

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
ParksCOMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 1018

1 AN ACT TO AMEND SECTION 49-7-51, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE SALE OF PRODUCTS CRAFTED FROM DEER BONE OR ANTLERS
3 NOT IN VELVET, FEATHERS OF WILD TURKEY OR THE HIDES OR ANY OTHER
4 BODY PARTS OF NUISANCE ANIMALS; TO AMEND SECTION 49-7-53,
5 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE INTERSTATE SHIPMENT AND
6 TRANSPORTATION OF PRODUCTS CRAFTED FROM DEER BONE OR ANTLERS NOT
7 IN VELVET, FEATHERS OF WILD TURKEY OR THE HIDES OR ANY OTHER BODY
8 PARTS OF NUISANCE ANIMALS; AND FOR RELATED PURPOSES.

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

10 **SECTION 1.** Section 49-7-51, Mississippi Code of 1972, is
11 amended as follows:

12 49-7-51. (1) It is unlawful for any person to buy or sell
13 or to offer for sale, exchange for merchandise, or other
14 consideration, within this state, any game birds, game animals, or
15 game fish, or parts thereof, named in this chapter, whether taken
16 within or coming from without the state, except as specifically
17 permitted by law or regulation. However, the skins and sinew of
18 deer and products crafted, fashioned or made from deer bones or
19 antlers not in velvet, feathers of wild turkey or the hides or any
20 other body parts of nuisance animals may be bought and sold at any
21 time in accordance with rules and regulations promulgated by the
22 Commission on Wildlife, Fisheries and Parks. Mounted game
23 animals, birds and fish may not be sold, purchased or leased. A
24 violation of this subsection is a Class I violation and is
25 punishable as provided in Section 49-7-141.

26 (2) Any person who buys, sells, offers for sale, exchange
27 for merchandise, or other consideration, any wild bird, wild
28 animal or fish that has been taken illegally is guilty of a Class
29 I violation and punished as provided in Section 49-7-141.

30 **SECTION 2.** Section 49-7-53, Mississippi Code of 1972, is
31 amended as follows:

32 49-7-53. (1) It is unlawful for any railroad, express
33 company or common carrier to knowingly receive for shipment or to
34 ship any game animals, birds, or fish named in this chapter;
35 except that a railroad, express company or common carrier may
36 receive and carry game animals, birds or fish when accompanied by
37 the hunter killing same and as provided otherwise in this chapter.

38 (2) No person or corporation may ship, transport or carry,
39 cause to be shipped, transported or carried, or receive for
40 shipment, transportation or carriage, or have in his possession
41 with intent to ship, transport or carry, or secure the shipment,
42 transportation or carriage beyond the limits of this state, any
43 game animal, bird or fish, except for the following:

44 (a) Rabbits;

45 (b) The furs or pelts of beaver, opossum, otter,
46 raccoon or other fur-bearing animals during the open season and
47 ten (10) days thereafter;

48 (c) Skins and sinew of deer and products crafted,
49 fashioned or made from deer bones or antlers not in velvet, in
50 accordance with rules and regulations promulgated by the
51 Commission on Wildlife, Fisheries and Parks; * * *

52 (d) Game fish produced in a legally permitted
53 aquaculture facility pursuant to Section 79-22-9; and

54 (e) The feathers of wild turkey in accordance with
55 rules and regulations promulgated by the Commission on Wildlife,
56 Fisheries and Parks.

57 (f) The meat, hide or any other body parts of nuisance
58 animals.

59 (3) The offering or reception by any person or corporation
60 within this state of any such birds, animals or fish for shipment
61 from this state shall be prima facie evidence that such birds,
62 animals or game fish were killed, captured or taken within the

63 state. Each game animal, bird or fish in possession, received for
64 shipment or transportation, or shipped or transported in violation
65 of this section is a separate offense.

66 (4) A nonresident licensee during the open season may ship,
67 transport or carry from this state any game animal, bird or fish
68 lawfully taken but not in excess of the bag and possession limits
69 prescribed in Section 49-7-41.

70 Such nonresident licensee shall accompany the shipment or
71 shall attach to such animals, birds or fish, or any package
72 containing them, an affidavit in a form to be prescribed by the
73 executive director that such animals, birds or fish were lawfully
74 killed or taken by him and are being shipped or transported to his
75 home and are not for sale. A duplicate of such affidavit shall be
76 filed with the transportation company or agent thereof, whose duty
77 it shall be to transmit the same to the executive director within
78 ten (10) days after its receipt. Such affidavit shall be sworn to
79 within ten (10) days after its receipt, and shall be sworn to
80 before a person authorized to administer oaths in the state. For
81 such purpose, conservation officers and agents of the
82 transportation companies are hereby authorized to administer such
83 oaths.

84 (5) A violation of this section is a Class I violation and
85 is punishable as provided in Section 49-7-141.

86 **SECTION 3.** This act shall take effect and be in force from
87 and after July 1, 2007.