

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2783

1 AN ACT TO AMEND SECTION 49-7-31 AND 49-7-41, MISSISSIPPI CODE
2 OF 1972, TO REVISE MINIMUM ANTLER SIZE RESTRICTIONS FOR HUNTING
3 DEER; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 49-7-31, Mississippi Code of 1972, is
6 amended as follows:

7 49-7-31. (1) The open season on deer shall be as follows:

8 (a) With bow and arrow: October 1 through the Friday
9 prior to Thanksgiving.

10 (b) With guns and with dogs: From the Saturday prior
11 to Thanksgiving through December 1.

12 (c) With primitive weapons and without dogs: December
13 2 through December 15.

14 (d) With guns and without dogs: December 16 through
15 December 23. However, the commission may allow hunting statewide
16 or in specific areas with any legal weapon which it may designate
17 without dogs after the end of the last season for hunting deer
18 with guns and with dogs, but the season with legal designated
19 weapons and without dogs shall not extend beyond January 31.

20 (e) The commission shall establish an extended season
21 with primitive weapons and bow and arrow without dogs from
22 February 1 through February 15 for the area south of U.S. Highway
23 84 and east of Mississippi Highway 35 only for legal bucks. Any
24 antlered deer taken in this area during any open season under this
25 section must be a legal buck as defined in this paragraph. For
26 purposes of this paragraph, the term "legal buck" means a
27 deer * * * with a minimum inside spread of ten (10) inches or a

28 minimum main beam length of thirteen (13) inches. The commission
29 may delay the opening date and change the length of bow and arrow
30 season in paragraph (1)(a) in this area.

31 (f) With guns and with dogs: December 24 through a
32 date fixed by the commission that will provide a total of
33 thirty-nine (39) days of hunting deer with guns and with dogs when
34 added to the number of days provided for hunting deer with guns
35 and with dogs in paragraph (b).

36 (2) The commission may set and regulate the deer seasons on
37 wildlife management areas which it administers.

38 (3) (a) The commission may allow the harvesting of
39 antlerless deer in the districts or zones upon the recommendation
40 of the executive director based upon good and substantial
41 quantitative data and research evaluations that demonstrate that
42 the harvesting is necessary to properly manage the herd.

43 (b) The commission, only upon the recommendation of the
44 executive director, may allow the harvesting of antlerless deer
45 during the deer season with guns and with dogs by a majority vote
46 of the commission.

47 (c) Nothing in this subsection prohibits the harvesting
48 of either-sex deer by landowners or leaseholders on private lands
49 under a deer management program prescribed or approved by the
50 executive director.

51 (4) The commission may provide a special permit for the
52 harvesting of deer when they are depredating and destroying crops.
53 The department shall supervise the harvesting and provide for the
54 salvaging of the meat of the animals. The commission may
55 authorize the department to assist any farmer in this state, who
56 sustains crop damage by wildlife, in eradication of the problem
57 wildlife.

58 **SECTION 2.** Section 49-7-41, Mississippi Code of 1972, is
59 amended as follows:

60 49-7-41. (1) The commission may set the bag limits for game
61 animals, birds and fish, unless the bag limits are established by
62 the Legislature by statute.

63 (2) (a) The bag limit on antlered deer is one (1) per day,
64 not to exceed three (3) per license year. An antlered deer must
65 have antlers of six (6) points or greater to be taken except as
66 provided in paragraphs (b), (c) and (d) of this subsection.

67 (b) Any antlered deer may be taken by permit when it is
68 necessary to manage deer on lands under the deer management
69 assistance program or wildlife management areas. A written
70 management justification issued by the department * * * must
71 accompany any request for such a permit. Any antlered deer
72 harvested under this permit must be identified with a tag
73 immediately upon possession. Antlered deer taken by permit shall
74 not be subject to the daily bag limit or the annual bag limit on
75 antlered deer. The department shall include a report on permits
76 issued, to whom issued and deer harvested in the department's
77 annual deer program report.

78 (c) One (1) antlered deer with less than six (6) points
79 may be taken per license year on private lands by a person * * *.

80 (d) The commission may establish deer management zones,
81 provide for exceptions to bag limits and antler restrictions under
82 this section, and adopt bag limit, antler restriction and
83 enforcement regulations to manage deer populations within the deer
84 management zones.

85 (3) (a) The bag limit on antlerless deer is one (1) per
86 day, not to exceed three (3) per license year; except that two (2)
87 additional antlerless deer per license year may be taken with a
88 bow and arrow. Antlerless deer may be taken only in the areas
89 prescribed by order of the commission. It is illegal to take a
90 spotted fawn in any season.

91 (b) It is unlawful for a nonresident to kill an
92 antlerless deer except: (i) a nonresident may take antlerless

93 deer on lands that the title is vested in the nonresident or on
94 lands that the nonresident has leased the hunting and fishing
95 rights; or (ii) a nonresident who has a native son or daughter
96 nonresident lifetime sportsman license or a resident lifetime
97 sportsman license may take antlerless deer on private lands,
98 wildlife management areas or national wildlife refuges.

99 (4) The bag limit on antlerless deer set by this section
100 shall not apply to private lands under the deer management
101 assistance program or the fee-based antlerless program as approved
102 by the department.

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