

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2917
(As Passed the Senate)

1 AN ACT TO REVISE THE REQUIREMENTS FOR WEARING HUNTER ORANGE;
2 TO PROVIDE A PENALTY FOR NOT WEARING HUNTER ORANGE; TO RECODIFY
3 OPEN SEASON LAWS ON GAME ANIMALS AND BIRDS, FUR-BEARING ANIMALS
4 AND PREDATORS; TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972,
5 TO CONFORM; AND FOR RELATED PURPOSES.

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

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

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

15 **SECTION 2.** The open season for game birds shall be as
16 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 migratory birds: The open season for migratory
26 birds shall be the season prescribed by the Federal Migratory Bird
27 Treaty regulations.

28 **SECTION 3.** The open season on game animals except deer shall
29 be as follows:

30 (a) On squirrel:

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

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

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

42 (b) On rabbits: The season shall open on the Saturday
43 nearest October 15 and run through February 28 next following, and
44 when rabbits are depredating or destroying crops, the owner of the
45 crops or his tenants may shoot the rabbits with guns.

46 **SECTION 4.** Section 49-7-31, Mississippi Code of 1972, is
47 amended as follows:

48 49-7-31. (1) The open season * * * on deer shall be as
49 follows:

50 * * *

51 (a) With bow and arrow: October 1 through the Friday
52 prior to Thanksgiving.

53 (b) With guns and with dogs: From the Saturday prior
54 to Thanksgiving through December 1.

55 (c) With primitive weapons and without dogs: December
56 2 through December 15.

57 (d) With guns and without dogs: December 16 through
58 December 23. However, the commission may allow hunting statewide
59 or in specific areas with any legal weapon which it may designate
60 without dogs after the end of the last season for hunting deer

61 with guns and with dogs, but the season with legal designated
62 weapons and without dogs shall not extend beyond January 31.

63 (e) With guns and with dogs: December 24 through a
64 date fixed by the commission that will provide a total of
65 thirty-nine (39) days of hunting deer with guns and with dogs when
66 added to the number of days provided for hunting deer with guns
67 and with dogs in paragraph (b).

68 * * *

69 (2) * * * The commission may * * * set and regulate the deer
70 seasons on wildlife management areas which it administers.

71 (3) (a) The commission may allow the harvesting of
72 antlerless deer in the districts or zones upon the recommendation
73 of the executive director based upon good and substantial
74 quantitative data and research evaluations that demonstrate that
75 the harvesting is necessary to properly manage the herd.

76 (b) The commission, only upon the recommendation of the
77 executive director, may allow the harvesting of antlerless deer
78 during the deer season with guns and with dogs by a majority vote
79 of the commission.

80 (c) Nothing in this subsection prohibits the harvesting
81 of either-sex deer by landowners or leaseholders on private lands
82 under a deer management program prescribed or approved by the
83 executive director.

84 (4) The commission may provide a special permit for the
85 harvesting of deer when they are depredating and destroying crops.
86 The department shall supervise the harvesting and provide for the
87 salvaging of the meat of the animals. The commission may
88 authorize the department to assist any farmer in this state, who
89 sustains crop damage by wildlife, in eradication of the problem
90 wildlife.

91 * * *

92 **SECTION 5.** (1) The commission shall establish a special
93 hunting season for youth under the age of sixteen (16) and for

94 handicapped persons in the Natchez State Park. The commission
95 shall also establish a primitive weapon season in the Natchez
96 State Park. The selection of participants in the primitive weapon
97 season shall be by public drawing from all qualified applications.
98 The commission shall set the number of permits to be issued and
99 the length of the special seasons.

100 (2) The commission may also establish a special hunting
101 season for youth and handicapped persons or a primitive weapon
102 season as provided in this section in any other state park under
103 the jurisdiction of the department but shall only do so upon the
104 recommendation of the staff of the department as approved by the
105 commission. The commission shall select participants and set the
106 number of permits to be issued and the length of the special
107 seasons.

108 (3) The commission may establish and regulate special youth
109 hunts for all nonmigratory game birds and animals outside of the
110 open season on wildlife management areas and on private lands.

111 **SECTION 6.** (1) The commission may fix the open season on
112 fur-bearing animals between November 1 and March 1 next following
113 and fix the open season for hunting opossums, raccoons and bobcats
114 with dogs and guns by licensed hunters from October 1 to February
115 28 next following; but raccoons and bobcats may be run, hunted,
116 chased or pursued throughout the year with dogs by licensed
117 hunters.

118 (2) The commission may establish an additional open season
119 on raccoon from July 1 through October 1, and the bag limit on
120 raccoon during the additional open season shall be one (1) per
121 party, per night.

122 **SECTION 7.** (1) (a) The hunting of predatory animals shall
123 be restricted to the open seasons for hunting any game animal or
124 game bird, using only the firearms, ammunition, primitive weapons
125 or archery equipment legal for use during that open season.

126 (b) Landowners, agricultural leaseholders or their
127 designated agents may take predatory animals year-round on lands
128 owned or leased by them.

129 (2) The taking of any animal or animals other than beavers,
130 nutria or coyote by the use of a trap or traps is unlawful except
131 during the time the season is open for the taking of fur-bearing
132 animals.

133 (3) Fox and coyote may be run, chased or pursued with dogs
134 except as provided in Section 49-7-32 year-round by licensed
135 hunters.

136 (4) It is unlawful to trap fox after the closed season for
137 trapping of other fur-bearing animals, except on property owned or
138 leased by the person trapping.

139 **SECTION 8.** This act shall take effect and be in force from
140 and after July 2, 2005.