

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
ParksHOUSE BILL NO. 1018
(As Sent to Governor)

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, PARTS OF WILD TURKEY OR THE HIDES OR ANY OTHER BODY
4 PARTS OF NUISANCE ANIMALS; TO AMEND SECTION 49-7-53, MISSISSIPPI
5 CODE OF 1972, TO AUTHORIZE THE INTERSTATE SHIPMENT AND
6 TRANSPORTATION OF PRODUCTS CRAFTED FROM DEER BONE OR ANTLERS NOT
7 IN VELVET, PARTS 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) (a) It is unlawful for any person to buy or
13 sell 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.

18 (b) It is lawful for the following items to be bought
19 and sold in accordance with the rules and regulations promulgated
20 by the commission:

21 (i) * * * The skins and sinew of deer and products
22 crafted, fashioned or made from deer bones or antlers not in
23 velvet;

24 (ii) Any part of a wild turkey, except the meat;
25 and

26 (iii) Any parts of nuisance animals * * *.

27 (c) Mounted game animals, birds and fish may not be
28 sold, purchased or leased.

29 (d) A violation of this subsection is a Class I
30 violation and is punishable as provided in Section 49-7-141.

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

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

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

43 (2) No person or corporation may ship, transport or carry,
44 cause to be shipped, transported or carried, or receive for
45 shipment, transportation or carriage, or have in his possession
46 with intent to ship, transport or carry, or secure the shipment,
47 transportation or carriage beyond the limits of this state, any
48 game animal, bird or fish, except for the following in accordance
49 with rules and regulations promulgated by the commission:

50 (a) Rabbits;

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

54 (c) Skins and sinew of deer and products crafted,
55 fashioned or made from deer bones or antlers not in velvet; * * *

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

58 (e) Any part of a wild turkey, except the meat; and

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

61 (3) The offering or reception by any person or corporation
62 within this state of any such birds, animals or fish for shipment
63 from this state shall be prima facie evidence that such birds,

64 animals or game fish were killed, captured or taken within the
65 state. Each game animal, bird or fish in possession, received for
66 shipment or transportation, or shipped or transported in violation
67 of this section is a separate offense.

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

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

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

88 **SECTION 3.** This act shall take effect and be in force from
89 and after its passage.