees from carrying weapons—concealed or openly—on campus.<sup>14</sup> School board employment policies may require employees contractually promise

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<sup>8</sup> MISS. CODE ANN. § 45-9-101(13) (2013).

<sup>9</sup> *Id.* § 97-37-7(2). *See also Id.* § 45-9-101.

<sup>10</sup> MISS. CODE ANN. § 95-3-1 (2013) defines place of nuisance as “any place . . . upon which lewdness, assignation or prostitution is conducted . . . or any other place . . . in or upon which a controlled substance . . . is unlawfully used, possessed, sold or delivered . . .”

<sup>11</sup> *See infra* text accompanying notes 18, 21-22, 34-43, 97-99.

<sup>12</sup> Mississippi’s attorney general can issue advisory opinions to law enforcement and other public officials. MISS. CODE ANN. § 7-5-25 (2013).

<sup>13</sup> *See infra* text accompanying notes 14-22.

<sup>14</sup> Scott Cantrell, Miss. Att’y Gen. Op. No. 2013-23, at \*2 (Oct. 1, 2013); Emily Wagster Pettus, *Hidden Guns OK on School Campus*, THE COMMERCIAL DISPATCH, Oct. 3, 2013, at 1.

not to carry firearms on campus during their employment, even if the employee possesses an enhanced concealed-carry permit.<sup>15</sup> The Opinion concludes with an endorsement of the very policy advocated in this Comment:

A school district may, in its discretion, prohibit its employees who hold enhanced carry licenses from possessing weapons at the school. In the alternative, a school district may, in its discretion, allow its employees with enhanced carry licenses to carry weapons and may expend [Mississippi Adequate Education Program] funds for those employees to be trained for such purpose.<sup>16</sup>

## 2. Police Cannot Enforce the Mississippi Gun Free School Zone Act Against Enhanced Carry Permit Holders on College Campuses.

University police departments and other law enforcement personnel cannot enforce the state's gun free schools law against enhanced carry permit holders.<sup>17</sup> The Attorney General is of the opinion that the broad prohibitions against firearms on educational property found in Section 97-37-17 must give way to the specific exception carved-out in Section 97-37-7.<sup>18</sup> However, the Board of Trustees of the State Institutions of Higher Learning may restrict weapons via employment and admissions requirements.<sup>19</sup>

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<sup>15</sup> Scott Cantrell, Miss. Att'y Gen. Op. No. 2013-23, at \*2 (Oct. 1, 2013). *See also* Joedy Pennington, Miss. Att'y Gen. Op. No. 2013-26, at \*1 (Mar. 1, 2013).

<sup>16</sup> Scott Cantrell, Miss. Att'y Gen. Op. No. 2013-23, at \*5 (Oct. 1, 2013).

<sup>17</sup> Hank M. Bounds, Miss. Att'y Gen. Op. No. 2011-365, at \*1 (Jan. 5, 2012). *See also* MISS. CODE ANN. §§ 97-37-17, -7 (2013).

<sup>18</sup> Hank M. Bounds, Miss. Att'y Gen. Op. No. 2011-365 at \*1 (Jan. 5, 2012). *See* MISS. CODE ANN. §§ 97-37-17, -7. *See also* *White v. Lowry*, 139 So. 874, 876 (Miss. 1932) (“[W]here a statute contains both a particular and a general enactment, and the general enactment in its most comprehensive sense would include what is embraced in the particular one, the latter must be given effect as to all cases which fall within the particular provision, and the general enactment must be taken to embrace only such cases within its general language as are not within the provisions of the particular enactment.”).

<sup>19</sup> Hank M. Bounds, Miss. Att'y Gen. Op. No. 2011-365, at \*2 (Jan. 5, 2012). *See also* MISS. CODE ANN. §§ 97-37-17, -7 (2013).

### 3. Open Carry on any Educational Property Violates the Mississippi Gun Free School Zone Act.

Open carry on educational property violates Section 97-37-17, Mississippi's gun free schools law.<sup>20</sup> Carrying concealed weapons at public events on school property—such as plays, sports games, and rallies—is allowed, but schools may restrict concealed-carry on property not open to the public.<sup>21</sup> However, an enhanced concealed-carry permit holder carrying concealed weapons on school property would not be guilty of violating the state's concealed weapons law or its gun free schools law.<sup>22</sup>

#### *B. Legislative Response*

The Mississippi legislature has expanded gun rights in recent years.<sup>23</sup> While it is unlikely they will all pass, and unclear if any will pass, there are currently thirty gun bills before the Mississippi legislature—so many that 2014 has already been heralded as “the session of the gun bills.”<sup>24</sup>

#### 1. House Bill 2 Passed in 2013 to Allow Open Carry in Unrestricted Areas.

In 2013, the Mississippi legislature amended its concealed-carry laws to clarify that open carry is the law in Mississippi.<sup>25</sup> After a group of district attorneys and law enforcement personnel convinced a Hinds County Circuit Judge to stay the statute's

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<sup>20</sup> Brad Lance, Miss. Att'y Gen. Op. No. 2013-114, at \*3 (June 13, 2013). Opinion issued after passage of H.R. 2, 128th Leg., Reg. Sess. (Miss. 2013). See also MISS. CODE ANN. § 97-37-17 (2013).

<sup>21</sup> Scott Cantrell, Miss. Att'y Gen. Op. No. 2013-23, at \*4 (Oct. 1, 2013). Schools may prohibit an enhanced concealed-carry permit holding parent from carrying concealed to a private parent-teacher meeting on school property. *Id.*

<sup>22</sup> *Id.* at \*2, \*4. A holder would, however, be trespassing if he refused a school's request to leave and not return until he disarmed himself. *Id.* at \*4.

