

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
Parks

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 OR FEATHERS OF WILD TURKEY; TO AMEND SECTION
4 49-7-53, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE INTERSTATE
5 SHIPMENT AND TRANSPORTATION OF PRODUCTS CRAFTED FROM DEER BONE OR
6 ANTLERS NOT IN VELVET OR FEATHERS OF WILD TURKEY; AND FOR RELATED
7 PURPOSES.

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

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

11 49-7-51. (1) It is unlawful for any person to buy or sell
12 or to offer for sale, exchange for merchandise, or other
13 consideration, within this state, any game birds, game animals, or
14 game fish, or parts thereof, named in this chapter, whether taken
15 within or coming from without the state, except as specifically
16 permitted by law or regulation. However, the skins and sinew of
17 deer and products crafted, fashioned or made from deer bones or
18 antlers not in velvet or feathers of wild turkey may be bought and
19 sold at any time in accordance with rules and regulations
20 promulgated by the Commission on Wildlife, Fisheries and Parks.
21 Mounted game animals, birds and fish may not be sold, purchased or
22 leased. A violation of this subsection is a Class I violation and
23 is punishable as provided in Section 49-7-141.

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

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

30 49-7-53. (1) It is unlawful for any railroad, express
31 company or common carrier to knowingly receive for shipment or to
32 ship any game animals, birds, or fish named in this chapter;
33 except that a railroad, express company or common carrier may
34 receive and carry game animals, birds or fish when accompanied by
35 the hunter killing same and as provided otherwise in this chapter.

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

42 (a) Rabbits;

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

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

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

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

55 (3) The offering or reception by any person or corporation
56 within this state of any such birds, animals or fish for shipment
57 from this state shall be prima facie evidence that such birds,
58 animals or game fish were killed, captured or taken within the
59 state. Each game animal, bird or fish in possession, received for
60 shipment or transportation, or shipped or transported in violation
61 of this section is a separate offense.

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

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

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

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