

By: Bailey

To: Game and Fish

## HOUSE BILL NO. 1009

1 AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT FRESHWATER FISHING LICENSES SHALL BE VALID FOR A  
3 PERIOD OF TWELVE MONTHS FROM THE DATE OF ISSUANCE; AND FOR RELATED  
4 PURPOSES.

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

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

8 49-7-21. (1) (a) The licenses for hunting, trapping or  
9 fishing shall be issued on a form prepared by the executive  
10 director and supplied to the bonded agents authorized to issue  
11 licenses. The forms shall bear the name and social security  
12 number or driver's license number of the applicant. All licenses,  
13 except the freshwater fishing license, shall be valid from the  
14 date of its issuance to June 30 following its date. Freshwater  
15 fishing licenses shall be valid for a period of twelve (12) months  
16 from the date of issuance. Each license shall be countersigned by  
17 the licensee in the presence of the agent authorized to issue the  
18 same. The licenses shall be issued in the name of the commission  
19 and be countersigned by the bonded agent issuing same. The  
20 application for a license under this chapter shall be subscribed  
21 and sworn to by the applicant before an officer authorized to  
22 administer oaths in this state, and for this purpose the members  
23 of the commission, the executive director, sheriffs, conservation  
24 officers and bonded agents are hereby authorized to administer  
25 oaths, but no charge shall be made by any officer employed by the  
26 commission or sheriff for the administration of the oath.

27 (b) A person may purchase a license from the office of

28 the department without appearing in person.

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

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

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

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) and that  
63 nonresident shall also be assessed by the court an administrative  
64 fee as prescribed under subsection (6) of this section.

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

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

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