

By: Representative Bentz

To: Wildlife, Fisheries and  
Parks

## HOUSE BILL NO. 1215

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE HUNTING OF DEER OVER GRAIN OR OTHER BAIT SHALL BE  
3 LAWFUL SUBJECT TO SUCH RULES AND REGULATIONS AS THE COMMISSION ON  
4 WILDLIFE, FISHERIES AND PARKS MAY ADOPT; TO AMEND SECTION 49-7-33,  
5 MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF  
6 THIS ACT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 49-7-31, Mississippi Code of 1972, is  
9 amended as follows:

10 49-7-31. (1) The open season for game birds and game  
11 animals shall be as follows:

12 (a) On bobwhite quail: The season shall open on  
13 Thanksgiving Day and run through the first Saturday in March next  
14 following.

15 (b) On pheasant: There shall be no open season on  
16 pheasant.

17 (c) On wild turkey: The commission may fix the spring  
18 season between March 1 and May 15. In addition, the commission  
19 may fix special fall either-sex seasons.

20 (d) On squirrel:

21 (i) Zone 1: For areas north of Highway 82 plus  
22 those portions of Sunflower County and Washington County south of  
23 Highway 82 the season shall open on the Saturday nearest October 1  
24 and run through February 28.

25 (ii) Zone 2: For areas between Highway 82 and  
26 Highway 84, plus such portions of the state south of Highway 84  
27 and west of Interstate 55, the season shall open on the Saturday  
28 nearest October 15 and run through February 28.

29 (iii) Zone 3: For areas south of Highway 84 and  
30 east of Interstate 55 the season shall open on the last Saturday  
31 in October and run through February 28.

32 (e) On deer:

33 (i) With bow and arrow: October 1 through the  
34 Friday prior to Thanksgiving.

35 (ii) With guns and with dogs: From the Saturday  
36 prior to Thanksgiving through December 1.

37 (iii) With primitive weapons and without dogs:  
38 December 2 through December 15.

39 (iv) With guns and without dogs: December 16  
40 through December 23. However, the commission may allow hunting  
41 statewide or in specific areas with any legal weapon which it may  
42 designate without dogs after the end of the last season for  
43 hunting deer with guns and with dogs, but the season with legal  
44 designated weapons and without dogs shall not extend beyond  
45 January 31.

46 (v) With guns and with dogs: December 24 through  
47 a date fixed by the commission that will provide a total of  
48 thirty-nine (39) days of hunting deer with guns and with dogs when  
49 added to the number of days provided for hunting deer with guns  
50 and with dogs in paragraph (e)(ii).

51 (vi) When hunting deer during any gun season on  
52 deer, a hunter must wear in full view five hundred (500) square  
53 inches of solid unbroken fluorescent orange.

54 (vii) In order to set and regulate the deer  
55 seasons, the commission may:

56 A. Set and regulate the deer seasons on  
57 wildlife management areas which it administers;

58 B. Allow the harvesting of antlerless deer in  
59 the districts or zones upon the recommendation of the executive  
60 director based upon good and substantial quantitative data and  
61 research evaluations that demonstrate that the harvesting is

62 necessary to properly manage the herd. The commission, only upon  
63 the recommendation of the executive director, may allow the  
64 harvesting of antlerless deer during the deer season with guns and  
65 with dogs by a majority vote of the commission. Nothing in this  
66 section prohibits the harvesting of either-sex deer by landowners  
67 or leaseholders on private lands under a deer management program  
68 prescribed or approved by the executive director.

69 C. Provide a special permit for the  
70 harvesting of deer when they are depredating and destroying crops.  
71 The department shall supervise the harvesting and provide for the  
72 salvaging of the meat of the animals. The commission may  
73 authorize the department to assist any farmer in this state, who  
74 sustains crop damage by wildlife, in eradication of the problem  
75 wildlife.

76 (viii) The hunting of deer over grain or other  
77 supplemental food shall be lawful, subject to such rules and  
78 regulations as the commission may adopt.

