

By: Representatives Evans (43rd), Morgan

To: Wildlife, Fisheries and Parks

HOUSE BILL NO. 1032

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO
3 AUTHORIZE THE HUNTING OF DEER OVER GRAIN OR CORN PROVIDED THAT THE
4 INDIVIDUAL ENGAGED IN THE ACT OF HUNTING HAS A LIFETIME SPORTSMAN
5 LICENSE; TO AMEND SECTIONS 49-7-33 AND 49-7-33.1, MISSISSIPPI CODE
6 OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

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

10 49-7-31. (1) The open season on deer shall be as follows:

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

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

15 (c) With primitive weapons and without dogs: December
16 2 through December 15.

17 (d) With guns and without dogs: December 16 through
18 December 23. However, the commission may allow hunting statewide
19 or in specific areas with any legal weapon which it may designate
20 without dogs after the end of the last season for hunting deer



21 with guns and with dogs, but the season with legal designated
22 weapons and without dogs shall not extend beyond January 31.

23 (e) The commission shall establish an extended season
24 with primitive weapons and bow and arrow without dogs from
25 February 1 through February 15 for the area south of U.S. Highway
26 84 and east of Mississippi Highway 35 only for legal bucks. Any
27 antlered deer taken in this area during any open season under this
28 section must be a legal buck as defined in this paragraph. For
29 purposes of this paragraph, the term "legal buck" means a deer
30 with antlers of four (4) points or more with a minimum inside
31 spread of ten (10) inches or a minimum main beam length of
32 thirteen (13) inches. The commission may regulate the taking of
33 deer with antlers of four (4) points or less under this paragraph
34 for the proper management of antlered deer. The commission may
35 delay the opening date and change the length of bow and arrow
36 season in subsection (1)(a) in this area.

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

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

44 (3) (a) The commission may allow the harvesting of
45 antlerless deer in the districts or zones upon the recommendation



46 of the executive director based upon good and substantial
47 quantitative data and research evaluations that demonstrate that
48 the harvesting is necessary to properly manage the herd.

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

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

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

64 (5) The commission shall authorize the hunting of deer over
65 grain or corn during any open season on deer on private lands in
66 which a spincast, above ground covered feeding container dispenses
67 the grain or corn within the hunter's line of sight, and twenty
68 (20) yards from the stand located one hundred (100) yards or more
69 from the adjacent landowner's property, provided that the
70 individual hunter has on his possession a native son or daughter



71 nonresident lifetime sportsman hunting and fishing license or a
72 resident lifetime sportsman hunting and fishing license.

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

75 49-7-33. (1) It is unlawful to hunt, trap or kill any wild
76 bird or wild animal of any kind with the aid of bait, recordings
77 of bird or animal calls, or electrically amplified imitations of
78 calls of any kind, except a person:

79 (a) May use electrically amplified sound devices for
80 hunting crow;

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

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

84 (d) May take nuisance animals as provided in Section
85 49-7-31.5; * * *

86 (e) May take deer with the use of supplemental feed as
87 authorized under Section 49-7-33.1 * * *; and

88 (f) May take deer with the use of corn or other grain
89 as authorized under Section 49-7-31(5).

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



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

97 49-7-33.1. (1) (a) The Commission on Wildlife, Fisheries
98 and Parks shall allow the taking of deer with the use of
99 supplemental feed and may place any reasonable conditions or
100 restrictions on such taking.

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

105 (c) The commission shall allow the taking of deer with
106 the use of supplemental feed on private lands only.

107 (d) The commission shall allow the taking of deer with
108 the use of corn or other grain on private lands only as provided
109 in Section 49-7-31(5).

110 (2) The commission shall take any action it deems necessary
111 and use its emergency powers to prevent the introduction of
112 disease, to control disease, to eradicate disease, and to manage
113 the taking of deer with the use of supplemental feed, corn or
114 other grain.

115 (3) (a) The Department of Wildlife, Fisheries and Parks
116 shall study and analyze all relevant data and issues with regard
117 to the taking of deer with the supplemental feed program,
118 including, but not limited to, the impact that the program has
119 upon the health and density of deer populations and other



120 wildlife, its effect on surrounding habitat, the effectiveness of
121 wildlife law enforcement, the extent to which hunters who
122 participate in the program are successful in harvesting deer and
123 are supportive of the program, the perception of the program by
124 the general public, and the extent to which the program has a
125 favorable impact on economic development and tourism.

126 (b) The department shall file annual progress reports
127 with the Legislature. The department shall file a final report
128 with recommendations on the feasibility of continuing the taking
129 of deer with the use of supplemental feed.

130 (4) A violation of this section or any regulation of the
131 commission promulgated under this section shall be punishable as a
132 Class II violation as defined in Section 49-7-143, and if the
133 violator is a nonresident, then upon conviction, he or she shall
134 lose the opportunity to obtain a nonresident license as defined in
135 Section 49-7-8.

136 **SECTION 4.** This act shall take effect and be in force from
137 and after July 1, 2013.

