HOUSE BILL NO. 880

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

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

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

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

(2) The commission shall prescribe the forms, types and fees for nonresident saltwater sports fishing licenses except that the fee for a nonresident saltwater sports fishing license shall not be less than Twenty Dollars ($20.00). The commission shall require a nonresident to purchase a nonresident freshwater fishing license and a nonresident saltwater sports fishing license if the
nonresident's state requires both licenses for a nonresident to fish in its marine waters.

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

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

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

(6) Any person authorized to issue a license may collect and retain, for each saltwater fishing license issued, the additional fee authorized under Section 49-7-17.
ST: Charter boat; require captains to have proof of participation in DOT random drug testing and liability insurance.