<sup>23</sup> See *infra* text accompanying notes 25-35.

<sup>24</sup> Tom Dees, *Miss. has 19 gun bills this Legislative session*, WHBQ-MEMPHIS FOX AFFILIATE (Feb. 3, 2014), <http://www.myfoxmemphis.com/video?clipId=9778428&autostart=true#axzz2sI1xnLj6> (embedded video). The most current count of gun bills before the Mississippi legislature for the 2014 legislative session is thirty. See APPENDIX *infra*.

<sup>25</sup> H.B. 2, 128th Leg., Reg. Sess. (Miss. 2013); MISS. CODE ANN. §§ 97-37-1(4), -7(2) (2013). Bill passed in response to Robert B. Russell, Miss. Att'y Gen. Op. No. 2012-248, at \*1 (June 14, 2012).

enactment as unconstitutionally vague, the Mississippi Supreme Court gave the law the green light, finding it not unconstitutionally vague.<sup>26</sup>

2. House Bill 827—Authorizing Superintendents to Appoint Employees to Carry Concealed Weapons, Provided Training and Licensing is Completed—Died in Committee.

In last year's legislative session, Mississippi House Bill 827 proposed authorizing superintendents to appoint district employees to carry concealed weapons on campus for campus security purposes, provided the enhanced training and licensing is completed.<sup>27</sup> Considering many school districts lack the funds to hire private security, and many law enforcement agencies lack the man-power to assign officers to every school, such a law would particularly enhance campus security in districts with few, if any, school resource officers.<sup>28</sup> Like a similar bill in Nevada, the bill failed to pass.<sup>29</sup>

A practically identical bill was introduced in January 2014 that is currently wending its way through the legislature at the time of this writing. The bill is gaining little more support than H.B. 827 did in 2013, largely due to the uncertainty of public reception. However, the bill is building steam,<sup>30</sup> and the mass

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<sup>26</sup> State v. Smith, 123 So. 3d 920, 920 (Miss. 2013).

<sup>27</sup> H.B. 827, 128th Leg., Reg. Sess. (Miss. 2013). A similar bill that only authorized one person to carry concealed on campus was indefinitely tabled in New Mexico. H.B. 230, 51st Leg., 1st Sess. (N.M. 2013).

<sup>28</sup> H.B. 827, 128th Leg., Reg. Sess. (Miss. 2013). See also *supra* text accompanying note 16; *infra* text accompanying note 86.

<sup>29</sup> H.B. 827, 128th Leg., Reg. Sess. (Miss. 2013) (died in committee). See also *infra* text accompanying notes 80-87.

<sup>30</sup> H.B. 64, 129th Leg., Reg. Sess. (Miss. 2014).

The superintendent of every school district is authorized to appoint willing employees of the school district to carry a concealed weapon for security purposes on the campus of the school where they are employed. In order for a school employee to carry a concealed weapon on school property, the employee must be licensed under Section 45-9-101 to carry a concealed weapon and must successfully complete 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.

*Id.* See also MISS. CODE ANN. §§ 45-9-101, 97-37-7 (2013).



shootings that have taken place in the past year will likely act as a catalyst to help the bill gain support in both chambers.<sup>31</sup>

### 3. Enhanced Conceal Carry Option Added in 2011 Allows Campus Carry on its Face.

In 2011, the legislature added the “enhanced” concealed-carry endorsement option, which by its express terms seems to allow concealed campus carry if the statutorily requisite firearms training is obtained.<sup>32</sup> The canons of statutory interpretation support this reading.<sup>33</sup> Section 97-37-7 specifically allows enhanced permit holders to carry on primary and secondary schools and college campuses under plain meaning.<sup>34</sup> However, Section 97-37-17, also under plain meaning, prohibits firearms on school campuses.<sup>35</sup>

Under *in pari materia*<sup>36</sup>, statutory ambiguities are resolved in light of other statutes on the same subject matter.<sup>37</sup> In relation to these two statutes, this doctrine should be coupled with the canon of *generalia specialibus non derogant*<sup>38</sup>—general statutes do not detract from the effectiveness of specific statutes. The specific allowance of campus carry in Section 97-37-7 must be given effect at the expense of the more general Section 97-37-17.<sup>39</sup>

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<sup>31</sup> See, e.g., *infra* text accompanying notes 64, 66, 82-87. Provided, of course, the plethora of gun bills before the 2014 legislature does not cause this one to get lost in the legislative shuffle. See *supra* text accompanying note 25. See also APPENDIX *infra*.

<sup>32</sup> MISS. CODE ANN. § 97-37-7(2) (2013).

<sup>33</sup> See *supra* text accompanying notes 11, 18, 21-22; *infra* text accompanying notes 34-43, 97, 99.

<sup>34</sup> See, e.g., *Caminetti v. United States*, 242 U.S. 470, 485 (1917). See also MISS. CODE ANN. § 97-37-7 (2013).

<sup>35</sup> *Caminetti*, 242 U.S. at 485. See also MISS. CODE ANN. § 97-37-17(2) (2013).

<sup>36</sup> Upon the same matter or subject, see *Brown v. State*, 102 So. 3d 1087, 1092 (Miss. 2012), and *Greaves v. Hinds Cnty.*, 145 So. 900, 901 (Miss. 1933). See also *Hank M. Bounds*, Miss. Att’y Gen. Op. No. 2012-365, at \*1 (Jan. 5, 2012).

