

By: Senator(s) Hewes, Gollott

To: Ports and Marine Resources

SENATE BILL NO. 2805

1 AN ACT TO CREATE CODE SECTION 49-15-92, MISSISSIPPI CODE OF
2 1972, TO PROVIDE PENALTIES FOR THE THEFT OF CRAB TRAPS; TO REPEAL
3 SECTION 97-17-58, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES
4 PENALTIES FOR THEFT OF CRAB POTS; AND FOR RELATED PURPOSES.

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

6 SECTION 1. The following section shall be codified as

7 Section 49-15-92, Mississippi Code of 1972:

8 49-15-92. (1) Any person who steals, takes and carries away
9 crab traps or the property of another used to catch saltwater
10 crabs, upon conviction, shall be fined not less than One Hundred
11 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or
12 imprisoned for not more than ninety (90) days, or both, for the
13 first offense; for the second offense, when the offense is
14 committed within three (3) years of the first offense, shall be
15 fined not less than Five Hundred Dollars (\$500.00) nor more than
16 One Thousand Dollars (\$1,000.00); for the third and subsequent
17 offenses when committed within three (3) years of the first
18 offense, shall be fined not less than Two Thousand Dollars
19 (\$2,000.00) nor more than Four Thousand Dollars (\$4,000.00) or
20 imprisoned for not more than six (6) months.

21 (2) Any person, firm or corporation convicted and sentenced
22 under this section for a second or subsequent offense shall not be
23 considered for a reduction of the fine.

24 (3) In addition to the penalties in subsection (1), any
25 person who steals, removes, takes or carries away the crabs from
26 another person's crab traps shall also pay restitution to the
27 owner of the traps for the crabs taken.



28 (4) This section shall not apply to any person who removes
29 crab traps that are illegally placed or in an illegal location.
30 This section shall not apply to any person who catches abandoned
31 crab traps in a shrimp trawl, keeps the crab traps aboard the
32 vessel and properly disposes of the crab traps.

33 **SECTION 2.** Section 97-17-58, Mississippi Code of 1972, which
34 establishes penalties for theft of crab pots, is repealed.

35 **SECTION 3.** This act shall take effect and be in force from
36 and after July 1, 2003.

