

By: Senator(s) Robertson

To: Wildlife and
Fisheries

SENATE BILL NO. 2365

1 AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT HUNTING AND FISHING LICENSES SHALL BE VALID FOR ONE
3 YEAR FROM THE DATE OF ISSUANCE; TO AMEND SECTION 49-15-313,
4 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALTWATER SPORTS FISHING
5 LICENSES SHALL BE VALID FOR ONE YEAR FROM THE DATE OF ISSUANCE;
6 AND FOR RELATED PURPOSES.

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

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

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

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

29 (2) Any person authorized to issue licenses for hunting,
30 trapping or fishing in this state who attempts to issue a license
31 on a form other than one as prescribed by this section, or
32 attempts to prepare a license certificate in any manner other than
33 on the form prescribed by this section, and furnished by the
34 executive director, is guilty of a Class II violation, and shall
35 be punished as provided in Section 49-7-143, Mississippi Code of
36 1972, and the person convicted shall be forever barred from
37 issuing licenses in the State of Mississippi.

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

42 (4) Any nonresident, who hunts without the required license
43 is guilty of a misdemeanor and upon conviction thereof shall be
44 fined in an amount not less than Five Hundred Dollars (\$500.00)
45 nor more than One Thousand Dollars (\$1,000.00) for the first
46 offense. The nonresident shall also forfeit all hunting, trapping
47 and fishing privileges for a period not less than twelve (12)
48 consecutive months from the date of conviction. For the second or
49 any subsequent offense a nonresident shall be fined in an amount
50 of not less than One Thousand Dollars (\$1,000.00) nor more than
51 One Thousand Five Hundred Dollars (\$1,500.00) or imprisoned in the
52 county jail for not more than thirty (30) days, or both such fine
53 and imprisonment. The nonresident shall also forfeit all hunting,
54 trapping and fishing privileges for a period not less than
55 thirty-six (36) consecutive months from the date of conviction.

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

62 (\$250.00) nor more than Five Hundred Dollars (\$500.00) and that
63 nonresident shall also forfeit all hunting, trapping and fishing
64 privileges for a period not less than twelve (12) consecutive
65 months from the date of conviction.

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

71 SECTION 2. Section 49-15-313, Mississippi Code of 1972, is
72 amended as follows:

73 49-15-313. (1) Any resident between the ages of sixteen
74 (16) and sixty-five (65) years, as defined in Section 49-7-3,
75 fishing in the marine waters of the state, shall obtain a
76 saltwater sports fishing license for a fee of Four Dollars
77 (\$4.00). This license shall be valid in any waters south of
78 Interstate 10. Any resident citizen who is blind, paraplegic or a
79 multiple amputee, or who has been adjudged by the Veterans
80 Administration as having a total service-connected disability, or
81 has been adjudged totally disabled by the Social Security
82 Administration shall not be required to purchase or have in his
83 possession a saltwater sports fishing license while engaged in
84 such activities. Any resident exempt under this section shall
85 have on his person while fishing proof of residency and age or
86 disability.

87 (2) The commission shall prescribe the forms, types and fees
88 for nonresident saltwater sports fishing licenses except that the
89 fee for a nonresident saltwater sports fishing license shall not
90 be less than Twenty Dollars (\$20.00). The commission shall
91 require a nonresident to purchase a nonresident freshwater fishing
92 license and a nonresident saltwater sports fishing license if the
93 nonresident's state requires both licenses for a nonresident to
94 fish in its marine waters.

95 (3) All vessels engaged in charter boat fishing, party boat
96 fishing, head boat and guide boat fishing shall be issued a
97 separate annual license by the commission at a fee of Two Hundred
98 Dollars (\$200.00). Crew members and customers of the licensed
99 vessels shall not be required to purchase an individual resident
100 or nonresident saltwater fishing license while sponsored by the
101 licensed vessels. An operator of a licensed vessel shall be
102 required to report the number of customers to the department as
103 required by the commission and the information shall be kept
104 confidential and shall not be released, except to other fisheries
105 management agencies or as statistical data.

106 (4) The saltwater sports fishing license is required for
107 hook and line fishing only.

108 (5) Any resident who purchases a lifetime sportsman's
109 license, in accordance with Section 49-7-153, shall be entitled to
110 fish in the marine salt waters of the state and shall be exempt
111 from the purchase of a sport saltwater fishing license.

112 (6) Any person authorized to issue a license may collect and
113 retain, for each saltwater fishing license issued, the additional
114 fee authorized under Section 49-7-17.

115 (7) The fees collected from the sale of resident and
116 nonresident saltwater sports fishing licenses shall be deposited
117 into the Seafood Fund and shall be used solely for the management
118 of marine resources.

119 (8) Participants in the Very Special Fishing Olympics are
120 exempt from this section.

121 (9) July 4 of each year is designated as "Free Saltwater
122 Sports Fishing Day." Any person may saltwater sport fish without a
123 license on the "Free Saltwater Sports Fishing Day."

124 (10) A saltwater sports fishing license shall be valid for
125 one (1) year from the date of issuance.

126 SECTION 3. This act shall take effect and be in force from
127 and after July 1, 1999.