<sup>37</sup> See *White v. Lowry*, 139 So. 874, 876 (Miss. 1932). See also *supra* text accompanying note 18.

<sup>38</sup> The general does not detract from the specific. See *Nitro-Lift Technologies, L.L.C. v. Howard*, 133 S. Ct. 500, 504 (2012). See also *supra* text accompanying notes 18, 37.

<sup>39</sup> See MISS. CODE ANN. §§ 97-37-7, -17 (2013).

The “rule of last in time”—*leges posteriores priores contrarias abrogant*<sup>40</sup>—dictates the more recent Section 97-37-7 takes precedence over the earlier Section 97-37-17.<sup>41</sup> “If two inconsistent acts be passed at different times, the last . . . is to be obeyed; and if obedience cannot be observed without derogating from the first, it is the first which must give way.”<sup>42</sup> Moreover, given that these are criminal statutes, any ambiguities should be resolved in favor of the accused under the rule of lenity.<sup>43</sup>

### *C. Campus Carry has Protected Students During Campus Shootings*

Guns on campus by law-abiding citizens have protected students during campus shootings across the country, including Pearl, Mississippi in 1997 and the Appalachian School of Law in 2002.<sup>44</sup> In Pearl, a sixteen-year-old Satanist took a rifle to Pearl High School and began shooting students.<sup>45</sup> Upon hearing the shots, the assistant principal retrieved a gun from his truck, stood between the then-fleeing student and his escape route, and effectuated his capture—all before the police arrived.<sup>46</sup>

“[The killer’s] plan, authorities subsequently learned, was to drive to nearby Pearl Junior High School and shoot more kids before police could show up.”<sup>47</sup> The assistant principal’s valiant efforts certainly saved an unknown number of lives, but the time it took him to get to his truck to retrieve his gun was enough time for the shooter to wound nine students, killing two—all with a

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<sup>40</sup> Subsequent laws repeal those before enacted to the contrary. See *Gibbons v. Brittenum*, 56 Miss. 232, 250 (1878).

<sup>41</sup> See MISS. CODE ANN. §§ 97-37-7, -17 (2013).

<sup>42</sup> *Watt v. Alaska*, 451 U.S. 259, 285 (1981) (Stewart, J., dissenting) (internal quotations omitted).

<sup>43</sup> *McNally v. United States*, 483 U.S. 350, 374-75 (1987).

<sup>44</sup> David B. Kopel, *Pretend “Gun-Free” School Zones: A Deadly Legal Fiction*, 42 CONN. L. REV. 515, 544-45 (2009) (arguing for the abrogation of gun free school zones across the country but expressing no view on how to implement campus carry).

<sup>45</sup> *Id.* at 544.

<sup>46</sup> *Id.*

<sup>47</sup> *Id.* (quoting Wayne Laugesen, *A Principal and His Gun*, BOULDER WKLY., Oct. 15, 1999).

hunting rifle.<sup>48</sup> The Appalachian School of Law shooting in 2002 involved similar facts; two law students retrieved guns from their respective vehicles and used them to successfully detain the shooter.<sup>49</sup>

*D. Other Jurisdictions Allow Campus Carry with Positive Results*

1. Utah Allows Campus Carry by Anyone 21 Years or Older with a Permit.

Utah allows any person twenty-one years old or older who has been issued a concealed-carry permit to carry on any school campus—whether elementary or secondary school or state college or university.<sup>50</sup> Teachers and parents actively carry concealed handguns on Utah campuses.<sup>51</sup> The policy has not only proven harmless there, there have been no school shootings in Utah.<sup>52</sup>

There are no known cases of any Utah public school teachers who legally have guns in school ever threatening a student. Nor are there any known cases of Utah high school students taking guns to school because they are afraid of their teachers. Nor are there any reports of any student, teacher, or professor at any educational institution anywhere in Utah reporting that they felt less willing to speak up in a classroom because they were afraid of licensed gun [permit holders]. In sum, there has been a natural experiment which has lasted fourteen years in the Utah public schools. . . . There have been zero instances of the slightest evidence of any harm to academic freedom, let alone any case of misuse of a firearm by a licensed permit holder.<sup>53</sup>

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<sup>48</sup> *Id.* The shooting spree resulted in 10 victims: the student killed his mother before leaving for school, killed his ex-girlfriend and her friend at the school, and wounded seven other students. *Id.*

<sup>49</sup> *Id.* at 545.

<sup>50</sup> *Id.* at 527-28. See also UTAH CODE ANN. § 76-10-505.5 (1953).

<sup>51</sup> Kopel, *supra* note 44, at 528.

<sup>52</sup> *Id.* at 529.

<sup>53</sup> *Id.* at 530.

## 2. When Israel Started Arming Teachers, PLO Attacks on Schools Ceased.

Israeli schools were prime targets of the Palestinian Liberation Organization due to the country's zero-tolerance gun free school laws—even stricter than those in the United States.<sup>54</sup> Former military volunteers and even students' grandfathers began arming themselves and actively patrolling the schools to protect the schools and students against PLO attacks.<sup>55</sup> When Israel began arming its teachers and allowing others to carry firearms on campus, PLO attacks on schools ceased almost immediately.<sup>56</sup>

## 3. Alabama Allows one District to Select Teachers to be Armed as an "Emergency Security Force."

Under a law passed just last year, if a principal of any school in the Franklin County School District<sup>57</sup> determines student safety is at risk, he may select current employees, retired employees, or any resident within the district to serve as a member of a "voluntary emergency security force."<sup>58</sup> The list of names must be provided to the Franklin County Sheriff, and if the sheriff approves the list, he must prepare a detailed "crisis plan" for the school and provide any requisite training required by the volunteer security force.<sup>59</sup> Franklin County Superintendent of Education Gary Williams summed up the logic behind his push to be able to arm his teachers, saying, "[W]e hope [a shooting] never

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<sup>54</sup> *Id.* at 531-33.

