

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2783
(As Passed the Senate)

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; TO FURTHER AMEND SECTION 49-7-41, MISSISSIPPI CODE OF 1972,
4 TO CLARIFY ANNUAL BAG LIMIT ON ANTLERLESS DEER; AND FOR RELATED
5 PURPOSES.

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

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

9 49-7-31. (1) The open season on deer shall be as follows:

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

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

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

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

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

29 deer * * * with a minimum inside spread of ten (10) inches or a
30 minimum main beam length of thirteen (13) inches. The commission
31 may delay the opening date and change the length of bow and arrow
32 season in paragraph (1)(a) in this area.

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

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

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

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

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

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

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

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

65 (2) (a) The bag limit on antlered deer is one (1) per day,
66 not to exceed three (3) per license year. An antlered deer must
67 have antlers as prescribed by the commission. The commission
68 shall have plenary authority to establish deer management zones,
69 and adopt bag limit, antler restriction and enforcement
70 regulations to manage deer populations within the deer management
71 zones.

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

83 (3) (a) The bag limit on antlerless deer is one (1) per
84 day, not to exceed five (5) per license year. * * * Antlerless
85 deer may be taken only in the areas prescribed by order of the
86 commission. It is illegal to take a spotted fawn in any season.

87 (b) It is unlawful for a nonresident to kill an
88 antlerless deer except: (i) a nonresident may take antlerless
89 deer on lands that the title is vested in the nonresident or on
90 lands that the nonresident has leased the hunting and fishing
91 rights; or (ii) a nonresident who has a native son or daughter
92 nonresident lifetime sportsman license or a resident lifetime
93 sportsman license may take antlerless deer on private lands,
94 wildlife management areas or national wildlife refuges.

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

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