

By: Ketchings, Moore (60th)

To: Game and Fish

HOUSE BILL NO. 685

1 AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT NONRESIDENT HUNTERS AND FISHERS WHO HUNT OR FISH
3 WITHOUT THE REQUIRED LICENSE SHALL LOSE THEIR HUNTING AND FISHING
4 PRIVILEGES FOR LIFE UPON A CONVICTION FOR A SECOND OFFENSE; AND
5 FOR RELATED PURPOSES.

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

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

9 49-7-21. (1) (a) The licenses for hunting, trapping or
10 fishing shall be issued on a form prepared by the executive
11 director and supplied to the bonded agents authorized to issue
12 licenses. The forms shall bear the name and Social Security
13 number or driver's license number of the applicant. All licenses
14 shall be valid from the date of its issuance to June 30 following
15 its date. The license shall be countersigned by the licensee in
16 the presence of the agent authorized to issue the same. The
17 licenses shall be issued in the name of the commission and be
18 countersigned by the bonded agent issuing same. The application
19 for a license under this chapter shall be subscribed and sworn to
20 by the applicant before an officer authorized to administer oaths
21 in this state, and for this purpose the members of the commission,
22 the executive director, sheriffs, conservation officers and bonded

23 agents are hereby authorized to administer oaths, but no charge
24 shall be made by any officer employed by the commission or sheriff
25 for the administration of the oath.

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

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

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

41 (4) Any nonresident, who hunts or traps without the required
42 license is guilty of a misdemeanor and upon conviction thereof
43 shall be fined in an amount not less than Five Hundred Dollars
44 (\$500.00) nor more than One Thousand Dollars (\$1,000.00) for the
45 first offense. The nonresident shall also be assessed by the
46 court an administrative fee as prescribed under subsection (6) of
47 this section. For the second or any subsequent offense a
48 nonresident shall be fined in an amount of not less than One
49 Thousand Dollars (\$1,000.00) nor more than One Thousand Five
50 Hundred Dollars (\$1,500.00) or imprisoned in the county jail for
51 not more than thirty (30) days, or both such fine and
52 imprisonment. In addition, the nonresident shall * * * be
53 assessed by the court an administrative fee as prescribed under

54 subsection (6) of this section, and shall forfeit all hunting,
55 trapping and fishing privileges for life.

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). In
63 addition, the nonresident shall * * * be assessed by the court an
64 administrative fee as prescribed under subsection (6) of this
65 section, and shall forfeit all hunting, trapping and fishing
66 privileges for life.

67 (6) In addition to any other fines or penalties imposed
68 under subsection (4) or (5) of this section, any person convicted
69 for a violation of subsection (3) of this section shall be
70 assessed by the court an administrative fee equal in amount to the
71 cost of the hunting, trapping or fishing license fee that such
72 person unlawfully failed to possess at the time of the violation,
73 the amount of which license fee shall be entered upon the ticket
74 or citation by the charging officer at the time the ticket or
75 citation is issued. The clerk of the court in which conviction
76 for a violation of subsection (3) of this section takes place,
77 promptly shall collect all administrative fees imposed under this
78 subsection and deposit them monthly with the State Treasurer, in
79 the same manner and in accordance with the same procedure, as
80 nearly as practicable, as required for the collection, receipt and
81 deposit of state assessments under Section 99-19-73. However, all

82 administrative fees collected under the provisions of this
83 subsection shall be credited by the State Treasurer to the account
84 of the Department of Wildlife, Fisheries and Parks, and may be
85 expended by the department upon appropriation by the Legislature.

86 (7) Any person who obtains a license under an assumed name
87 or makes a materially false statement to obtain a license is
88 guilty of a felony and shall be subject to a fine of Two Thousand
89 Dollars (\$2,000.00) or may be imprisoned for a term not to exceed
90 one (1) year or both.

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