SENATE BILL NO. 2789

AN ACT TO AMEND SECTION 49-7-41, MISSISSIPPI CODE OF 1972, TO ALLOW BUCKS WITH LESS THAN FOUR POINTS TO BE TAKEN IF NECESSARY TO MANAGE DEER ON DMAP LANDS; TO REQUIRE PERMIT TO TAKE SUCH BUCKS; TO REQUIRE AN ANNUAL REPORT ON THE PROGRAM; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-7-41, Mississippi Code of 1972, is amended as follows:

49-7-41. (1) The commission may set the bag limits for game animals, birds and fish, unless the bag limits are established by the Legislature by statute. This subsection shall stand repealed on July 1, 2004.

(2) (a) The bag limit on antlered buck deer is one (1) buck per day, not to exceed three (3) per license year. An antlered buck deer must have antlers of four (4) points or greater to be taken except as provided in paragraph (2)(b).

(b) A buck deer with less than four (4) points may be taken by permit if it is necessary to manage deer on lands under the deer management assistance program or wildlife management areas. The department may only issue permits to clubs, landowners and wildlife management areas that are under the guidance of an approved DMAP consultant or department wildlife biologist. A written management justification must accompany any request for such permits. Any buck deer with less than four (4) points harvested under this permit must be identified with a tag immediately upon possession. Buck deer taken by permit shall not apply to the annual bag limit on antlered buck deer. The
department shall include a report on permits issued, to whom
issued and deer harvested in the annual deer program report.

(3) (a) The bag limit on antlerless deer is one (1)
per day, not to exceed three (3) per license year; except that two
(2) additional antlerless deer per license year may be taken with
a bow and arrow. Antlerless deer may be taken only in the areas
prescribed by order of the commission. It is illegal to take a
spotted fawn in any season.

(b) It is unlawful for a nonresident to kill an
antlerless deer except: (i) a nonresident may take antlerless
deer on lands that the title is vested in the nonresident or on
lands that the nonresident has leased the hunting and fishing
rights; or (ii) a nonresident who has a native son or daughter
nonresident lifetime sportsman license or a resident lifetime
sportsman license may take antlerless deer on private lands,

(4) The bag limit on antlerless deer set by this section
shall not apply to private lands under the deer management
assistance program or the fee-based antlerless program as approved
by the department.

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