

By: Representative Robinson (84th)

To: Wildlife, Fisheries and  
ParksHOUSE BILL NO. 1018  
(As Passed the House)

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 its passage.