<sup>55</sup> *Id.* at 532.

<sup>56</sup> *Id.* at 533.

<sup>57</sup> The Franklin County Superintendent of Education, Gary Williams, pushed to make Franklin County the only school where teachers may be armed because "[w]e're a poor, rural system, and we can't afford to hire [School Resource Officers]. So, we were looking at ways to put safety in our schools at the lowest cost possible." Wayne Hereford, *Local School District Wants Teachers to Carry Weapons*, WTVA-Tupelo/Columbus ABC AFFILIATE, Jan. 22, 2014, <http://www.wtva.com/news/national/story/Local-school-district-wants-teachers-to-carry/GDBi1NSkWke8q7f-HkCldA.csp> (attached article).

<sup>58</sup> ALA. CODE § 45-30-103 (2013).

<sup>59</sup> *Id.* A member of the voluntary security force shall be considered a reserve deputy sheriff with all powers, rights, and privileges of that position—except the power of arrest. *Id.*

happens here. But, it could happen at any minute. We need to be prepared for it.”<sup>60</sup>

### III. COMMON OBJECTIONS TO CAMPUS CARRY

#### A. *Less Guns, Tougher Gun Laws*

One of the primary objections to campus carry contends that schools are generally safe and that gun violence is best combatted with stricter gun-control laws.<sup>61</sup> The District of Columbia and Chicago, Illinois have some of the strictest gun-control laws in the country.<sup>62</sup> Yet, Chicago has one of the nation’s highest gun-crime rates<sup>63</sup> and just recently there was a mass shooting at the District of Columbia Naval Yard.<sup>64</sup>

#### B. *Alternative Survival Options*

The Brady Campaign’s alternative survival options are touted as safer means of protecting oneself and others than more guns on campuses.<sup>65</sup> Running away, hiding, locking the doors, and other “alternative survival options” did not work for most victims at Columbine, Aurora, Sandy Hook, or any other mass shooting.<sup>66</sup>

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<sup>60</sup> Hereford, *supra* note 57 (alteration in original) (embedded video).

<sup>61</sup> Kopel, *supra* note 44, at 549.

<sup>62</sup> See *McDonald v. Chicago*, 130 S. Ct. 3020, 3026 (2010); *District of Columbia v. Heller*, 554 U.S. 570, 574-76 (2008).

<sup>63</sup> See *McDonald*, 561 U.S. at 3026.

<sup>64</sup> Michael D. Shear & Michael S. Schmidt, *Gunman and 12 Victims Killed in Shooting at D.C. Navy Yard*, N.Y. TIMES, Sept. 16, 2013, [http://www.nytimes.com/2013/09/17/us/shooting-reported-at-washington-navy-yard.html?\\_r=0](http://www.nytimes.com/2013/09/17/us/shooting-reported-at-washington-navy-yard.html?_r=0).

<sup>65</sup> BRADY CENTER TO PREVENT GUN VIOLENCE, NO GUN LEFT BEHIND: THE GUN LOBBY’S CAMPAIGN TO PUSH GUNS INTO COLLEGES AND SCHOOLS, 9-11, 41 n.97 (2007) (arguing against armed presence on school campus other than authorized law enforcement officers).

<sup>66</sup> See Amy Hetzner, *Where Angels Tread: Gun-Free School Zone Laws and an Individual Right to Bear Arms*, 95 MARQ. L. REV. 359, 405-07 (2011) (arguing for strict adherence to gun-free school zone laws and harsher penalties for those possessing firearms on campuses; if gun free school zones are found unconstitutional, arguing for the most narrow possession allowance as is constitutional and harsh penalties for discharge of a firearm on campus).

The use of these so-called alternative survival options arguably leads to more deaths rather than survival.<sup>67</sup>

### *C. Police Confusion*

Detractors of campus carry claim any ensuing fire-fight between a campus shooter and a lawfully armed citizen would confuse police arriving on-scene and lead to greater bloodshed.<sup>68</sup> Yet, experience shows police are not confused in any other self-defense or defense of others situations—at least not confused in the sense of killing the innocent citizen.<sup>69</sup> In jurisdictions where police have arrived to a scene in which an armed citizen has intervened against a campus shooter, there is no evidence of any police confusion.<sup>70</sup>

### *D. Teachers are not Trained to Use Firearms*

Teachers are trained to teach, another objection goes, not to use firearms.<sup>71</sup> If teachers do not wish to be armed, do not force them to be armed, and only allow teachers to be armed who have an enhanced concealed-carry permit which entails basic handgun safety training as required under statute.<sup>72</sup>

### *E. Guns are Inherently Unsafe*

Another common objection is that the influx of lawful campus firearms would be unsafe.<sup>73</sup> Again, this fear of hazardous, unsafe conditions has not proven true in jurisdictions where campus carry is allowed.<sup>74</sup> Opponents of concealed campus carry by

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<sup>67</sup> See, e.g., *supra* text accompanying notes 44-49, 64, 66; *infra* text accompanying notes 82-86.

<sup>68</sup> Kopel, *supra* note 44, at 560-61.

<sup>69</sup> See, e.g., *supra* text accompanying notes 44-49.

