HOUSE BILL NO. 1179

AN ACT TO AMEND SECTION 49-7-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO RELEASE A DOG OR DOGS ONTO ANY PUBLIC ROAD OR PUBLIC ROAD RIGHT-OF-WAY FOR THE PURPOSE OF HUNTING AT ANY POINT WHERE SUCH PERSON DOES NOT HAVE PERMISSION TO HUNT ON PROPERTY ON EITHER SIDE OF SUCH ROAD OR RIGHT-OF-WAY; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-7-45, Mississippi Code of 1972, is amended as follows:

49-7-45. (1) It is unlawful for any person:
(a) (i) To hunt, chase, kill or to pursue with the intent to take, kill or wound any wild animal or wild bird in violation of this chapter;
(ii) To hunt, take, kill or wound any game animal or game bird with a gun larger than 10 gauge;
(iii) To hunt, take, wound or shoot at any game bird:
(A) From any motorboat or other craft having a motor attached unless the motor has been completely shut off and its progress has ceased. A craft under power may be used to retrieve dead or crippled birds; however, crippled birds may not be shot from a craft under power; or
(B) From any sinkbox or battery except in waters of the Gulf Coast.
(b) To wound, drown, shoot, capture, take or otherwise kill any deer from a boat.
(c) To lend or transfer or borrow or to use or display while hunting, trapping or fishing, a license or tag of another.
(d) To aid in the securing of a license for or to knowingly issue a license for any person not legally entitled to same.

(e) To hunt, trap or fish in this state after the right to do so has been denied by the commission or the license therefor has been revoked.

(f) To hunt or trap any birds, game or wild animals during the closed season.

(g) For the purpose of hunting, to release a dog or dogs onto any public road or public road right-of-way at any point where such person does not have permission to hunt on property on either side of such road or right-of-way.

(h) Any person violating paragraphs (b) or (f) is guilty of a Class II offense and shall be punished as provided in Section 49-7-143.

(2) Any citation issued to a boat operator for not registering or possessing the boat's registration card shall be dismissed, along with all related court costs if the boat operator can verify that the boat was properly registered prior to the date of violation. A boat operator may submit a copy of his or her boat's proper registration card, certified by the clerk or magistrate of the court holding the trial or hearing, along with all related court costs, to the court or magistrate before the date of the trial or hearing and the citation shall be dismissed under this subsection without the boat operator or the boat operator's counsel being present.

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