

By: Representatives Akins, Beckett, Howell,  
Martinson, McBride, Sullivan, Vince, Walley

To: Wildlife, Fisheries and  
Parks; Judiciary B

## HOUSE BILL NO. 1173

1 AN ACT TO AMEND SECTION 63-1-51, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT THE COMMISSIONER OF PUBLIC SAFETY SHALL SUSPEND THE  
3 DRIVER'S LICENSE AND DRIVING PRIVILEGES OF ANY PERSON WHOSE RECORD  
4 INDICATES THAT THE PERSON HAS FAILED TO PAY ANY FINE, ASSESSMENT  
5 OR COST IMPOSED FOR A VIOLATION OF CHAPTER 3, 5 OR 7 OF TITLE 63,  
6 MISSISSIPPI CODE OF 1972; TO PROVIDE THAT THE SUSPENSION SHALL  
7 REMAIN IN EFFECT UNTIL SUCH TIME AS THE COMMISSIONER IS NOTIFIED  
8 BY THE COURT THAT ALL FINES, ASSESSMENTS AND COSTS HAVE BEEN  
9 SATISFIED AND SUCH PERSON HAS MET THE REQUIREMENTS FOR  
10 REINSTATEMENT OF HIS LICENSE AND DRIVING PRIVILEGES; TO PROVIDE  
11 THAT THE COMMISSIONER SHALL GIVE NOTICE OF THE SUSPENSION TO THE  
12 MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES AND PARKS; TO AMEND  
13 SECTION 49-7-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE  
14 COMMISSION ON WILDLIFE, FISHERIES AND PARKS SHALL REVOKE THE  
15 FISHING, HUNTING AND TRAPPING PRIVILEGES OF ANY PERSON WHOSE  
16 DRIVER'S LICENSE HAS BEEN SUSPENDED FOR FAILURE OF SUCH PERSON TO  
17 PAY ANY FINE, ASSESSMENT OR COST IMPOSED FOR A VIOLATION OF  
18 CHAPTER 3, 5 OR 7 OF TITLE 63, MISSISSIPPI CODE OF 1972; TO  
19 PROVIDE THAT SUCH REVOCATION SHALL REMAIN IN EFFECT UNTIL THE  
20 COMMISSION ON WILDLIFE, FISHERIES AND PARKS RECEIVES NOTICE FROM  
21 THE COMMISSIONER OF PUBLIC SAFETY THAT SUCH PERSON HAS PAID ALL  
22 FINES, ASSESSMENTS AND COSTS IMPOSED FOR THE VIOLATION, THE  
23 DRIVER'S LICENSE AND DRIVING PRIVILEGES OF SUCH PERSON HAVE BEEN  
24 REINSTATED, AND THE PERSON HAS PAID THE APPLICABLE FEE FOR  
25 REINSTATEMENT OF HIS FISHING, HUNTING AND TRAPPING PRIVILEGES; AND  
26 FOR RELATED PURPOSES.

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

28 **SECTION 1.** Section 63-1-51, Mississippi Code of 1972, is  
29 amended as follows:

30 63-1-51. (1) It shall be the duty of the trial judge, upon  
31 conviction of any person holding a license issued pursuant to this  
32 article where the penalty for a traffic violation is as much as  
33 Ten Dollars (\$10.00), to mail a copy of abstract of the court  
34 record or provide an electronically or computer generated copy of  
35 abstract of the court record immediately to the commissioner at  
36 Jackson, Mississippi, showing the date of conviction, penalty,  
37 etc., so that a record of same may be made by the Department of  
38 Public Safety. The commissioner shall forthwith revoke the  
39 license of any person for a period of one (1) year upon receiving

40 a duly certified record of each person's convictions of any of the  
41 following offenses when such conviction has become final:

42 (a) Manslaughter or negligent homicide resulting from  
43 the operation of a motor vehicle;

44 (b) Any felony in the commission of which a motor  
45 vehicle is used;

46 (c) Failure to stop and render aid as required under  
47 the laws of this state in event of a motor vehicle accident  
48 resulting in the death or personal injury of another;

49 (d) Perjury or the willful making of a false affidavit  
50 or statement under oath to the department under this article or  
51 under any other law relating to the ownership or operation of  
52 motor vehicles;

53 (e) Conviction, or forfeiture of bail not vacated, upon  
54 three (3) charges of reckless driving committed within a period of  
55 twelve (12) months;

56 (f) Contempt for failure to pay a fine or fee or to  
57 respond to a summons or citation pursuant to a charge of a  
58 violation of this title.

59 (2) The commissioner shall revoke the license issued  
60 pursuant to this article of any person convicted of negligent  
61 homicide, in addition to any penalty now provided by law.

62 (3) In addition to the reasons specified in this section,  
63 the commissioner shall be authorized to suspend the license issued  
64 to any person pursuant to this article for being out of compliance  
65 with an order for support, as defined in Section 93-11-153. The  
66 procedure for suspension of a license for being out of compliance  
67 with an order for support, and the procedure for the reissuance or  
68 reinstatement of a license suspended for that purpose, and the  
69 payment of any fees for the reissuance or reinstatement of a  
70 license suspended for that purpose, shall be governed by Section  
71 93-11-157 or 93-11-163, as the case may be. If there is any  
72 conflict between any provision of Section 93-11-157 or 93-11-163

73 and any provision of this article, the provisions of Section  
74 93-11-157 or 93-11-163, as the case may be, shall control.