<sup>70</sup> *Id.*

<sup>71</sup> Kopel, *supra* note 44, at 553-54. See also Jennifer Frederick, *Do As I Say, Not As I Do: Why Teachers Should Not Be Allowed To Carry Guns On School Property*, 28 J. L. & EDUC. 139, 139, 143 (1999) (claiming a teacher being armed may intimidate students and cause them to fear speaking up in class and may also lead some students who fear their teachers to bring their own guns to school to defend themselves).

<sup>72</sup> See MISS. CODE ANN. § 97-37-7 (2013) and *supra* notes 27, 30 and accompanying text.

<sup>73</sup> See Frederick, *supra* note 71, at 143.

<sup>74</sup> See *supra* text accompanying notes 50-60.

teachers put forth the syllogism that because the public does not want students bringing guns on campus and teachers should teach by example, teachers should also not bring guns on campus.<sup>75</sup> This fallacy fails to notice students already fail to meet both the age and training requirement for a Mississippi enhanced-carry permit.<sup>76</sup>

#### *F. Fear and Paranoia*

A similar objection to campus carry asserts firearms on campus will “breed fear and paranoia.”<sup>77</sup> If that were the case, students and the general public would be afraid of the police. Yet, the United States Supreme Court has found such a fear irrational.<sup>78</sup> Moreover, evidence shows a lack of fear and paranoia among teachers, parents, and students in jurisdictions allowing concealed firearms on campus.<sup>79</sup>

#### IV. NEVADA: A CASE STUDY

In 2007, a bill was introduced in the Nevada legislature that would allow campus carry by elementary and secondary educators who underwent the same weapons safety training as law enforcement officers.<sup>80</sup> That bill, and a similar resolution for Nevada colleges, was defeated due to speculation about possible public outcry to arming teachers.<sup>81</sup>

Then on October 21, 2013, the force of that decision came to bear when a lone gunman opened fire on a Nevada middle school.<sup>82</sup> In addition to wounding multiple students—some while

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<sup>75</sup> Frederick, *supra* note 71, at 139.

<sup>76</sup> See MISS. CODE ANN. §§ 45-9-101(2)(b), 97-37-7(2) (2013).

<sup>77</sup> Kopel, *supra* note 44, at 582 (presenting common objections to campus carry and arguing for the abrogation of gun free school zones but expressing no view on how to implement campus carry).

<sup>78</sup> See *Illinois v. Wardlow*, 528 U.S. 119 (2000) (concluding police did not violate the Fourth Amendment when they apprehended and searched a citizen who immediately fled from them on sight; unprovoked, headlong flight provides an inference of suspicion).

<sup>79</sup> See *supra* text accompanying notes 50-56.

<sup>80</sup> Kopel, *supra* note 44, at 525-26.

<sup>81</sup> *Id.*

<sup>82</sup> Jim Carlton, *Two Dead in Nevada School Shooting*, WALL ST. J., Oct. 22, 2013, at A3.

trying to escape—the gunman killed a 45-year-old Marine-turned-math-teacher.<sup>83</sup> The former Marine, an unarmed teacher under Nevada law, lost his life attempting to “talk-down” the shooter.<sup>84</sup>

The shooter is believed to have died from a self-inflicted gunshot wound; around 200 police responded to the scene but fired no shots themselves.<sup>85</sup> The lone school resource officer assigned to patrol the school proved ineffective to combat such a threat.<sup>86</sup> Pledging an investigation into possible enhanced security features in the future, the school board president reiterated what has become a hollow mantra in the wake of school shootings across the country: “Our student safety and staff safety is of utmost and paramount concern.”<sup>87</sup>

#### V. A PROPOSED STATUTORY SOLUTION

Proposed House Bill 64 would be an improvement to the Mississippi’s gun free schools act in that it allows some teachers to carry concealed weapons.<sup>88</sup> However, it leaves teachers and other personnel at the possible arbitrary and capricious whim of superintendents—many of whom are male and may be less inclined to appoint female security personnel. The following is a proposed statute that would remove such discretion and seeks to clear-up ambiguities in the State’s fractured firearms statutes.<sup>89</sup>

Title: Mississippi Safe Schools Act

Summary: An Act To Authorize Education Personnel To Carry Concealed Weapons For Security Purposes Provided Certain Licensing, Training And Conditions Are Met; To Amend Sections 45-9-101, 97-37-7, And 97-37-17, Mississippi Code Of 1972, In Conformity; And For Related Purposes.

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<sup>83</sup> Alyssa Newcomb, *Nevada School Shooting “Hero” Teacher was Former Marine*, ABC NEWS, Oct. 21, 2013, <http://abcnews.go.com/US/nevada-school-shooting-victims-include-hero-staffer/story?id=20634380>.

<sup>84</sup> *Id.* The gunman shot one student in the arm, shot the teacher after he tried to talk him down, went into the school and shot another student, then presumably shot himself. *Id.*

<sup>85</sup> *Id.* See also Carlton, *supra* note 82, at A3.

<sup>86</sup> *Id.*

<sup>87</sup> *Id.*

<sup>88</sup> See *supra* text accompanying note 30.

<sup>89</sup> See *supra* text accompanying notes 18, 21-22, 34-43; *infra* text accompanying notes 97-99.



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

SECTION 1. For the purposes of this Section, “education personnel” shall include school attendance officers; licensed Mississippi teachers, counselors, principals, and coaches; school bus drivers; school district superintendents; school district central office staff; and collegiate administrators, counselors, deans, coaches, and faculty.

SECTION 2. All Mississippi education personnel are authorized to carry a concealed weapon for security purposes on school property if they so choose. In order for any education personnel to carry a concealed weapon on school property, s/he must be licensed under Section 45-9-101 to carry a concealed weapon and must successfully complete a Section 97-37-7(2) enhanced-carry 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. The Department of Public Safety shall waive all weapon permit fees for any person appointed to carry a concealed weapon under this section and provide training for such persons at no cost.

