

By: Senator(s) Posey, Flowers

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2768
(As Passed the Senate)

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE HARVESTING OF DOE WITH ANY LEGAL WEAPON DURING ANY
3 OPEN DEER SEASON AFTER A CERTAIN DATE ON PRIVATE LANDS UNDER THE
4 DEER MANAGEMENT ASSISTANCE PROGRAM; TO FURTHER AMEND SECTION
5 49-7-31, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON
6 WILDLIFE, FISHERIES AND PARKS TO ALLOW THE HARVEST OF BUCKS
7 REGARDLESS OF THE NUMBER OF POINTS IN AREAS WITH MAIN BEAM OR
8 SPREAD RESTRICTIONS; AND FOR RELATED PURPOSES.

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

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

12 49-7-31. (1) The open season on deer shall be as follows:

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

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

17 (c) With primitive weapons and without dogs: December
18 2 through December 15.

19 (d) With guns and without dogs: December 16 through
20 December 23. However, the commission may allow hunting statewide
21 or in specific areas with any legal weapon which it may designate
22 without dogs after the end of the last season for hunting deer
23 with guns and with dogs, but the season with legal designated
24 weapons and without dogs shall not extend beyond January 31.

25 (e) The commission shall establish an extended season
26 with primitive weapons and bow and arrow without dogs from
27 February 1 through February 15 for the area south of U.S. Highway
28 84 and east of Mississippi Highway 35 only for legal bucks. Any
29 antlered deer taken in this area during any open season under this
30 section must be a legal buck as defined in this paragraph. For

31 purposes of this paragraph, the term "legal buck" means a deer
32 with antlers of four (4) points or more with a minimum inside
33 spread of ten (10) inches or a minimum main beam length of
34 thirteen (13) inches. The commission may delay the opening date
35 and change the length of bow and arrow season in paragraph (1)(a)
36 in this area.

37 (f) With guns and with dogs: December 24 through a
38 date fixed by the commission that will provide a total of
39 thirty-nine (39) days of hunting deer with guns and with dogs when
40 added to the number of days provided for hunting deer with guns
41 and with dogs in paragraph (b).

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

44 (3) (a) The commission may allow the harvesting of
45 antlerless deer in the districts or zones upon the recommendation
46 of the executive director based upon good and substantial
47 quantitative data and research evaluations that demonstrate that
48 the harvesting is necessary to properly manage the herd.

49 (b) The commission, only upon the recommendation of the
50 executive director, may allow the harvesting of antlerless deer
51 during the deer season with guns and with dogs by a majority vote
52 of the commission.

53 (c) Nothing in this subsection prohibits the harvesting
54 of either-sex deer by landowners or leaseholders on private lands
55 under a deer management program prescribed or approved by the
56 executive director.

57 (4) The commission may provide a special permit for the
58 harvesting of deer when they are depredating and destroying crops.
59 The department shall supervise the harvesting and provide for the
60 salvaging of the meat of the animals. The commission may
61 authorize the department to assist any farmer in this state, who
62 sustains crop damage by wildlife, in eradication of the problem
63 wildlife.

64 (5) The commission may provide for a special permit for the
65 harvesting of antlerless deer with any legal weapon during any
66 deer season open after October 31 on private lands under the deer
67 management assistance program. The owner or leaseholder of
68 private lands under a deer management assistance program must
69 apply for the permit and written recommendation from a program
70 biologist must accompany the request.

71 (6) The commission may allow the harvest of bucks,
72 regardless of the number of points, on Wildlife Management Areas,
73 Deer Management Zones, or regions of the state where antler main
74 beam and/or spread restrictions are in place.

75 **SECTION 2.** This act shall take effect and be in force from
76 and after July 1, 2006.