

By: Representatives Janus, Frierson

To: Marine Resources

HOUSE BILL NO. 1388  
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-15-313, MISSISSIPPI CODE OF 1972,  
2 TO ALLOW THE DEPARTMENT OF MARINE RESOURCES TO EXEMPT PARTICIPANTS  
3 OF CERTAIN ORGANIZED FISHING EVENTS FROM THE SPORTS LICENSE AND  
4 BOAT FISHING LICENSE REQUIREMENTS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-15-313, Mississippi Code of 1972, is  
7 amended as follows:

8 49-15-313. (1) Any resident between the ages of sixteen  
9 (16) and sixty-five (65) years, as defined in Section 49-7-3,  
10 fishing in the marine waters of the state, shall obtain a  
11 saltwater sports fishing license for a fee of Four Dollars  
12 (\$4.00). This license shall be valid in any waters south of  
13 Interstate 10. Any resident citizen who is blind, paraplegic or a  
14 multiple amputee, or who has been adjudged by the Veterans  
15 Administration as having a total service-connected disability, or  
16 has been adjudged totally disabled by the Social Security  
17 Administration shall not be required to purchase or have in his  
18 possession a saltwater sports fishing license while engaged in  
19 such activities. Any resident exempt under this section shall  
20 have on his person while fishing proof of residency and age or  
21 disability.

22 (2) The commission shall prescribe the forms, types and fees  
23 for nonresident saltwater sports fishing licenses except that the  
24 fee for a nonresident saltwater sports fishing license shall not  
25 be less than Twenty Dollars (\$20.00). The commission shall  
26 require a nonresident to purchase a nonresident freshwater fishing  
27 license and a nonresident saltwater sports fishing license if the

28 nonresident's state requires both licenses for a nonresident to  
29 fish in its marine waters.

30 (3) All resident vessels engaged in charter boat fishing,  
31 party boat fishing, head boat and guide boat fishing shall be  
32 issued a separate annual license by the commission at a fee of Two  
33 Hundred Dollars (\$200.00). All nonresident vessels engaged in  
34 charter boat fishing, party boat fishing, head boat and guide boat  
35 fishing shall be issued a separate annual license by the  
36 commission. In addition to other requirements for charter license  
37 eligibility, captains must show proof of participation in a  
38 Department of Transportation approved random drug testing program  
39 and proof of liability insurance as a charter boat captain. Crew  
40 members and customers of the licensed vessels shall not be  
41 required to purchase an individual resident or nonresident  
42 saltwater fishing license while sponsored by the licensed vessels.  
43 An operator of a licensed vessel shall be required to report the  
44 number of customers to the department as required by the  
45 commission and the information shall be kept confidential and  
46 shall not be released, except to other fisheries management  
47 agencies or as statistical data. All nonresident vessels engaged  
48 in saltwater sport fishing tournaments, not to exceed an aggregate  
49 of twenty (20) days per calendar year, shall not be required to  
50 purchase an annual license as provided under this subsection.

51 (4) The saltwater sports fishing license is required for all  
52 recreational methods of finfish harvest.

53 (5) Any resident who purchases a lifetime sportsman's  
54 license, in accordance with Section 49-7-153, shall be entitled to  
55 fish in the marine salt waters of the state and shall be exempt  
56 from the purchase of a sport saltwater fishing license.

57 (6) Any person authorized to issue a license may collect and  
58 retain, for each saltwater fishing license issued, the additional  
59 fee authorized under Section 49-7-17.

60 (7) The fees collected from the sale of resident and  
61 nonresident saltwater sports fishing licenses shall be deposited  
62 into the Seafood Fund and shall be used solely for the management  
63 of marine resources.

64 (8) Participants in the Very Special Fishing Olympics are  
65 exempt from this section.

66 (9) July 4 of each year is designated as "Free Saltwater  
67 Sports Fishing Day." Any person may saltwater sport fish without  
68 a license on the "Free Saltwater Sports Fishing Day."

69 (10) The department may exempt participants in an organized  
70 fishing event conducted by a qualified nonprofit charitable,  
71 governmental or civic organization from the requirements of this  
72 section for one (1) day per year if the organization files an  
73 exemption application with the department and the application is  
74 approved by the department.

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