

By: Senator(s) Ross, Burton, Carter,
Dickerson, Furniss, Gordon, Hall, Jordan
(24th), Kirby, Lee, Smith, White (29th),
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To: Wildlife and
Fisheries

SENATE BILL NO. 2325

1 AN ACT TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT AN ACTIVE MEMBER OF THE ARMED FORCES OR THE RESERVES
3 ASSIGNED TO DUTY IN MISSISSIPPI OR ANY MEMBER OF THE MISSISSIPPI
4 NATIONAL GUARD MAY RECEIVE A RESIDENT HUNTING AND FISHING LICENSE;
5 AND FOR RELATED PURPOSES. BE IT ENACTED BY THE LEGISLATURE OF
6 THE STATE OF MISSISSIPPI:

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8 SECTION 1. Section 49-7-3, Mississippi Code of 1972, is
9 amended as follows:

10 49-7-3. (1) Any resident of the State of Mississippi shall
11 be entitled to receive a resident fishing license.

12 (2) Any person domiciled within the State of Mississippi
13 shall be entitled to receive a resident hunting license provided
14 in Section 49-7-5. The domicile of a person is that person's
15 principal or primary home or place of abode. A "principal or
16 primary home or place of abode" is that home or place in which a
17 person's habitation is fixed and to which he, whenever absent, has
18 the present intention of returning after a departure of absence
19 therefrom, regardless of the duration of the absence. The burden
20 of proving domicile shall be on the person claiming such status.
21 A person holding a current driver's license shall be deemed to be
22 domiciled within the state issuing the license. If a person does
23 not hold a current driver's license, the following evidence or
24 other reliable evidence may be considered in establishing, but is
25 not necessarily determinative of, domicile: residence for income
26 or other tax purposes, homestead exemption receipt, or any other
27 means prescribed by the department. In the case of minors,
28 domicile of the parents shall be used as evidence of the minor's
29 domicile.

30 (3) A nondomiciliary of the state may be issued a resident
31 hunting or fishing license or combination resident hunting/fishing
32 license upon providing the following:

33 (a) A current identification card from a Mississippi
34 college or university; * * *

35 (b) A current military identification card showing that
36 the person is an active member of the Armed Forces, or the
37 Reserves, * * * and proof that the person is stationed on a
38 military base in Mississippi; or

39 (c) A current military identification card showing that
40 the person is an active member of the Mississippi National Guard.

41 (4) A holder of a resident or nonresident license is
42 required to carry the license on his person while engaged in
43 hunting, trapping or fishing. Any penalty for not carrying a
44 license while engaged in hunting, trapping or fishing shall be
45 waived if the person can verify purchase of a license prior to the
46 date of the violation.

47 (5) Each application or filing made under this section shall
48 include the Social Security number(s) of the applicant in
49 accordance with Section 93-11-64, Mississippi Code of 1972.

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