HOUSE BILL NO. 758

To: Game and Fish; Conservation and Water Resources

MISSISSIPPI LEGISLATURE

By: Representatives Zuber, Barnett (116th), Compretta, Creel, Fillingane, Hamilton, Holland, Pierce, Roberson, Simpson, Smith (35th), Wells-Smith

HOUSE BILL NO. 758

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

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

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

49-7-21. (1) (a) The licenses for hunting, trapping or fishing shall be issued on a form prepared by the executive director and supplied to the bonded agents authorized to issue licenses. The forms shall bear the name and social security number or driver's license number of the applicant. All licenses, except the saltwater sports fishing license, shall be valid from the date of its issuance to June 30 following its date. Saltwater sports fishing licenses shall be valid for a period of twelve (12) months from the date of issuance. Each license shall be countersigned by the licensee in the presence of the agent authorized to issue the same. The licenses shall be issued in the name of the commission and be countersigned by the bonded agent issuing same. The application for a license under this chapter shall be subscribed and sworn to by the applicant before an officer authorized to administer oaths in this state, and for this purpose the members of the commission, the executive director, sheriffs, conservation officers and bonded agents are hereby authorized to administer oaths, but no charge shall be made by any officer employed by the commission or sheriff for the administration of the oath.
(b) A person may purchase a license from the office of the department without appearing in person.

(c) The commission may design, establish, and administer a program to provide for the purchase, by electronic means, of any license, permit, registration or reservation issued by the commission or department.

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

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

(4) Any nonresident, who hunts or traps without the required license is guilty of a misdemeanor and upon conviction thereof shall be fined in an amount not less than Five Hundred Dollars ($500.00) nor more than One Thousand Dollars ($1,000.00) for the first offense. The nonresident shall also be assessed by the court an administrative fee as prescribed under subsection (6) of this section. For the second or any subsequent offense a nonresident shall be fined in an amount of not less than One Thousand Dollars ($1,000.00) nor more than One Thousand Five Hundred Dollars ($1,500.00) or imprisoned in the county jail for not more than thirty (30) days, or both such fine and imprisonment. The nonresident shall also be assessed by the court an administrative fee as prescribed under subsection (6) of this section.
(5) Any nonresident who fishes without the required license is guilty of a misdemeanor and upon conviction shall be fined in an amount not less than One Hundred Dollars ($100.00) nor more than Two Hundred Fifty Dollars ($250.00) for the first offense. For the second or any subsequent offense a nonresident shall be fined in an amount not less than Two Hundred Fifty Dollars ($250.00) nor more than Five Hundred Dollars ($500.00) and that nonresident shall also be assessed by the court an administrative fee as prescribed under subsection (6) of this section.

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

(7) Any person who obtains a license under an assumed name or makes a materially false statement to obtain a license is guilty of a felony and shall be subject to a fine of Two Thousand Dollars ($2,000.00) or may be imprisoned for a term not to exceed one (1) year or both.
SECTION 2. This act shall take effect and be in force from and after July 1, 2001.