

By: Senator(s) Posey

To: Wildlife and  
Fisheries

SENATE BILL NO. 2826  
(As Passed the Senate)

1 AN ACT TO PROVIDE A PENALTY FOR A PERSON WHO FAILS TO RESPOND  
2 TO A SUMMONS OR CITATION ISSUED BY THE DEPARTMENT OF WILDLIFE,  
3 FISHERIES AND PARKS; TO PROVIDE A REINSTATEMENT FEE FOR REVOKED  
4 LICENSES; TO BRING FORWARD SECTION 49-7-27, MISSISSIPPI CODE OF  
5 1972; AND FOR RELATED PURPOSES.

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

7 SECTION 1. (1) Upon failure of any person to respond timely  
8 and properly to a summons or citation charging such person with a  
9 violation of any law, rule or regulation enforced by the  
10 Department of Wildlife, Fisheries and Parks, or upon failure of  
11 any person to pay timely any fine, fee or assessment levied as a  
12 result of a violation of any law, rule of regulation enforced by  
13 the Department of Wildlife, Fisheries and Parks, the clerk of the  
14 court shall give written notice to the person by United States  
15 first class mail at his last known address advising the person  
16 that if within ten (10) days after the notice is deposited in the  
17 mail the person has not properly responded to the summons or  
18 citation or has not paid the entire amount of all fines, fees and  
19 assessments levied, then the court will give notice to the  
20 commission and the commission shall revoke the hunting, fishing  
21 and trapping privileges and any permit issued to the person. The  
22 actual cost incurred by the court in the giving of notice may be  
23 added to any other court costs assessed in the case. If within  
24 ten (10) days after the notice is given in accordance with this  
25 subsection such person has not satisfactorily disposed of the  
26 matter pending before the court, then the clerk of the court  
27 immediately shall mail a copy of the abstract or the court record

28 along with a certified copy of the notice given under this  
29 subsection, to the commission. After receiving notice from the  
30 court clerk, the commission shall revoke the hunting, fishing and  
31 trapping privileges and/or any permit issued to any such person.

32 (2) A person whose hunting, fishing and trapping privileges  
33 or permit that has been revoked under subsection (1) shall remain  
34 under revocation until the person can show proof that all  
35 obligations of the court have been met.

36 (3) Any person who has had their hunting, fishing or  
37 trapping privileges revoked for any reason shall be required to  
38 pay a Twenty-five Dollar (\$25.00) reinstatement fee to the  
39 Department of Wildlife, Fisheries and Parks.

40 SECTION 2. Section 49-7-27, Mississippi Code of 1972, is  
41 brought forward as follows:

42 49-7-27. The commission may revoke any hunting, trapping or  
43 fishing privileges, license or deny any person the right to secure  
44 such license if the person has been convicted of the violation of  
45 any of the provisions of this chapter or any regulation  
46 thereunder. The revocation of the privilege, license or refusal  
47 to grant license shall be for a period of one (1) year. However,  
48 before the revocation of the privilege or license shall become  
49 effective, the executive director shall send by registered mail  
50 notice to the person or licensee, who shall have the right to a  
51 hearing or representation before the commission at the next  
52 regular meeting or a special meeting, the notice shall set out  
53 fully the ground or complaint upon which revocation of, or refusal  
54 to grant, the privilege or license is sought.

55 Any person who is convicted for a second time during any  
56 period of twelve (12) consecutive months for violation of any of  
57 the laws with respect to game, fish or nongame fish or animals  
58 shall forfeit his privilege and any license or licenses issued to  
59 him by the commission and the commission shall not issue the  
60 person any license for a period of one (1) year from the date of  
61 forfeiture.

62 Failure of any person to surrender his license or licenses  
63 upon demand made by the commission or by its representatives at  
64 the direction of the commission shall be a misdemeanor and shall

65 be punishable as such.

66 Any violator whose privilege or license has been revoked, who  
67 shall, during the period of revocation, be apprehended for hunting  
68 or fishing, shall have imposed upon him a mandatory jail term of  
69 not less than thirty (30) days nor more than six (6) months.

70 In addition to the reasons specified in this section and  
71 other provisions of this chapter, the commission shall be  
72 authorized to suspend any license issued to any person under this  
73 chapter for being out of compliance with an order for support, as  
74 defined in Section 93-11-153. The procedure for suspension of a  
75 license for being out of compliance with an order for support, and  
76 the procedure for the reissuance or reinstatement of a license  
77 suspended for that purpose, and the payment of any fees for the  
78 reissuance or reinstatement of a license suspended for that  
79 purpose, shall be governed by Section 93-11-157 or 93-11-163, as  
80 the case may be. If there is any conflict between any provision  
81 of Section 93-11-157 or 93-11-163 and any provision of this  
82 chapter, the provisions of Section 93-11-157 or 93-11-163, as the  
83 case may be, shall control.

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