SECTION 3. Section 45-9-101<sup>90</sup>, Mississippi Code of 1972, is amended to include a new subsection—45-9-101(22): The fees required under this section shall be waived for any education personnel pursuing a concealed weapons permit.

SECTION 4. Two subsections of Section 97-37-7<sup>91</sup>, Mississippi Code of 1972, are amended as follows:

(2) It shall not be a violation of this or any other statute for pistols, firearms or other suitable and appropriate weapons to be carried by school attendance officers, [the rest of the statute as currently written], or by coroners. Before any person shall be authorized under this subsection to carry a weapon, s/he shall complete a weapons training course

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<sup>90</sup> MISS. CODE ANN. § 45-9-101 (2013) is the state’s concealed carry licensing law.

<sup>91</sup> MISS. CODE ANN. § 97-37-7 (2013) is the state’s enhanced carry law and provides licensing exemptions for certain employees.

approved by the Board of Law Enforcement Officer Standards and Training. A school attendance officer shall be authorized to carry weapons in courthouses and on school property in performance of his/her official duties. [The rest of the statute as currently written]. 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.

(4) The fees required under this section shall be waived for any education personnel pursuing an enhanced concealed weapons permit.

SECTION 5. Section 97-37-17<sup>92</sup>, Mississippi Code of 1972, is amended to include two new subsections.

97-37-17(9): This section shall not apply to education personnel, as defined in the Mississippi Safe Schools Act, who possess a Mississippi enhanced concealed firearms permit under Sections 45-9-101 and 97-37-7 as authorized by the Mississippi Safe Schools Act.

97-37-17(10): It shall not be a violation of this section for any person to possess or carry a concealed weapon at a public event on educational property if the person possesses an enhanced concealed carry firearms permit under Sections 45-9-101 and 97-37-7. For the purposes of this section, "public

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<sup>92</sup> MISS. CODE ANN. § 97-37-17 (2013) is the state's gun free schools law.

event” includes—but is not limited to—sporting events assemblies, plays, musicals, ceremonies, pageants, competitions, and any other event open to the public. Whether an admissions charge is levied has no bearing on whether an event is open to the public.

SECTION 6. This act shall take effect and be in force from and after July 1, [year passed].

## VI. RESIDUAL ISSUES

### A. School Attendance Officers

Mississippi’s school attendance officers are statutorily created law enforcement conducting solo field investigations of criminal violations.<sup>93</sup> Their offices are located on school campuses where they are not allowed to carry firearms.<sup>94</sup> School attendance officers would be allowed to be armed if still part of the District Attorney’s office, but since being transferred to the Department of Education, that right has been obviated.<sup>95</sup>

Mississippi Code Ann. Section 97-37-7(2) contains a laundry list of persons who are permitted to carry weapons concealed without question as long as they undergo requisite firearms training.<sup>96</sup> These classes of persons all center on those conducting an investigatory role under the canon of *ejusdem generis*.<sup>97</sup> However, when school attendance officers were transferred to the Department of Education, the legislature failed to amend the weapons statute.<sup>98</sup> Its specific authorizations exclude school

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<sup>93</sup> MISS. CODE ANN. § 37-13-89(1), (4) (2013).

<sup>94</sup> *Id.* § 31-13-89(8)(a).

<sup>95</sup> *Id.* § 97-37-7(2).

<sup>96</sup> *See id.* The list of authorized carriers include railroad special agents, district attorney investigators, all prosecutors, public defenders, employees of the State Auditor, fraud investigators, all judges, and coroners. *Id.*

<sup>97</sup> For “of the same kind, class, or nature,” see *Flye v. Spotts*, 94 So. 3d 240, 245 (Miss. 2012) (“Where general words follow specific words in statutory enumeration, the general words are construed to embrace only those objects similar in nature to those objects enumerated by the preceding specific words. Where the opposite sequence is found, i.e., specific words following general ones, the doctrine is equally applicable, and restricts application of the general term to things that are similar to those enumerated.”) (quoting 2A SUTHERLAND STATUTORY CONSTRUCTION § 47:17 (Westlaw 7th ed.) (internal italics omitted)).

<sup>98</sup> *See* MISS. CODE ANN. §§ 97-37-7, 37-13-91 (1972 & Supp. 2013).

attendance officers under the doctrine of *expressio unius est exclusio alterius*.<sup>99</sup> Allowing concealed campus carry by education officials corrects this egregious legislative oversight.<sup>100</sup>

### *B. Unlawful Discharge Would Remain Illegal*

Unlawfully discharging firearms on a school campus would still be illegal under applicable state and federal Gun Free School Acts—as would possession by non-education personnel and education personnel who do not possess a Mississippi enhanced concealed-carry firearms permit.<sup>101</sup> Defense of self and defense of others—the purpose behind arming teachers—would not qualify as unlawful discharge and would consequently be valid defenses against a charge of unlawful discharge.<sup>102</sup>

### *C. Constitutional Review of the Gun Free School Zone Acts*

The Gun Free School Zone Acts will likely only be deemed unconstitutional under a strict scrutiny analysis, and courts are unlikely to utilize such a high level of constitutional review.<sup>103</sup> There is argument, however, that intermediate scrutiny should be the governing standard,<sup>104</sup> and that in any event, Gun Free School

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<sup>99</sup> The express mention of one thing excludes all others, see *Sw. Drug Co. v. Howard Bros. Pharm. of Jackson, Inc.*, 320 So. 2d 776, 779 (Miss. 1975).

