

By: Senator(s) Posey

To: Wildlife and Fisheries

SENATE BILL NO. 2593

1 AN ACT TO AMEND SECTION 49-5-7, MISSISSIPPI CODE OF 1972, TO
2 CONFORM TO THE FEDERAL MIGRATORY BIRD TREATY ACT; AND FOR RELATED
3 PURPOSES.

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

5 SECTION 1. Section 49-5-7, Mississippi Code of 1972, is
6 amended as follows:

7 49-5-7. (1) No wild bird other than a game bird shall be
8 pursued, taken, wounded, killed, captured, possessed or exported
9 at any time, dead or alive. No part of the plumage, skin or body
10 of any bird protected by this section or of any birds coming from
11 without the state, the importation of which is prohibited into the
12 United States, shall be sold or had in possession for sale in this
13 state.

14 No person shall molest, take or destroy or attempt to molest,
15 take or destroy the nests or eggs of any wild bird, or have such
16 nests or eggs in his possession, except under the authority of a
17 permit duly issued for scientific purposes.

18 (2) This section shall not apply to game birds for which
19 there is an open season under state law; birds, or parts thereof
20 collected or possessed under the authority of a certificate duly
21 issued for scientific purposes; or to the English sparrow, crow,
22 blackbird and starling or to the nests or eggs of such unprotected
23 birds. Nor shall anything contained in this section prohibit any
24 person on his own land or land under his control from killing or
25 destroying any English sparrow, crow, or * * * blackbird or any
26 animal by nature destructive of gardens, crops or property of any

27 kind. This section shall not apply to introduced pheasants, which
28 are hereby classified as domestic fowls.

29 SECTION 2. This act shall take effect and be in force from
30 and after its passage.