

By: Senator(s) Cuevas

To: Ports and Marine
Resources

SENATE BILL NO. 2851

1 AN ACT TO AMEND SECTION 49-15-44, MISSISSIPPI CODE OF 1972,
2 TO PROHIBIT PERSONS FROM DEALING IN OYSTER PRODUCTS WITHOUT PERMIT
3 OR CERTIFICATE IN COMPLIANCE WITH SHELLFISH SANITATION PROGRAM;
4 AND FOR RELATED PURPOSES.

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

6 SECTION 1. Section 49-15-44, Mississippi Code of 1972, is
7 amended as follows:

8 49-15-44. (1) The commission shall prohibit the sale or
9 possession of illegal oysters. It is unlawful for any person,
10 firm or corporation to possess or to engage in the sale of oysters
11 not certified in this state, or to shuck or repack for sale any
12 illegal oysters, unless that person, firm or corporation possesses
13 a bill of sale, valid permit or affidavit of another state,
14 properly dated, evidencing the legality of the sale or possession
15 of the oysters in that state. Any person in possession of illegal
16 oysters shall be subject to civil or criminal prosecution and
17 shall be fined not less than One Hundred Dollars (\$100.00) or
18 punished as provided in Section 49-15-63.

19 (2) It is unlawful for any person, firm, corporation or
20 other business entity acting as a seafood dealer, seafood
21 processor or an oyster shellstock shipper to purchase for resale,
22 trade or barter processed or unprocessed oyster products with the
23 intent to transport or have transported through interstate or
24 intrastate commerce without a valid certificate or permit showing
25 compliance with all regulations of the Mississippi Shellfish
26 Sanitation Program.

27 SECTION 2. This act shall take effect and be in force from

28 and after July 1, 1999.