<sup>100</sup> In his role as a school attendance officer, this author has been met at the door at gun point and has been met at the door by addicts under the influence of drugs; by sheer serendipity, he was never met at the door at gun point by an addict under the influence of drugs. *See also* endnote.

<sup>101</sup> *See supra* text accompanying notes 5-6, 14-22; 18 U.S.C. § 922(q)(3)(A) (2012); MISS. CODE ANN. § 97-37-17(2) (Supp. 2013).

<sup>102</sup> *See* *Maye v. State*, 49 So. 3d 1124, 1130-31 (Miss. 2010).

<sup>103</sup> Hetzner, *supra* note 66, at 395-401 (promoting the Gun Free Schools Act and therefore supporting rational basis review. Stating defense of its students provides the state with a compelling state interest, and even though the wave of school shootings evidences ineffectiveness of the Act enough to defeat a narrow tailoring analysis, it does not provide enough evidence to defeat less stringent substantially or rationally related standards).

<sup>104</sup> Joan H. Miller, *The Second Amendment Goes to College*, 35 SEATTLE U. L. REV. 235, 250-53 (2011) (“Challenges to state and local gun regulations should be reviewed under intermediate scrutiny for three reasons: (1) the Second Amendment protects only a liberty interest, not a fundamental right; (2) even if it does protect a fundamental right, fundamental rights do not usually trigger judicial review under strict scrutiny; and (3) most judicial decisions thus far have refused to apply strict scrutiny, giving great deference to the states’ authority and local expertise.”).

Zone Acts could survive strict scrutiny.<sup>105</sup> This argument substantially glosses-over “narrow tailoring” and “least restrictive alternatives.”<sup>106</sup> More likely than not, courts would utilize rational basis review.<sup>107</sup> In which case, prohibiting weapons on school campuses is rationally related to the legitimate state interest in protecting its citizenry.<sup>108</sup> However, Mississippi choosing to protect its student and teacher populations by arming its teachers also meets this standard if applied to amending the state’s gun free school act to allow teachers with enhanced concealed carry permits to carry on school campuses.<sup>109</sup>

### CONCLUSION

*Si vis pacem, para bellum.* If you want peace, prepare for war.<sup>110</sup>

Modern police practices, especially in light of ever-increasing budget cuts, are reactionary. Police generally only respond to crimes once they are reported. The several minutes it takes police to even arrive on scene allow shooters with modern firearms to victimize entire classrooms. Teachers with guns in their vehicles have shaved critical seconds from this response time, but the time it takes to get to one’s car and back to the shooter still results in multiple victims.

Take Nevada as a prime example. An honorably discharged former Marine had the weapons-training and the wherewithal to have stopped the shooter before he was able to do more than shoot one victim in the arm. If the Nevada legislature had passed the proposed statute in 2007—a statute eerily similar to the one the Mississippi legislature failed to pass in 2013—a deadly tragedy

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<sup>105</sup> *Id.* at 253-63. (arguing that promoting student safety by forbidding guns on campus is a compelling state interest and prohibiting guns on campus rather than a city-wide ban is sufficiently narrowly tailored).

<sup>106</sup> *Id.* at 254-60.

<sup>107</sup> Hetzner, *supra* note 66, at 395-401.

<sup>108</sup> *Id.* at 400-01. *See also* Miller, *supra* note 104, at 253.

<sup>109</sup> *See supra* text accompanying notes 30-31, 44-60.

<sup>110</sup> FLAVIUS VEGETIUS RENATUS, VEGETIUS: EPITOME OF MILITARY SCIENCE 63 n.3 (N.P. Milner trans., 2d rev. ed., Liverpool Univ. Press 1996) (ca. 430-435). *See also* Martin Skladany, *Unchaining Richelieu’s Monster: A Tiered Revenue-Based Copyright Regime*, 16 STAN. TECH. L. REV. 131, 156 (2012); Joseph M. de Torre, *The Roots of International Law and the Teachings of Francisco De Vitoria As A Foundation for Transcendent Human Rights and Global Peace*, 2 AVE MARIA L. REV. 123, 134 (2004).

could have been all but prevented. Allowing teachers who wish to carry concealed firearms and who undergo the enhanced permit training to carry inside their classrooms reduces the response time to mere seconds—just the time it takes the trained teacher to draw her weapon.

Students and parents need not worry about guns being in the classroom because there's no need for the students to even know the teacher is armed—ergo *concealed*-carry. The State's future rests on its children, and school districts claim “children come first.”<sup>111</sup> Certainly parents wish to maintain and promote their children's safety.

It stands to reason, therefore, all these propositions support arming Mississippi teachers to better protect the state's juvenile citizens and future leaders. Arming non-law enforcement professionals—a principle oft adopted during the revolutionary war, particularly in the southern militias—receives support of Biblical proportions: “Those who carried materials did their work with one hand and carried a weapon in the other, and each of the builders wore his sword at his side as he worked.”<sup>112</sup> Teachers can teach and be armed with concealed weapons if they are so inclined; there is nothing overburdening in that concept. Adopting laws allowing trained teachers to be armed better allows the state to live up to its own motto: “Ensuring a bright future for every child.”<sup>113</sup>

*Justin Moody\**

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<sup>111</sup> See, e.g., ALCORN SCH. DIST., <http://www.alcorn.k12.ms.us/> (last visited Mar. 26, 2014).

<sup>112</sup> *Nehemiah* 4:17-18 (NIV).

