

By: Representative Eaton

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1179

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE HUNTING OF DEER OVER BAIT DURING ANY OPEN SEASON ON
3 DEER; TO AMEND SECTIONS 49-7-33 AND 49-7-33.1, MISSISSIPPI CODE OF
4 1972, IN CONFORMITY TO THE PRECEDING PROVISION; 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 deer



29 with antlers of four (4) points or more with a minimum inside
30 spread of ten (10) inches or a minimum main beam length of
31 thirteen (13) inches. The commission may regulate the taking of
32 deer with antlers of four (4) points or less under this paragraph
33 for the proper management of antlered deer. The commission may
34 delay the opening date and change the length of bow and arrow
35 season in subsection (1) (a) in this area.

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

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

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

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

52 (c) Nothing in this subsection prohibits the harvesting
53 of either-sex deer by landowners or leaseholders on private lands
54 under the deer management assistance program prescribed or
55 approved by the executive director.

56 (4) The commission may provide a special permit for the
57 harvesting of deer when they are depredating and destroying crops.
58 The department shall supervise the harvesting and provide for the
59 salvaging of the meat of the animals. The commission may
60 authorize the department to assist any farmer in this state, who



61 sustains crop damage by wildlife, in eradication of the problem
62 wildlife.

63 (5) The commission, by rule or regulation, shall authorize
64 the hunting of deer over bait on any public lands or wildlife
65 management areas under the enforcement jurisdiction of the
66 department during any open season on deer, whether the bait is
67 scattered on the ground, in above ground covered feeders or
68 stationary spin cast feeders.

69 **SECTION 2.** Section 49-7-33, Mississippi Code of 1972, is
70 amended as follows:

71 49-7-33. (1) Except as otherwise provided in Section
72 49-7-31, it is unlawful to hunt, trap or kill any wild bird or
73 wild animal of any kind with the aid of bait, recordings of bird
74 or animal calls, or electrically amplified imitations of calls of
75 any kind, except a person:

76 (a) May use electrically amplified sound devices for
77 hunting crow;

78 (b) May use liquid scents for any animal or bird;

79 (c) May use lures for trapping fur-bearing animals,
80 according to regulations adopted by the commission;

81 (d) May take nuisance animals as provided in Section
82 49-7-31.5; and

83 (e) May take deer with the use of supplemental feed.

84 (2) The commission, in its discretion, may relax the
85 restrictions regarding the use of lures or sound devices if a
86 condition arises or exists, as decided by the State Board of
87 Health or county board of health, that may endanger persons or
88 livestock in a certain community, county or area.

89 **SECTION 3.** Section 49-7-33.1, Mississippi Code of 1972, is
90 amended as follows:

91 49-7-33.1. (1) (a) The Commission on Wildlife, Fisheries
92 and Parks shall allow the taking of deer with the use of



93 supplemental feed and may place any reasonable conditions or
94 restrictions on such taking.

95 (b) The Commission on Wildlife, Fisheries and Parks
96 shall establish a zone or zones of contiguous counties for the
97 management and implementation of a program to allow the taking of
98 deer with the use of supplemental feed.

99 (c) The commission shall allow the taking of deer with
100 the use of supplemental feed on any public lands or wildlife
101 management areas under the enforcement jurisdiction of the
102 Department of Wildlife, Fisheries and Parks.

103 (2) The commission shall take any action it deems necessary
104 and use its emergency powers to prevent the introduction of
105 disease, to control disease, to eradicate disease, and to manage
106 the taking of deer with the use of supplemental feed.

107 (3) (a) The Department of Wildlife, Fisheries and Parks
108 shall study and analyze all relevant data and issues with regard
109 to the taking of deer with the supplemental feed program,
110 including, but not limited to, the impact that the program has
111 upon the health and density of deer populations and other
112 wildlife, its effect on surrounding habitat, the effectiveness of
113 wildlife law enforcement, the extent to which hunters who
114 participate in the program are successful in harvesting deer and
115 are supportive of the program, the perception of the program by
116 the general public, and the extent to which the program has a
117 favorable impact on economic development and tourism.

118 (b) The department shall file annual progress reports
119 with the Legislature. The department shall file a final report
120 with recommendations on the feasibility of continuing the taking
121 of deer with the use of supplemental feed.

122 (4) A violation of this section or any regulation of the
123 commission promulgated under this section shall be punishable as a
124 Class II violation as defined in Section 49-7-143, and if the
125 violator is a nonresident, then upon conviction, he or she shall



126 lose the opportunity to obtain a nonresident license as defined in
127 Section 49-7-8.

128 **SECTION 4.** This act shall take effect and be in force from
129 and after July 1, 2012.