79 (ix) The commission shall establish a special  
80 hunting season for youth under the age of sixteen (16) and for  
81 handicapped persons in the Natchez State Park. The commission  
82 shall also establish a primitive weapon season in the Natchez  
83 State Park. The selection of participants in the primitive weapon  
84 season shall be by public drawing from all qualified applications.  
85 The commission shall set the number of permits to be issued and  
86 the length of the special seasons. The commission may also  
87 establish a special hunting season for youth and handicapped  
88 persons or a primitive weapon season as provided in this  
89 subparagraph in any other state park under the jurisdiction of the  
90 department but shall only do so upon the recommendation of the  
91 staff of the department as approved by the commission. The  
92 commission shall select participants and set the number of permits  
93 to be issued and the length of the special seasons in the manner  
94 provided in this subparagraph.

95                    (x) The commission may establish and regulate  
96 special youth hunts for all nonmigratory game birds and animals  
97 outside of the open season on wildlife management areas and on  
98 private lands.

99                    (f) On fur-bearing animals: The commission may fix the  
100 open season on fur-bearing animals between November 1 and March 1  
101 next following and fix the open season for hunting opossums,  
102 raccoons and bobcats with dogs and guns by licensed hunters from  
103 October 1 to February 28 next following; but raccoons and bobcats  
104 may be run, hunted, chased or pursued throughout the year with  
105 dogs by licensed hunters. The commission may establish an  
106 additional open season on raccoon from July 1 through October 1,  
107 and the bag limit on raccoon during the additional open season  
108 shall be one (1) per party, per night.

109                   (g) On rabbits: The season shall open on the Saturday  
110 nearest October 15 and run through February 28 next following, and  
111 when rabbits are depredating or destroying crops, the owner of the  
112 crops or his tenants may shoot the rabbits with guns.

113                   (h) On predatory animals: The hunting of predatory  
114 animals shall be restricted to the open seasons for hunting any  
115 game animal or game bird, using only the firearms, ammunition,  
116 primitive weapons or archery equipment legal for use during that  
117 open season. Landowners, agricultural leaseholders or their  
118 designated agents may take predatory animals year-round on lands  
119 owned or leased by them. The taking of any animal or animals  
120 other than beavers or coyote by the use of a trap or traps is  
121 unlawful except during the time the season is open for the taking  
122 of fur-bearing animals. Fox and coyote may be run, chased or  
123 pursued with dogs except as provided in Section 49-7-32 year-round  
124 by licensed hunters.

125                   (i) On migratory birds: The open season for migratory  
126 birds shall be the season prescribed by the Federal Migratory Bird  
127 Treaty regulations.

128           (j) It is unlawful to trap fox after the closed season  
129 for trapping of other fur-bearing animals, except on property  
130 owned or leased by the person trapping.

131           (2) It is the intent of the Legislature that the open season  
132 for game birds and game animals shall be stabilized unless some  
133 unforeseen calamity affecting the resource necessitates earlier  
134 change.

135           **SECTION 2.** Section 49-7-33, Mississippi Code of 1972, is  
136 amended as follows:

137           49-7-33. Except as otherwise authorized under Section  
138 49-7-31(1)(e)(viii), it is unlawful to hunt, trap or kill any wild  
139 bird or wild animal of any kind with the aid of bait, recordings  
140 of bird or animal calls, or electrically amplified imitations of  
141 calls of any kind, except a person may use electrically amplified  
142 sound devices for hunting coyote and crow. The commission, in its  
143 discretion, may relax the restrictions regarding the use of lures  
144 or sound devices if a condition arises or exists, as decided by  
145 the State Board of Health or county board of health, that may  
146 endanger persons or livestock in a certain community, county or  
147 area.

148           A person may use liquid scents for any animal or bird.

149           **SECTION 3.** This act shall take effect and be in force from  
150 and after July 1, 2005.