

By: Representative Eaton

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1389

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 EXTEND THE SECOND DEER HUNTING SEASON FOR HUNTING WITH GUNS AND
3 WITH DOGS TO JANUARY 31; AND FOR RELATED PURPOSES.

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

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

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

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

12 (b) On pheasant: There shall be no open season on
13 pheasant.

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

17 (d) On squirrel:

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

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

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

29 (e) On deer:

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

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

34 (iii) With primitive weapons and without dogs:
35 December 2 through December 15.

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

43 (v) With guns and with dogs: December 24 through
44 January 31.

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

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

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

52 B. Allow the harvesting of antlerless deer in
53 the districts or zones upon the recommendation of the executive
54 director based upon good and substantial quantitative data and
55 research evaluations that demonstrate that the harvesting is
56 necessary to properly manage the herd. The commission, only upon
57 the recommendation of the executive director, may allow the
58 harvesting of antlerless deer during the deer season with guns and

59 with dogs by a majority vote of the commission. Nothing in this
60 section prohibits the harvesting of either-sex deer by landowners
61 or leaseholders on private lands under a deer management program
62 prescribed or approved by the executive director.

63 C. Provide a special permit for the
64 harvesting of deer when they are depredating and destroying crops.
65 The department shall supervise the harvesting and provide for the
66 salvaging of the meat of the animals. The commission may
67 authorize the department to assist any farmer in this state, who
68 sustains crop damage by wildlife, in eradication of the problem
69 wildlife.

70 (viii) The commission shall establish a special
71 hunting season for youth under the age of sixteen (16) and for
72 handicapped persons in the Natchez State Park. The commission
73 shall also establish a primitive weapon season in the Natchez
74 State Park. The selection of participants in the primitive weapon
75 season shall be by public drawing from all qualified applications.
76 The commission shall set the number of permits to be issued and
77 the length of the special seasons. The commission may also
78 establish a special hunting season for youth and handicapped
79 persons or a primitive weapon season as provided in this
80 subparagraph in any other state park under the jurisdiction of the
81 department but shall only do so upon the recommendation of the
82 staff of the department as approved by the commission. The
83 commission shall select participants and set the number of permits
84 to be issued and the length of the special seasons in the manner
85 provided in this subparagraph.

86 (ix) The commission may establish and regulate
87 special youth hunts for all nonmigratory game birds and animals
88 outside of the open season on wildlife management areas and on
89 private lands.

90 (f) On fur-bearing animals: The commission may fix the
91 open season on fur-bearing animals between November 1 and March 1

92 next following and fix the open season for hunting opossums,
93 raccoons and bobcats with dogs and guns by licensed hunters from
94 October 1 to February 28 next following; but raccoons and bobcats
95 may be run, hunted, chased or pursued throughout the year with
96 dogs by licensed hunters. The commission may establish an
97 additional open season on raccoon from July 1 through October 1,
98 and the bag limit on raccoon during the additional open season
99 shall be one (1) per party, per night.

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

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

116 (i) On migratory birds: The open season for migratory
117 birds shall be the season prescribed by the Federal Migratory Bird
118 Treaty regulations.

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

122 (2) It is the intent of the Legislature that the open season
123 for game birds and game animals shall be stabilized unless some

124 unforeseen calamity affecting the resource necessitates earlier
125 change.

126 **SECTION 2.** This act shall take effect and be in force from
127 and after July 1, 2005.