

By: Representative Compretta

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1107

1 AN ACT TO AMEND SECTIONS 49-7-5 AND 49-7-37, MISSISSIPPI CODE
2 OF 1972, TO PROVIDE THAT ANY PERSON DOMICILED IN THIS STATE WHO IS
3 AN ACTIVE DUTY MEMBER OF THE UNITED STATES ARMED FORCES, INCLUDING
4 THE RESERVES AND NATIONAL GUARD, MAY OBTAIN, WITHOUT A LICENSE
5 FEE, A LICENSE TO FISH AND HUNT ALL GAME AND FOWL, INCLUDING DEER
6 AND TURKEY, A LICENSE FOR COMBINATION SMALL GAME HUNTING AND
7 FISHING, A LICENSE TO HUNT SMALL GAME AND A SPECIAL RESIDENT
8 ARCHERY OR PRIMITIVE FIREARMS LICENSE; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 49-7-5, Mississippi Code of 1972, is
11 amended as follows:

12 49-7-5. (1) (a) Any resident, as defined in Section
13 49-7-3, upon application, shall receive a combination resident
14 hunting and fishing license for the sum of Seventeen Dollars
15 (\$17.00), except as provided in subsection (6) of this section.
16 Such license shall qualify the licensee to hunt under this chapter
17 all game and fowl, including deer and turkey, and to fish in any
18 county of the state.

19 (b) Any resident, as defined in Section 49-7-3, upon
20 application, shall receive a resident combination small game
21 hunting and fishing license for the sum of Thirteen Dollars
22 (\$13.00) together with the fee provided in Section 49-7-17 to the
23 office or agent issuing such license, except as provided in
24 subsection (6) of this section. Such hunting license shall
25 qualify the licensee to hunt and fish under this chapter all game
26 and fowl, except deer and turkey, in any county in the state.

27 (c) Any resident of the State of Mississippi, as
28 defined in Section 49-7-3, upon application, shall receive a
29 resident small game license, and for it shall pay the issuing
30 officer or agent the sum of Thirteen Dollars (\$13.00), together

31 with the fee provided in Section 49-7-17 to the officer or agent
32 issuing such license, except as provided in subsection (6) of this
33 section. Such hunting license shall qualify the person holding
34 the same to hunt under the provisions of this chapter, and in
35 season, all game and fowl, except deer and turkey, in any county
36 in the state.

37 (d) Any resident, as defined in Section 49-7-3, upon
38 application, shall receive a sportsman's license for the sum of
39 Thirty-two Dollars (\$32.00). Such license shall qualify the
40 licensee to hunt under this chapter all game and fowl, including
41 deer and turkey, and to fish as provided by law, in any county in
42 the state, and to hunt using primitive weapons and bow and arrow
43 in the manner provided by law. The commission may notify the
44 licensee of the expiration of his license, and the licensee may
45 renew the license by mailing the sum of Thirty-two Dollars
46 (\$32.00) to the commission. A licensee who has not renewed the
47 license within thirty (30) days after the expiration date shall be
48 removed from the commission's records, and the licensee must apply
49 to be placed on the renewal list.

50 (2) (a) Any resident citizen of the State of Mississippi
51 who has not reached the age of sixteen (16) years or who has
52 reached the age of sixty-five (65) years, or any resident citizen
53 who is blind, paraplegic, or a multiple amputee, or who has been
54 adjudged by the Veterans Administration as having a total
55 service-connected disability, or has been adjudged to be totally
56 disabled by the Social Security Administration shall not be
57 required to purchase or have in his possession, a hunting or
58 fishing license while engaged in such activities. A person exempt
59 by reason of total service-connected disability, as adjudged by
60 the Veterans Administration or who has been adjudged to be totally
61 disabled by the Social Security Administration or who is blind,
62 paraplegic or a multiple amputee, shall have in their possession
63 and on their person proof of their age, residency, disability

64 status or other respective physical impairment while engaged in
65 the activities of hunting or fishing.

66 (b) All exempt hunting and fishing licenses previously
67 issued for disabilities shall be null and void effective July 1,
68 1993.

69 (c) The commission may offer a youth all-game hunting
70 and fishing license for exempt youths who have a hunter education
71 certificate and an all-game hunting and fishing license for other
72 persons exempted under paragraph (a). Youths and other exempt
73 persons shall not be required to purchase this license or have it
74 in possession while hunting or fishing. The commission may
75 establish a fee not to exceed Five Dollars (\$5.00) for such
76 licenses.

77 (3) No license shall be required of residents to hunt, fish
78 or trap on lands in which the record title is vested in such
79 person.

80 (4) Any person or persons exempt under this section from
81 procuring a license shall be subject to and must comply with all
82 other terms and provisions of this chapter.

83 (5) Any person authorized to issue any license under this
84 section may collect and retain for the issuance of each license,
85 including a license issued under subsections (1)(a), (b) or (c) of
86 this section, the additional fee authorized under Section 49-7-17.

87 (6) Any person domiciled in this state who is an active duty
88 member of the United States Armed Forces, including the Reserves
89 and National Guard, may obtain a license or licenses under
90 subsections (1)(a), (b) or (c) of this section without payment of
91 the fee prescribed therein.

92 **SECTION 2.** Section 49-7-37, Mississippi Code of 1972, is
93 amended as follows:

94 49-7-37. (1) Any resident of this state licensed to hunt or
95 otherwise take any legal game bird or game animal in this state by
96 or with the use of firearms, may hunt, kill, shoot or otherwise

97 take game animals or game birds by the use of falcons or hawks as
98 may be prescribed by the commission and in compliance with federal
99 guidelines.

100 (2) The commission may extend the special archery seasons on
101 any public hunting projects, game refuges or prescribed areas
102 having surplus deer populations.

103 (3) The killing by primitive firearms of an antlerless deer
104 or any other deer protected during the regular deer season is
105 prohibited, but the commission may designate areas of the state in
106 which the killing of antlerless deer may be permitted or limited.

107 (4) The commission may make reasonable rules and regulations
108 concerning the special seasons with falcons and hawks, bow and
109 arrow and primitive firearms which it deems necessary and proper.
110 The commission shall define the term "primitive firearm" for
111 purposes of this section and other law or regulation.

112 (5) The use of dogs shall be prohibited for hunting deer
113 during any of the special hunting seasons.

114 (6) In addition to a hunting license allowing the taking of
115 deer, any resident desiring to hunt deer with bow and arrow or
116 primitive firearm during primitive weapon or archery season or
117 special hunts established by the commission shall purchase a
118 special resident archery and/or primitive firearms license at a
119 fee of Fourteen Dollars (\$14.00) for each license plus the fee
120 provided in Section 49-7-17. However, a person domiciled in this
121 state who is an active duty member of the United States Armed
122 Forces, including the Reserves and National Guard, may obtain a
123 special resident archery and/or primitive firearms license without
124 payment of such fee.

125 (7) Any person violating this section is guilty of a Class
126 II violation and shall be punished as provided in Section
127 49-7-143.

128 (8) All seasons provided for herein shall begin on Saturday.

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