

By: Robinson (84th)

To: Game and Fish

HOUSE BILL NO. 319

1 AN ACT TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO  
2 AUTHORIZE A NONRESIDENT TO BE ISSUED A RESIDENT HUNTING OR FISHING  
3 LICENSE OR A COMBINATION RESIDENT HUNTING AND FISHING LICENSE UPON  
4 PRESENTATION OF A CERTIFIED COPY OF THE PERSON'S ORIGINAL BIRTH  
5 CERTIFICATE SHOWING THAT THE PERSON WAS BORN IN MISSISSIPPI; AND  
6 FOR RELATED PURPOSES.

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

8 SECTION 1. Section 49-7-3, Mississippi Code of 1972, is  
9 amended as follows:[JWB1]

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 The following evidence or other reliable evidence may be  
22 considered in establishing, but is not necessarily determinative  
23 of, domicile: driver's license, residence for income or other tax

24 purposes, homestead exemption receipt, or any other means  
25 prescribed by the department. In the case of minors, domicile of  
26 the parents shall be used as evidence of the minor's domicile.

27 (3) A nondomiciliary of the state may be issued a resident  
28 hunting or fishing license or combination resident hunting and  
29 fishing license upon providing the following:

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

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; or

36 (c) A certified copy of the person's original birth  
37 certificate showing that the person was born in Mississippi.

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

44 (5) Each application or filing made under this section shall  
45 include the Social Security number(s) of the applicant in  
46 accordance with Section 93-11-64.

47 SECTION 2. This act shall take effect and be in force from  
48 and after July 1, 2000.