

By: Representatives Compretta, Frierson

To: Wildlife, Fisheries and
ParksHOUSE BILL NO. 1107
(As Sent to Governor)

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 SUBJECT TO THE APPROVAL OF THE
6 COMMISSION; AND FOR RELATED PURPOSES.

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

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

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

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

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

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

32 (b) A current military identification card showing that
33 the person is an active member of the United States Armed Forces
34 (excluding Reserves and the National Guard) and proof that the
35 person is stationed on a military base in Mississippi.

36 (4) A nondomiciliary of the state may be issued a special
37 Armed Forces fourteen-day hunting and fishing license with the
38 same hunting and fishing privileges and at the same fee of a
39 resident sportsman's license, if the nondomiciliary is an active
40 member of the United States Armed Forces (excluding Reserves and
41 the National Guard) and his application is approved by the
42 department. The applicant must file his application for the
43 special fourteen-day license in the office of the department. The
44 department shall establish requirements for proof of active
45 military status and any other requirements it deems desirable.
46 The department shall not issue more than two (2) special
47 fourteen-day licenses to the same applicant per license year.

48 (5) A holder of a resident or nonresident license is
49 required to carry the license on his person while engaged in
50 hunting, trapping or fishing. Any penalty for not carrying a
51 license while engaged in hunting, trapping or fishing shall be
52 waived if the person can verify purchase of a license prior to the
53 date of the violation.

54 (6) Each application or filing made under this section shall
55 include the social security number(s) of the applicant in
56 accordance with Section 93-11-64 * * *.

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