<sup>113</sup> MISS. DEP'T OF EDUC., <http://www.mde.k12.ms.us/> (last visited Mar. 26, 2014).

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## APPENDIX

BILL NAME	BILL STATUS: REFERRED TO  COMMITTEE(S)	BILL DESCRIPTION
H.B. 10 <sup>114</sup>	Military Affairs; Judiciary B	Authorize military personnel be exempt from enhanced carry permit training requirement
H.B. 64 <sup>115</sup>	Education	Authorize school superintendents to appoint employees to carry concealed weapons provided licensing and training conditions are met
H.B. 139 <sup>116</sup>	Judiciary A	Prohibit gun buy-back/destruction programs
H.B. 160 <sup>117</sup>	Judiciary B	Require background check for law enforcement applicants
H.B. 179 <sup>118</sup>	Judiciary A	Amend Castle Doctrine
H.B. 231 <sup>119</sup>	Wildlife, Fisheries, & Parks; Judiciary B	Registration of ammo sales
H.B. 314 <sup>120</sup>	Judiciary B	Gov't may not interfere with firearm possession
H.B. 467 <sup>121</sup>	Judiciary B	Prohibit enforcement of federal firearms laws
H.B. 485 <sup>122</sup>	Judiciary A	Prohibit gun buy-back/destruction programs
H.B. 507 <sup>123</sup>	Judiciary B	Allow those engaged in firearms

<sup>114</sup> See H.B. 10, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>115</sup> See H.B. 64, 129th Leg., Reg. Sess. (Miss. 2014). See also *supra* text accompanying notes 30-31.

<sup>116</sup> See H.B. 139, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>117</sup> See H.B. 160, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>118</sup> See H.B. 179, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>119</sup> See H.B. 231, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>120</sup> See H.B. 314, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>121</sup> See H.B. 467, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>122</sup> See H.B. 485, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>123</sup> See H.B. 507, 129th Leg., Reg. Sess. (Miss. 2014).

		related business to carry concealed weapons
<b>H.B. 667</b> <sup>124</sup>	Judiciary B	Authorize carrying of concealed weapons at highway welcome centers and rest areas
<b>H.B. 691</b> <sup>125</sup>	Judiciary B	Concealed weapons exceptions for person 65 and older
<b>H.B. 698</b> <sup>126</sup>	Judiciary B	Authorize retired military police to carry concealed weapons
<b>H.B. 700</b> <sup>127</sup>	Judiciary B	Reduce concealed carry permit fees
<b>H.B. 705</b> <sup>128</sup>	Judiciary A	Restrict emergency firearm confiscation power
<b>H.B. 764</b> <sup>129</sup>	Judiciary A	Exempt disabled veterans from concealed carry permit fees
<b>H.B. 890</b> <sup>130</sup>	Judiciary B	Revise local firearm regulations exceptions
<b>H.B. 897</b> <sup>131</sup>	Ways & Means; Judiciary B	Revise and prohibit knife regulations; remove from concealed carry restrictions
<b>H.B. 899</b> <sup>132</sup>	Judiciary A	Reduce concealed carry permit fees
<b>H.B. 943</b> <sup>133</sup>	Judiciary B	Exempt retired military personnel from concealed carry permit fees
<b>H.B. 1021</b> <sup>134</sup>	Judiciary A	Exempt retired law enforcement from concealed carry permit fees
<b>H.B. 1228</b> <sup>135</sup>	Judiciary B	Prohibit possession of weapon prohibited by federal law
<b>H.B. 1404</b> <sup>136</sup>	Ways & Means	Exempt firearm related sales tax

<sup>124</sup> See H.B. 667, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>125</sup> See H.B. 691, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>126</sup> See H.B. 698, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>127</sup> See H.B. 700, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>128</sup> See H.B. 705, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>129</sup> See H.B. 764, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>130</sup> See H.B. 890, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>131</sup> See H.B. 897, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>132</sup> See H.B. 899, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>133</sup> See H.B. 943, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>134</sup> See H.B. 1021, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>135</sup> See H.B. 1228, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>136</sup> See H.B. 1404, 129th Leg., Reg. Sess. (Miss. 2014).



		during Second Amendment Holiday
<b>S.B. 2030</b> <sup>137</sup>	Judiciary, Division A	Require all center-fire cartridges sold in MS bear an identifying mark
<b>S.B. 2425</b> <sup>138</sup>	Wildlife, Fisheries, & Parks; Finance	Exempt firearm related sales tax during Second Amendment Holiday
<b>S.B. 2465</b> <sup>139</sup>	Judiciary, Division A	Prohibit state cooperation with federal gun ban enforcement
<b>S.B. 2478</b> <sup>140</sup>	Wildlife, Fisheries, & Parks; Accountability, Efficiency, Transparency	Reduce concealed carry permit fees
<b>S.B. 2657</b> <sup>141</sup>	Judiciary, Division A	Authorize formation of a gun trust
<b>S.B. 2798</b> <sup>142</sup>	Judiciary, Division A	Preempt local firearm and ammunition regulation
<b>S.B. 2831</b> <sup>143</sup>	Wildlife, Fisheries, & Parks; Rules	Prohibit state cooperation with federal gun ban enforcement

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<sup>137</sup> See S.B. 2030, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>138</sup> See S.B. 2425, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>139</sup> See S.B. 2465, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>140</sup> See S.B. 2478, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>141</sup> See S.B. 2657, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>142</sup> See S.B. 2798, 129th Leg., Reg. Sess. (Miss. 2014).

<sup>143</sup> See S.B. 2831, 129th Leg., Reg. Sess. (Miss. 2014).

