

By: Representative Lott

To: Wildlife, Fisheries and  
Parks; Appropriations

HOUSE BILL NO. 428

1 AN ACT TO AMEND SECTION 55-3-33, MISSISSIPPI CODE OF 1972, TO  
2 WAIVE THE PARK ENTRANCE FEE FOR PERSONS OVER 65 YEARS OF AGE OR  
3 DISABLED; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 55-3-33, Mississippi Code of 1972, is  
6 amended as follows:

7 55-3-33. (1) The Mississippi Department of Wildlife,  
8 Fisheries and Parks shall have the power and authority, and it  
9 shall be its duty to:

10 (a) Take charge and have full jurisdiction and control  
11 over all state parks, which \* \* \* shall be operated for the  
12 purpose of providing outdoor recreational activities and enjoyment  
13 for the citizens of the State of Mississippi and for the purpose  
14 of attracting visitors to the state.

15 (b) Set up a uniform accounting procedure for the state  
16 parks and prescribe the manner in which books, records and  
17 accounts shall be kept. The procedure shall account for all  
18 monies taken in and expended by the various parks and shall  
19 provide for periodic audits of such books.

20 (c) Accept gifts, bequests of money or other property,  
21 real or personal, to be used for the purpose of advancing the  
22 recreation and conservation interests in state parks. The  
23 department is authorized, subject to approval by the State  
24 Legislature, to purchase property, real or personal, to be used  
25 for state park purposes.

26 (d) Contract with the State Transportation Commission,  
27 any municipality or board of supervisors of the state for

28 locating, constructing and maintaining roads and other  
29 improvements in state parks and for payment of a part of the costs  
30 thereof; however, no county or municipality more than twenty-five  
31 (25) miles distant from a state park may contract for, or do, or  
32 pay for any such work for a state park other than the  
33 International Gardens of Mississippi. Any county or municipality  
34 authorized to assist financially under \* \* \* Sections 55-3-31  
35 through 55-3-51 is authorized, in the discretion of its respective  
36 governing authority, to set aside, appropriate and expend monies  
37 from the General Fund for the purpose of defraying such expense  
38 after a mandatory election is held on the question within the  
39 county or municipality.

40 (e) Designate employees as peace officers with power to  
41 make arrests for infraction of the rules and regulations of the  
42 department. Such officers are authorized to carry weapons and to  
43 enforce the laws of the State of Mississippi within the confines  
44 of a state park.

45 (f) Enforce and delegate the responsibility to enforce  
46 all reasonable rules and regulations governing the occupancy and  
47 use of lands and waters in state parks under its jurisdiction,  
48 supply recreational and conservation facilities and charge fees  
49 for the use of same; review all rates and charges for facilities  
50 and accommodations furnished at the various state parks annually,  
51 making such charges as are justified; and establish fees for  
52 entrance to state parks. Persons sixty-five (65) years of age or  
53 older and disabled persons shall be exempt from entrance fees.  
54 The park entrance fee for a car shall be waived if every person in  
55 the car is sixty-five (65) years of age or older, or is disabled.

56 Each park shall retain from revenues generated therein, a sum  
57 sufficient to pay necessary expenses of operation, but in no event  
58 to be less than seventy-five percent (75%) of such revenues.

59 (2) The department shall have the authority to lease to any  
60 entity, sell and convey or otherwise transfer to any county or

61 municipality, or close any state park or historical site within  
62 its jurisdiction which received a General Fund subsidy in fiscal  
63 year 1985 in excess of Two Dollars (\$2.00) per visitor to such  
64 state park or historical site; provided, however, that this  
65 authority shall not include the authority to sell, lease or convey  
66 any park that was not in operation under the jurisdiction of the  
67 department for a full fiscal year prior to fiscal year 1986.

68 (3) The department may execute agreements with  
69 rails-to-trails and recreational districts by which the department  
70 will assume responsibility for the operation and maintenance of  
71 trails developed under Sections 55-25-1 through 55-25-15.

72 **SECTION 2.** This act shall take effect and be in force from  
73 and after its passage.