

By: Posey

To: Wildlife and  
Fisheries

SENATE BILL NO. 2823

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972 TO  
2 CLARIFY THE AUTHORITY OF THE COMMISSION ON WILDLIFE, FISHERIES AND  
3 PARKS TO SET DEER SEASONS BY GEOGRAPHICAL AREA; TO EXTEND THE  
4 LENGTH OF SEASON BASED ON BIOLOGICAL DATA; AND FOR RELATED  
5 PURPOSES.

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

7 SECTION 1. Section 49-7-31, Mississippi Code of 1972, is  
8 amended as follows:[LTR1]

9 49-7-31. (1) The open season for game birds and game  
10 animals shall be as follows:

11 (a) On bobwhite quail: The season shall open on  
12 Thanksgiving day and run through the first Saturday in March next  
13 following.

14 (b) On pheasant: There shall be no open season on  
15 pheasant.

16 (c) On wild turkey: The commission shall fix the  
17 spring season between the Saturday nearest March 20 and May 1 in  
18 designated areas. In addition, the commission may fix special  
19 fall either-sex seasons.

20 (d) On squirrel:

21 (i) Zone 1: For areas north of Highway 82 plus  
22 those portions of Sunflower County and Washington County south of  
23 Highway 82 the season shall open on the Saturday nearest October 1  
24 and run through February 28.

25 (ii) Zone 2: For areas between Highway 82 and  
26 Highway 84, plus such portions of the state south of Highway 84  
27 and west of Interstate 55, the season shall open on the Saturday

28 nearest October 15 and run through February 28.

29 (iii) Zone 3: For areas south of Highway 84 and  
30 east of Interstate 55 the season shall open on the last Saturday  
31 in October and run through February 28.

32 (e) On deer: In addition to the seasons established in  
33 this paragraph, the commission may, in its discretion, extend  
34 seasons for deer by geographical area if based upon quantitative  
35 biological data, deer herd population and health, sustainable  
36 harvest limits and related research evaluations.

37 (i) With bow and arrow: October 1 through the  
38 Friday prior to Thanksgiving.

39 (ii) With guns and with dog: From the Saturday  
40 prior to Thanksgiving through December 1.

41 (iii) With primitive weapons and without dogs:  
42 December 2 through December 15.

43 (iv) With guns and without dogs: December 16  
44 through December 23. However, the commission may allow hunting  
45 statewide or in specific areas with any legal weapon which it may  
46 designate without dogs after the end of the last season for  
47 hunting deer with guns and with dogs, but the season with legal  
48 designated weapons and without dogs shall not extend beyond  
49 January 31.

50 (v) With guns and with dogs: December 24 through  
51 a date fixed by the commission that will provide a total of  
52 thirty-nine (39) days of hunting deer with guns and with dogs when  
53 added to the number of days provided for hunting deer with guns  
54 and with dogs in paragraph (e)(ii).

55 (vi) When hunting deer during any gun season on  
56 deer, a hunter must wear in full view five hundred (500) square  
57 inches of solid unbroken fluorescent orange.

58 (vii) In order to set and regulate the deer  
59 seasons, the commission may:

60 A. Set and regulate the deer seasons on  
61 wildlife management areas which it administers;

62 B. Allow the harvesting of antlerless deer in  
63 the districts or zones upon the recommendation of the executive  
64 director based upon good and substantial quantitative data and

65 research evaluations that demonstrate that the harvesting is  
66 necessary to properly manage the herd. The commission, only upon  
67 the recommendation of the executive director, may allow the  
68 harvesting of antlerless deer during the deer season with guns and  
69 with dogs by a majority vote of the commission. Nothing in this  
70 section prohibits the harvesting of either sex deer by landowners  
71 or leaseholders on private lands under a deer management program  
72 prescribed or approved by the executive director.

73 C. Provide a special permit for the  
74 harvesting of deer when they are depredating and destroying crops.  
75 The department shall supervise the harvesting and provide for the  
76 salvaging of the meat of the animals. The commission may  
77 authorize the department to assist any farmer in this state, who  
78 sustains crop damage by wildlife, in eradication of the problem  
79 wildlife.

80 (viii) The commission shall establish a special  
81 hunting season for youth under the age of sixteen (16) and for  
82 handicapped persons in the Natchez State Park. The commission  
83 shall also establish a primitive weapon season in the Natchez  
84 State Park. The selection of participants in the primitive weapon  
85 season shall be by public drawing from all qualified applications.

86 The commission shall set the number of permits to be issued and  
87 the length of the special seasons. The commission may also  
88 establish a special hunting season for youth and handicapped  
89 persons or a primitive weapon season as provided in this  
90 subparagraph in any other state park under the jurisdiction of the  
91 department but shall only do so upon the recommendation of the  
92 staff of the department as approved by the commission. The  
93 commission shall select participants and set the number of permits  
94 to be issued and the length of the special seasons in the manner  
95 provided in this subparagraph.

96 (ix) The commission may establish and regulate  
97 special youth hunts for all nonmigratory game birds and animals

98 outside of the open season on wildlife management areas and on  
99 private lands.

100 (f) On fur-bearing animals: The commission may fix the  
101 open season on fur-bearing animals between November 1 and March 1  
102 next following and fix the open season for hunting opossums,  
103 raccoons and bobcats with dogs and guns by licensed hunters from  
104 October 1 to February 28 next following; but raccoons and bobcats  
105 may be run, hunted, chased or pursued throughout the year with  
106 dogs by licensed hunters. The commission may establish an  
107 additional open season on raccoon from July 1 through October 1,  
108 and the bag limit on raccoon during the additional open season  
109 shall be one (1) per party, per night.

110 (g) On rabbits: The season shall open on the Saturday  
111 nearest October 15 and run through February 28 next following, and  
112 when rabbits are depredating or destroying crops, the owner of the  
113 crops or his tenants may shoot the rabbits with guns.

114 (h) On predatory animals: The hunting of predatory  
115 animals shall be restricted to the open seasons for hunting any  
116 game animal or game bird, using only the firearms, ammunition,  
117 primitive weapons or archery equipment legal for use during that  
118 open season. Landowners, agricultural leaseholders or their  
119 designated agents may take predatory animals year-round on lands  
120 owned or leased by them. The taking of any animal or animals  
121 other than beavers or coyote by the use of a trap or traps is  
122 unlawful except during the time the season is open for the taking  
123 of fur-bearing animals. Fox and coyote may be run, chased or  
124 pursued with dogs except as provided in Section 49-7-32 year-round  
125 by licensed hunters.

126 (i) On migratory birds: The open season for migratory  
127 birds shall be the season prescribed by the Federal Migratory Bird  
128 Treaty regulations.

129 (j) On nongame gross fish: The season for taking  
130 nongame gross fish by hand or with grappling tongs shall be from

131 May 1 to July 15.

132           (k) It is unlawful to trap fox after the closed season  
133 for trapping of other fur-bearing animals, except on property  
134 owned or leased by the person trapping.

135           (2) It is the intent of the Legislature that the open season  
136 for game birds and game animals shall be stabilized unless some  
137 unforeseen calamity affecting the resource necessitates earlier  
138 change.

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