

By: Representative Eaton

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1044

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO
3 AUTHORIZE THE HUNTING OF DEER OVER CORN; TO AMEND SECTION 49-7-33,
4 MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 49-7-31, Mississippi Code of 1972, is
8 amended as follows:

9 49-7-31. (1) The open season for game birds and game
10 animals shall be as follows:

11 (a) On bobwhite quail: The season shall open on
12 Thanksgiving day and run through the first Saturday in March next
13 following.

14 (b) On pheasant: There shall be no open season on
15 pheasant.

16 (c) On wild turkey: The commission shall fix the
17 spring season between the Saturday nearest March 20 and May 1 in
18 designated areas. In addition, the commission may fix special
19 fall either-sex seasons.

20 (d) On squirrel:

21 (i) Zone 1: For areas north of Highway 82 plus
22 those portions of Sunflower County and Washington County south of
23 Highway 82 the season shall open on the Saturday nearest October 1
24 and run through February 28.

25 (ii) Zone 2: For areas between Highway 82 and
26 Highway 84, plus such portions of the state south of Highway 84
27 and west of Interstate 55, the season shall open on the Saturday
28 nearest October 15 and run through February 28.

29 (iii) Zone 3: For areas south of Highway 84 and
30 east of Interstate 55 the season shall open on the last Saturday
31 in October and run through February 28.

32 (e) On deer:

33 (i) With bow and arrow: October 1 through the
34 Friday prior to Thanksgiving.

35 (ii) With guns and with dogs: From the Saturday
36 prior to Thanksgiving through December 1.

37 (iii) With primitive weapons and without dogs:
38 December 2 through December 15.

39 (iv) With guns and without dogs: December 16
40 through December 23. However, the commission may allow hunting
41 statewide or in specific areas with any legal weapon which it may
42 designate without dogs after the end of the last season for
43 hunting deer with guns and with dogs, but the season with legal
44 designated weapons and without dogs shall not extend beyond
45 January 31.

46 (v) With guns and with dogs: December 24 through
47 a date fixed by the commission that will provide a total of
48 thirty-nine (39) days of hunting deer with guns and with dogs when
49 added to the number of days provided for hunting deer with guns
50 and with dogs in paragraph (e)(ii).

51 (vi) When hunting deer during any gun season on
52 deer, a hunter must wear in full view five hundred (500) square
53 inches of solid unbroken fluorescent orange.

54 (vii) In order to set and regulate the deer
55 seasons, the commission may:

56 A. Set and regulate the deer seasons on
57 wildlife management areas which it administers;

58 B. Allow the harvesting of antlerless deer in
59 the districts or zones upon the recommendation of the executive
60 director based upon good and substantial quantitative data and
61 research evaluations that demonstrate that the harvesting is

62 necessary to properly manage the herd. The commission, only upon
63 the recommendation of the executive director, may allow the
64 harvesting of antlerless deer during the deer season with guns and
65 with dogs by a majority vote of the commission. Nothing in this
66 section prohibits the harvesting of either sex deer by landowners
67 or leaseholders on private lands under a deer management program
68 prescribed or approved by the executive director.

69 C. Provide a special permit for the
70 harvesting of deer when they are depredating and destroying crops.
71 The department shall supervise the harvesting and provide for the
72 salvaging of the meat of the animals. The commission may
73 authorize the department to assist any farmer in this state, who
74 sustains crop damage by wildlife, in eradication of the problem
75 wildlife.

76 (viii) The commission, by rule or regulation,
77 shall authorize the hunting of deer over corn during any deer
78 hunting season whether the corn is scattered on the ground or is
79 on the ear.

80 (ix) The commission shall establish a special
81 hunting season for youth under the age of sixteen (16) and for
82 handicapped persons in the Natchez State Park. The commission
83 shall also establish a primitive weapon season in the Natchez
84 State Park. The selection of participants in the primitive weapon
85 season shall be by public drawing from all qualified applications.
86 The commission shall set the number of permits to be issued and
87 the length of the special seasons. The commission may also
88 establish a special hunting season for youth and handicapped
89 persons or a primitive weapon season as provided in this
90 subparagraph in any other state park under the jurisdiction of the
91 department but shall only do so upon the recommendation of the
92 staff of the department as approved by the commission. The
93 commission shall select participants and set the number of permits

94 to be issued and the length of the special seasons in the manner
95 provided in this subparagraph.

96 (x) The commission may establish and regulate
97 special youth hunts for all nonmigratory game birds and animals
98 outside of the open season on wildlife management areas and on
99 private lands.

100 (f) On fur-bearing animals: The commission may fix the
101 open season on fur-bearing animals between November 1 and March 1
102 next following and fix the open season for hunting opossums,
103 raccoons and bobcats with dogs and guns by licensed hunters from
104 October 1 to February 28 next following; but raccoons and bobcats
105 may be run, hunted, chased or pursued throughout the year with
106 dogs by licensed hunters. The commission may establish an
107 additional open season on raccoon from July 1 through October 1,
108 and the bag limit on raccoon during the additional open season
109 shall be one (1) per party, per night.

110 (g) On rabbits: The season shall open on the Saturday
111 nearest October 15 and run through February 28 next following, and
112 when rabbits are depredating or destroying crops, the owner of the
113 crops or his tenants may shoot the rabbits with guns.

114 (h) On predatory animals: The hunting of predatory
115 animals shall be restricted to the open seasons for hunting any
116 game animal or game bird, using only the firearms, ammunition,
117 primitive weapons or archery equipment legal for use during that
118 open season. Landowners, agricultural leaseholders or their
119 designated agents may take predatory animals year-round on lands
120 owned or leased by them. The taking of any animal or animals
121 other than beavers or coyote by the use of a trap or traps is
122 unlawful except during the time the season is open for the taking
123 of fur-bearing animals. Fox and coyote may be run, chased or
124 pursued with dogs except as provided in Section 49-7-32 year-round
125 by licensed hunters.

126 (i) On migratory birds: The open season for migratory
127 birds shall be the season prescribed by the Federal Migratory Bird
128 Treaty regulations.

129 (j) It is unlawful to trap fox after the closed season
130 for trapping of other fur-bearing animals, except on property
131 owned or leased by the person trapping.

132 (2) It is the intent of the Legislature that the open season
133 for game birds and game animals shall be stabilized unless some
134 unforeseen calamity affecting the resource necessitates earlier
135 change.

136 **SECTION 2.** Section 49-7-33, Mississippi Code of 1972, is
137 amended as follows:

138 49-7-33. Except as otherwise provided in Section
139 49-7-31(1)(e)(viii), it is unlawful to hunt, trap or kill any wild
140 bird or wild animal of any kind with the aid of bait, recordings
141 of bird or animal calls, or electrically amplified imitations of
142 calls of any kind, except a person may use electrically amplified
143 sound devices for hunting coyote and crow. The commission, in its
144 discretion, may relax the restrictions regarding the use of lures
145 or sound devices if a condition arises or exists, as decided by
146 the State Board of Health or county board of health, that may
147 endanger persons or livestock in a certain community, county or
148 area.

149 A person may use liquid scents for any animal or bird.

150 **SECTION 3.** This act shall take effect and be in force from
151 and after July 1, 2004.