

By: Representative Bailey

To: Game and Fish

HOUSE BILL NO. 1045

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, 2002.

