

By: Representative Ellington

To: Conservation and Water Resources

HOUSE BILL NO. 1134

1 AN ACT TO AMEND SECTION 49-15-315, MISSISSIPPI CODE OF 1972,  
2 TO APPLY CERTAIN SEAFOOD HARVESTING REQUIREMENTS TO ALL COASTAL  
3 COUNTIES; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 49-15-315, Mississippi Code of 1972, is  
6 amended as follows:

7 49-15-315. (1) It is unlawful for any person, firm or  
8 corporation to engage in commercial harvesting of crabs, oysters,  
9 shrimp, bait shrimp or saltwater fish \* \* \* north of the CSX  
10 Railroad in \* \* \* Mississippi, except for the following:

11 (a) A person may take any euryhaline species of minnow;  
12 and

13 (b) A person may take live bait shrimp between the  
14 hours of sunrise and sunset on Friday, Saturday and Sunday in the  
15 West Pascagoula River System when opened by the department after  
16 sampling studies.

17 (2) A person may take live bait shrimp between the hours of  
18 sunrise and 12:00 noon in the Back Bay of Biloxi when opened by  
19 the department after sampling studies.

20 (3) The Gulf Coast Research Laboratory shall study all  
21 estuaries and bays deemed to be nurseries. The Gulf Coast  
22 Research Laboratory may recommend the establishment of nursery  
23 grounds in the estuaries and bays if necessary to protect the  
24 state's fishing resources.

25 (4) The department shall set the limits on all catches for  
26 noncommercial use.



27           (5) A person, firm or corporation found guilty of violating  
28 this section is guilty of a misdemeanor and shall be fined as  
29 provided in Section 49-15-100(2), or imprisoned not more than  
30 three (3) months or both; and in addition, the commission shall  
31 seize and confiscate all commercial nets, trawls, traps, tongs and  
32 boats used for such purpose and dispose of it at public sale and  
33 shall deposit the proceeds to the credit of the Seafood Fund. If  
34 the person in possession of or using the nets in the violation is  
35 not the owner or licensee of the nets, the department shall notify  
36 the owner or licensee of the nets. The nets shall be subject to  
37 forfeiture unless the nets were stolen and prosecution for the  
38 theft is initiated.

39           **SECTION 2.** This act shall take effect and be in force from  
40 and after July 1, 2002.