75 (4) In addition to the suspension of a person's license as  
76 otherwise provided under this section, the commissioner shall  
77 suspend the license of any person whose record indicates that the  
78 person has failed to pay any fine, assessment or cost imposed for  
79 a violation of Chapter 3, 5 or 7 of this Title. The suspension  
80 shall remain in effect until such time as the commissioner is  
81 notified by the court that all fines, assessments and costs have  
82 been satisfied and such person has met the requirements for  
83 reinstatement of his license and driving privileges under Section  
84 63-1-46. In addition to notifying such person of the suspension  
85 as provided under Section 63-1-52, the commissioner also shall  
86 give notice of the suspension to the Mississippi Commission on  
87 Wildlife, Fisheries and Parks. When the commissioner receives  
88 notice from the court that such person has paid all fines,  
89 assessments and costs imposed for the violation and the license  
90 and driving privileges of such person have been reinstated, the  
91 commissioner shall immediately give notice to the Mississippi  
92 Commission on Wildlife, Fisheries and Parks.

93 **SECTION 2.** Section 49-7-27, Mississippi Code of 1972, is  
94 amended as follows:

95 49-7-27. (1) The commission may revoke any hunting,  
96 trapping, or fishing privileges, license or deny any person the  
97 right to secure such license if the person has been convicted of  
98 the violation of any of the provisions of this chapter or any  
99 regulation thereunder. The revocation of the privilege, license  
100 or refusal to grant license shall be for a period of one (1) year.  
101 However, before the revocation of the privilege or license shall  
102 become effective, the executive director shall send by registered  
103 mail notice to the person or licensee, who shall have the right to  
104 a hearing or representation before the commission at the next  
105 regular meeting or a special meeting. The notice shall set out

106 fully the ground or complaint upon which revocation of, or refusal  
107 to grant, the privilege or license is sought.

108 (2) Any person who is convicted for a second time during any  
109 period of twelve (12) consecutive months for violation of any of  
110 the laws with respect to game, fish or nongame fish or animals  
111 shall forfeit his privilege and any license or licenses issued to  
112 him by the commission and the commission shall not issue the  
113 person any license for a period of one (1) year from the date of  
114 forfeiture.

115 (3) Failure of any person to surrender his license or  
116 licenses upon demand made by the commission or by its  
117 representatives at the direction of the commission shall be a  
118 misdemeanor and shall be punishable as such.

119 (4) Any violator whose privilege or license has been  
120 revoked, who shall, during the period of revocation, be  
121 apprehended for hunting or fishing, shall have imposed upon him a  
122 mandatory jail term of not less than thirty (30) days nor more  
123 than six (6) months.

124 (5) The commission is authorized to suspend any license  
125 issued to any person under this chapter for being out of  
126 compliance with an order for support, as defined in Section  
127 93-11-153. The procedure for suspension of a license for being  
128 out of compliance with an order for support, and the procedure for  
129 the reissuance or reinstatement of a license suspended for that  
130 purpose, and the payment of any fees for the reissuance or  
131 reinstatement of a license suspended for that purpose, shall be  
132 governed by Section 93-11-157 or 93-11-163, as the case may be.  
133 If there is any conflict between any provision of Section  
134 93-11-157 or 93-11-163 and any provision of this chapter, the  
135 provisions of Section 93-11-157 or 93-11-163, as the case may be,  
136 shall control.

137 (6) If a person is found guilty or pleads guilty or nolo  
138 contendere to a violation of Section 49-7-95, and then appeals,

139 the commission shall suspend or revoke the hunting privileges of  
140 that person pending the determination of his appeal.

141 (7) (a) If a person does not comply with a summons or a  
142 citation or does not pay a fine, fee or assessment for violating a  
143 wildlife law or regulation, the commission shall revoke the  
144 fishing, hunting, or trapping privileges of that person. When a  
145 person does not comply or fails to pay, the clerk of the court  
146 shall notify the person in writing by first class mail that if the  
147 person does not comply or pay within ten (10) days from the date  
148 of mailing, the court will notify the commission and the  
149 commission will revoke the fishing, hunting or trapping privileges  
150 of that person. The cost of notice may be added to other court  
151 costs. If the person does not comply or pay as required, the  
152 court clerk shall immediately mail a copy of the court record and  
153 a copy of the notice to the commission. After receiving notice  
154 from the court, the commission shall revoke the fishing, hunting  
155 or trapping privileges of that person.

156 (b) Upon receipt of notice from the Commissioner of  
157 Public Safety that the driver's license of any person has been  
158 suspended for failure of such person to pay any fine, assessment  
159 or cost imposed for a violation of Chapter 3, 5 or 7 of Title 63,  
160 Mississippi Code of 1972, the Commission on Wildlife, Fisheries  
161 and Parks shall revoke the fishing, hunting and trapping  
162 privileges of that person and shall immediately give notice to  
163 such person, in writing and by United States first class mail, of  
164 such revocation. Such revocation shall remain in effect until the  
165 Commission on Wildlife, Fisheries and Parks receives notice from  
166 the Commissioner of Public Safety that such person has paid all  
167 finances, assessments and costs imposed for the violation, the  
168 license and driving privileges of such person have been  
169 reinstated, and the person has paid the fee required under  
170 paragraph (d) of this section.

171           (c) A person whose fishing, hunting or trapping  
172 privileges have been revoked under this subsection shall remain  
173 revoked until the person can show proof that all obligations of  
174 the court have been met.

175           (d) A person shall pay a Twenty-five Dollar (\$25.00)  
176 fee to have his privileges reinstated. The fee shall be paid to  
177 the department.

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