

By: Representatives Carpenter, Aldridge,
Arnold, Barton, Boyd, Brown (20th), Busby,
Byrd, Currie, Eure, Lott, Martinson, McLeod,
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To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 690

1 AN ACT TO AMEND SECTIONS 49-7-3 AND 49-7-8, MISSISSIPPI CODE
2 OF 1972, TO PROVIDE THAT CERTAIN NONDOMICILIARY AND NONRESIDENT
3 MEMBERS OF THE UNITED STATES ARMED FORCES ON ACTIVE DUTY MAY BE
4 ISSUED A RESIDENT HUNTING AND FISHING LICENSE TO BE AFFORDED THE
5 SAME PRIVILEGES AND BE CHARGED THE SAME FEE OF A RESIDENT
6 SPORTSMAN'S LICENSE; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 49-7-3, Mississippi Code of 1972, is
9 amended as follows:

10 49-7-3. (1) Any resident of the State of Mississippi shall
11 be entitled to receive a resident fishing license.

12 (2) Any person domiciled within the State of Mississippi
13 shall be entitled to receive a resident hunting license provided
14 in Section 49-7-5. The domicile of a person is that person's
15 principal or primary home or place of abode. A "principal or
16 primary home or place of abode" is that home or place in which a
17 person's habitation is fixed and to which he, whenever absent, has
18 the present intention of returning after a departure of absence
19 therefrom, regardless of the duration of the absence. The burden
20 of proving domicile shall be on the person claiming such status.
21 The following evidence or other reliable evidence may be
22 considered in establishing, but is not necessarily determinative
23 of, domicile: driver's license, residence for income or other tax
24 purposes, homestead exemption receipt, or any other means
25 prescribed by the department. In the case of minors, domicile of
26 the parents shall be used as evidence of the minor's domicile.



27 (3) A nondomiciliary of the state may be issued a resident
28 hunting or fishing license or combination resident hunting/fishing
29 license upon providing the following:

30 (a) A current identification card from a Mississippi
31 college or university; or

32 (b) A current military identification card showing that
33 the person is an active member of the United States Armed Forces
34 (excluding Reserves and the National Guard) and proof that the
35 person is stationed on a military base in Mississippi.

36 (4) A nondomiciliary of the state may be issued a * * *
37 hunting and fishing license with the same hunting and fishing
38 privileges and at the same fee of a resident sportsman's license,
39 if the nondomiciliary is an active member of the United States
40 Armed Forces (excluding Reserves and the National Guard) and his
41 application is approved by the department. The applicant must
42 file his application for the * * * license in the office of the
43 department. The department shall establish requirements for proof
44 of active military status and any other requirements it deems
45 desirable. * * *

46 (5) A holder of a resident or nonresident license is
47 required to carry the license on his person while engaged in
48 hunting, trapping or fishing. Any penalty for not carrying a
49 license while engaged in hunting, trapping or fishing shall be
50 waived if the person can verify purchase of a license prior to the
51 date of the violation.

52 (6) Each application or filing made under this section shall
53 include the social security number(s) of the applicant in
54 accordance with Section 93-11-64.

55 **SECTION 2.** Section 49-7-8, Mississippi Code of 1972, is
56 amended as follows:

57 49-7-8. (1) (a) No nonresident sixteen (16) years of age
58 or older may hunt, fish, kill, take or trap any game animal, bird
59 or fish without having acquired and having in his immediate



60 possession a valid license issued by the Mississippi Commission on
61 Wildlife, Fisheries and Parks.

62 (b) If the nonresident is an active member of the
63 United States Armed Forces (excluding Reserves and the National
64 Guard), then that individual shall also submit application for a
65 license to the department, and upon approval of such application,
66 shall, in addition to having in his immediate possession a valid
67 license issued by the Mississippi Commission on Wildlife,
68 Fisheries and Parks, also have in his possession and on his person
69 proof of active duty status as may be required by the commission.

70 (2) The commission shall have the following duties and
71 powers:

72 (a) To prescribe the forms and types of nonresident
73 licenses that a nonresident must obtain;

74 (b) To determine the total number of each type of
75 nonresident license to be issued annually;

76 (c) To establish fees for nonresident licenses and the
77 collection fees for the agent issuing such licenses; provided,
78 however, that the fee for a nonresident all game hunting license
79 shall not be less than Sixty Dollars (\$60.00);

80 (d) To exercise all incidental powers necessary to
81 develop a nonresident licensing program.

82 (3) A nonresident who violates this section or any licensing
83 regulation of the commission is guilty of a misdemeanor and shall
84 be punished as provided in Section 49-7-21(3).

85 **SECTION 3.** This act shall take effect and be in force from
86 and after July 1, 2012.

