

By: Representative Ellington

To: Conservation and Water Resources

HOUSE BILL NO. 880

1 AN ACT TO AMEND SECTION 49-15-313, MISSISSIPPI CODE OF 1972,  
2 TO REQUIRE CAPTAINS OF ANY WATER VESSEL TO SHOW PROOF OF  
3 PARTICIPATION IN A DEPARTMENT OF TRANSPORTATION APPROVED RANDOM  
4 DRUG TESTING PROGRAM AND PROOF OF LIABILITY INSURANCE AS AN  
5 ADDITIONAL REQUIREMENT TO OBTAIN A CHARTER LICENSE; AND FOR  
6 RELATED PURPOSES.

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

8 **SECTION 1.** Section 49-15-313, Mississippi Code of 1972, is  
9 amended as follows:

10 49-15-313. (1) Any resident between the ages of sixteen  
11 (16) and sixty-five (65) years, as defined in Section 49-7-3,  
12 fishing in the marine waters of the state, shall obtain a  
13 saltwater sports fishing license for a fee of Four Dollars  
14 (\$4.00). This license shall be valid in any waters south of  
15 Interstate 10. Any resident citizen who is blind, paraplegic or a  
16 multiple amputee, or who has been adjudged by the Veterans  
17 Administration as having a total service-connected disability, or  
18 has been adjudged totally disabled by the Social Security  
19 Administration shall not be required to purchase or have in his  
20 possession a saltwater sports fishing license while engaged in  
21 such activities. Any resident exempt under this section shall  
22 have on his person while fishing proof of residency and age or  
23 disability.

24 (2) The commission shall prescribe the forms, types and fees  
25 for nonresident saltwater sports fishing licenses except that the  
26 fee for a nonresident saltwater sports fishing license shall not  
27 be less than Twenty Dollars (\$20.00). The commission shall  
28 require a nonresident to purchase a nonresident freshwater fishing  
29 license and a nonresident saltwater sports fishing license if the



30 nonresident's state requires both licenses for a nonresident to  
31 fish in its marine waters.

32 (3) All resident vessels engaged in charter boat fishing,  
33 party boat fishing, head boat and guide boat fishing shall be  
34 issued a separate annual license by the commission at a fee of Two  
35 Hundred Dollars (\$200.00). All nonresident vessels engaged in  
36 charter boat fishing, party boat fishing, head boat and guide boat  
37 fishing shall be issued a separate annual license by the  
38 commission. In addition to other requirements for charter license  
39 eligibility, captains must show proof of participation in a  
40 Department of Transportation approved random drug testing program  
41 and proof of liability insurance as a charter boat captain. Crew  
42 members and customers of the licensed vessels shall not be  
43 required to purchase an individual resident or nonresident  
44 saltwater fishing license while sponsored by the licensed vessels.  
45 An operator of a licensed vessel shall be required to report the  
46 number of customers to the department as required by the  
47 commission and the information shall be kept confidential and  
48 shall not be released, except to other fisheries management  
49 agencies or as statistical data. All nonresident vessels engaged  
50 in saltwater sport fishing tournaments, not to exceed an aggregate  
51 of twenty (20) days per calendar year, shall not be required to  
52 purchase an annual license as provided under this subsection.

53 (4) The saltwater sports fishing license is required for all  
54 recreational methods of finfish harvest.

55 (5) Any resident who purchases a lifetime sportsman's  
56 license, in accordance with Section 49-7-153, shall be entitled to  
57 fish in the marine salt waters of the state and shall be exempt  
58 from the purchase of a sport saltwater fishing license.

59 (6) Any person authorized to issue a license may collect and  
60 retain, for each saltwater fishing license issued, the additional  
61 fee authorized under Section 49-7-17.



62           (7) The fees collected from the sale of resident and  
63 nonresident saltwater sports fishing licenses shall be deposited  
64 into the Seafood Fund and shall be used solely for the management  
65 of marine resources.

66           (8) Participants in the Very Special Fishing Olympics are  
67 exempt from this section.

68           (9) July 4 of each year is designated as "Free Saltwater  
69 Sports Fishing Day." Any person may saltwater sport fish without  
70 a license on the "Free Saltwater Sports Fishing Day."

71           **SECTION 2.** This act shall take effect and be in force from  
72 and after July 1, 2003.

