

By: Representative Ellington

To: Conservation and Water Resources

HOUSE BILL NO. 1172

1 AN ACT TO AMEND SECTION 49-15-315, MISSISSIPPI CODE OF 1972,
2 TO BROADEN THE AREA OF WATER PROTECTED FROM COMMERCIAL HARVESTING
3 OF VARIOUS SEAFOOD BY DELETING THE REFERENCE TO THE PASCAGOULA
4 RIVER SYSTEM AND JACKSON COUNTY; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

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

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



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

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

