SENATE BILL NO. 2593  
(As Sent to Governor)

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

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

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

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

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

(2) This section shall not apply to game birds for which there is an open season under state law or introduced pheasants; birds, or parts thereof collected or possessed under the authority of a certificate duly issued for scientific purposes; or to the English sparrow (Passer domesticus), red-winged blackbird (Agelaius phoeniceus), rusty blackbird (Euphagus carolinus), Brewer's blackbird (Euphagus cyanocephalus), grackles (Quiscalus sp.), brown-headed cowbird (Molothrus ater), European starling (Sturnus vulgaris) or crows (Corvus sp.) or to the nests or eggs...
of such unprotected birds. Nor shall anything contained in this section prohibit any person on his own land or land under his control from killing or controlling any English sparrow (Passer domesticus), red-winged blackbird (Agelaius phoeniceus), rusty blackbird (Euphagus carolinus), Brewer's blackbird (Euphagus cyanocephalus), grackles (Quiscalus sp.), brown-headed cowbird (Molothrus ater), European starling (Sturnus vulgaris) or crows (Corvus sp.) or any bird by nature destructive of gardens, crops or property of any kind when such birds are committing or about to commit depredation upon ornamental or shade trees, agricultural crops, livestock, or wildlife or when concentrated in such numbers and manner as to constitute a health hazard or other nuisance.

This section does not authorize and shall not be construed to authorize the killing of any migratory birds protected by the Migratory Bird Treaty Act.

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