

By: Senator(s) Posey

To: Wildlife and Fisheries

SENATE BILL NO. 2825  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO  
2 REVISE REQUIREMENTS FOR SHOWING PROOF OF RESIDENCY TO OBTAIN A  
3 RESIDENT HUNTING LICENSE; TO AMEND SECTION 63-1-19, MISSISSIPPI  
4 CODE OF 1972, TO REQUIRE PROOF OF DOMICILE; AND FOR RELATED  
5 PURPOSES.

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

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

9 49-7-3. (1) Any resident of the State of Mississippi shall  
10 be entitled to receive a resident fishing license.

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

27 (3) A nondomiciliary of the state may be issued a resident

28 hunting or fishing license or combination resident hunting/fishing  
29 license upon providing the following:

30 (a) A current identification card from a Mississippi  
31 college or university; or

32 (b) A current military identification card showing that  
33 the person is an active member of the Armed Forces (excluding  
34 Reserves and the National Guard) and proof that the person is  
35 stationed on a military base in Mississippi.

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

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

45 SECTION 2. Section 63-1-19, Mississippi Code of 1972, is  
46 amended as follows:

47 63-1-19. Every applicant for a license issued pursuant to  
48 this article shall file an application for such license, on a form  
49 provided by the Department of Public Safety, with the commissioner  
50 or an official license examiner of the department. All persons  
51 not holding valid, unexpired licenses issued in this state shall  
52 be required to secure an original license, except those  
53 specifically exempted from licensing under Section 63-1-7. The  
54 application shall state the name, date of birth, sex, race, color  
55 of eyes, color of hair, weight, height and residence address, and  
56 whether or not the applicant's privilege to drive has been  
57 suspended or revoked at any time, and, if so, when, by whom, and  
58 for what cause, and whether any previous application by him has  
59 been denied, and whether he has any physical defects which would  
60 interfere with his operating a motor vehicle safely upon the

61 highways.

62 Every applicant for an original license shall show proof of  
63 domicile in this state. The commissioner shall promulgate any  
64 rules and regulations necessary to enforce this requirement and  
65 shall prescribe the means by which an applicant for an original  
66 license may show domicile in this state. Proof of domicile shall  
67 not be required of applicants under eighteen (18) years of age.

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

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