

By: Representative Compretta

To: Wildlife, Fisheries and
Parks

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1107

1 AN ACT TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE A NONRESIDENT OF THE STATE TO BE ISSUED A RESIDENT
3 HUNTING OR FISHING LICENSE OR COMBINATION RESIDENT HUNTING AND
4 FISHING LICENSE UPON PROOF THAT SUCH PERSON IS AN ACTIVE MEMBER OF
5 THE UNITED STATES ARMED FORCES; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 49-7-3, Mississippi Code of 1972, is
8 amended as follows:

9 49-7-3. (1) Any resident of the State of Mississippi shall
10 be entitled to receive a resident fishing license.

11 (2) Any person domiciled within the State of Mississippi
12 shall be entitled to receive a resident hunting license provided
13 in Section 49-7-5. The domicile of a person is that person's
14 principal or primary home or place of abode. A "principal or
15 primary home or place of abode" is that home or place in which a
16 person's habitation is fixed and to which he, whenever absent, has
17 the present intention of returning after a departure of absence
18 therefrom, regardless of the duration of the absence. The burden
19 of proving domicile shall be on the person claiming such status.
20 The following evidence or other reliable evidence may be
21 considered in establishing, but is not necessarily determinative
22 of, domicile: driver's license, residence for income or other tax
23 purposes, homestead exemption receipt, or any other means
24 prescribed by the department. In the case of minors, domicile of
25 the parents shall be used as evidence of the minor's domicile.

26 (3) A nondomiciliary of the state may be issued a resident
27 hunting or fishing license or combination resident hunting/fishing
28 license upon providing the following:

29 (a) A current identification card from a Mississippi
30 college or university; or

31 (b) A current military identification card showing that
32 the person is an active member of the United States Armed Forces
33 (excluding Reserves and the National Guard) * * *.

34 The provisions of this subsection (3) shall stand repealed
35 from and after July 1, 2006.

36 (4) A holder of a resident or nonresident license is
37 required to carry the license on his person while engaged in
38 hunting, trapping or fishing. Any penalty for not carrying a
39 license while engaged in hunting, trapping or fishing shall be
40 waived if the person can verify purchase of a license prior to the
41 date of the violation.

42 (5) Each application or filing made under this section shall
43 include the Social Security number(s) of the applicant in
44 accordance with Section 93-11-64.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2004.