

By: Representative Ketchings

To: Game and Fish

HOUSE BILL NO. 439

1 AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT NONRESIDENT HUNTERS AND FISHERS WHO HUNT OR FISH
3 WITHOUT THE REQUIRED LICENSE SHALL LOSE THEIR HUNTING AND FISHING
4 PRIVILEGES FOR LIFE UPON A CONVICTION FOR A SECOND OFFENSE; AND
5 FOR RELATED PURPOSES.

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

7 SECTION 1. Section 49-7-21, Mississippi Code of 1972, is
8 amended as follows:

9 49-7-21. (1) (a) The licenses for hunting, trapping or
10 fishing shall be issued on a form prepared by the executive
11 director and supplied to the bonded agents authorized to issue
12 licenses. The forms shall bear the name and Social Security
13 number or driver's license number of the applicant. All licenses
14 shall be valid from the date of its issuance to June 30 following
15 its date. The license shall be countersigned by the licensee in
16 the presence of the agent authorized to issue the same. The
17 licenses shall be issued in the name of the commission and be
18 countersigned by the bonded agent issuing same. The application
19 for a license under this chapter shall be subscribed and sworn to
20 by the applicant before an officer authorized to administer oaths
21 in this state, and for this purpose the members of the commission,
22 the executive director, sheriffs, conservation officers and bonded
23 agents are hereby authorized to administer oaths, but no charge
24 shall be made by any officer employed by the commission or sheriff
25 for the administration of the oath.

26 (b) A person may purchase a license from the office of
27 the department without appearing in person.

(2) Any person authorized to issue licenses for hunting, trapping or fishing in this state who attempts to issue a license on a form other than one as prescribed by this section, or attempts to prepare a license certificate in any manner other than on the form prescribed by this section, and furnished by the executive director, is guilty of a Class II violation, and shall be punished as provided in Section 49-7-143, Mississippi Code of 1972, and the person convicted shall be forever barred from issuing licenses in the State of Mississippi.

(3) Any resident or nonresident who hunts, takes or traps any wild animal, bird or fish must possess a valid license issued by the commission, unless specifically exempted under this chapter.

(4) Any nonresident, who hunts without the required license is guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00) for the first offense. The nonresident shall also forfeit all hunting, trapping and fishing privileges for a period not less than twelve (12) consecutive months from the date of conviction. For the second or any subsequent offense a nonresident shall be fined in an amount of not less than One Thousand Dollars (\$1,000.00) nor more than One Thousand Five Hundred Dollars (\$1,500.00) or imprisoned in the county jail for not more than thirty (30) days, or both such fine and imprisonment. The nonresident shall also forfeit all hunting, trapping and fishing privileges for life.

(5) Any nonresident who fishes without the required license is guilty of a misdemeanor and upon conviction shall be fined in an amount not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Fifty Dollars (\$250.00) for the first offense. For the second or any subsequent offense a nonresident shall be fined in an amount not less than Two Hundred Fifty Dollars (\$250.00) nor more than Five Hundred Dollars (\$500.00) and that

61 nonresident shall also forfeit all hunting, trapping and fishing
62 privileges for life.

63 (6) Any person who obtains a license under an assumed name
64 or makes a materially false statement to obtain a license is
65 guilty of a felony and shall be subject to a fine of Two Thousand
66 Dollars (\$2,000.00) or may be imprisoned for a term not to exceed
67 one (1) year or both.

68 SECTION 2. This act shall take effect and be in force from
69 and after July 1, 1999.