

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2917

1 AN ACT TO REVISE THE REQUIREMENTS FOR WEARING HUNTER ORANGE;
2 TO PROVIDE A PENALTY FOR NOT WEARING HUNTER ORANGE; TO AMEND
3 SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR
4 RELATED PURPOSES.

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

6 **SECTION 1.** (1) When hunting deer during any gun season on
7 deer, a hunter must wear in full view at least five hundred (500)
8 square inches of solid unbroken fluorescent orange. This
9 requirement shall not apply to a hunter while the hunter is in a
10 fully enclosed deer stand.

11 (2) A violation of this section is a Class II violation and
12 is punishable as provided in Section 49-7-143.

13 **SECTION 2.** Section 49-7-31, Mississippi Code of 1972, is
14 amended as follows:

15 49-7-31. (1) The open season for game birds and game
16 animals shall be as follows:

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

20 (b) On pheasant: There shall be no open season on
21 pheasant.

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

25 (d) On squirrel:

26 (i) Zone 1: For areas north of Highway 82 plus
27 those portions of Sunflower County and Washington County south of

28 Highway 82 the season shall open on the Saturday nearest October 1
29 and run through February 28.

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

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

37 (e) On deer:

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

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

42 (iii) With primitive weapons and without dogs:
43 December 2 through December 15.

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

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

56 * * *

57 (vi) In order to set and regulate the deer
58 seasons, the commission may:

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

61 B. Allow the harvesting of antlerless deer in
62 the districts or zones upon the recommendation of the executive
63 director based upon good and substantial quantitative data and
64 research evaluations that demonstrate that the harvesting is
65 necessary to properly manage the herd. The commission, only upon
66 the recommendation of the executive director, may allow the
67 harvesting of antlerless deer during the deer season with guns and
68 with dogs by a majority vote of the commission. Nothing in this
69 section prohibits the harvesting of either-sex deer by landowners
70 or leaseholders on private lands under a deer management program
71 prescribed or approved by the executive director.

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

79 (vii) 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 (viii) 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 3.** This act shall take effect and be in force from
136 and after July 1, 2005.