

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2917

1 AN ACT TO AMEND SECTION 49-7-101, MISSISSIPPI CODE OF 1972,
2 TO INCREASE THE PENALTY FOR NOT WEARING HUNTER ORANGE; AND FOR
3 RELATED PURPOSES.

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

5 **SECTION 1.** Section 49-7-101, Mississippi Code of 1972, is
6 amended as follows:

7 49-7-101. (1) Unless a different or other penalty or
8 punishment is specially prescribed, a person who violates any of
9 the provisions of this chapter or any law or regulation for the
10 protection of wild animals, birds, or fish, or who fails to
11 perform any duty imposed by such laws or regulations, or who
12 violates or fails to comply with any lawful order, rule or
13 regulation adopted by the commission is guilty of a Class III
14 violation and, upon conviction thereof, shall be punished by a
15 fine of not less than Twenty-five Dollars (\$25.00) nor more than
16 One Hundred Dollars (\$100.00). In addition thereto, such person
17 is liable, in the discretion of the court, to an additional
18 penalty of Twenty-five Dollars (\$25.00) for each animal, bird, or
19 fish, or part thereof, or each nest or egg of any bird taken,
20 possessed, or transported in violation of such law or regulation.

21 (2) Any person unlawfully killing a doe deer is guilty of a
22 Class II violation and shall be punished as provided in Section
23 49-7-143.

24 (3) Any person killing a wild turkey hen, except when
25 permitted by the commission is guilty of a Class II violation and
26 shall be punished as provided in Section 49-7-143.

27 (4) Any person killing any turkey out of season, and any
28 person baiting turkeys is guilty of a Class II violation and shall
29 be punished as provided in Section 49-7-143.

30 (5) Any person unlawfully trapping quail or any other game
31 bird within this state is guilty of a Class II violation and
32 shall be punished as provided in Section 49-7-143.

33 (6) Any person transporting, shipping, or carrying quail or
34 any other game bird within, or from within to a point without this
35 state, without first having secured permission from the executive
36 director to so do, shall, except as otherwise provided by Section
37 49-1-1 et seq., be fined not less than One Hundred Dollars
38 (\$100.00).

39 (7) Any person not wearing fluorescent orange as required by
40 law is guilty of a Class II violation and shall be punished as
41 provided in Section 49-7-143.

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