MISSISSIPPI LEGISLATURE REGULAR SESSION 2016

By: Representatives Barnett, Sykes

To: Wildlife, Fisheries and Parks

HOUSE BILL NO. 818
(As Passed the House)

AN ACT TO AMEND SECTION 49-7-77, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO SHORTEN OR CLOSE ANY OPEN SEASON WHEN ANY GAME OR FUR-BEARING ANIMALS ARE FORCED OUT OF THEIR NATURAL HABITAT; TO PROVIDE A PENALTY FOR VIOLATING THE SHORTENING OR CLOSURE OF AN OPEN SEASON; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-7-77, Mississippi Code of 1972, is amended as follows:

49-7-77. (1) It shall be unlawful to hunt, trap, take, frighten, or kill game or fur-bearing animals forced out of their natural habitat by high water *** * ***, fire, natural disasters or other exigent circumstances until they have been permitted to return to such habitat by recession of such water, or the extinguishing of such fire.

(2) All quail shall be protected from all hunting when the ground is covered by snow or when forced out of their natural habitat by high water or fire until they have been permitted to return to such habitat by the recession of such water or the extinguishing of such fire.

(3) The Mississippi Department of Wildlife, Fisheries and Parks, with the approval of the Mississippi Commission of Wildlife, Fisheries and Parks, may close or shorten the open season of a certain location for hunting or trapping game or fur-bearing animals whenever such animals, which are located in the area to be closed, may be forced out of their natural habitat by high water, fire, natural disasters or other exigent circumstances.

(4) Any person who hunts, traps, takes, frightens or kills any game or fur-bearing animals forced out of their natural habitat by high water, fire, natural disasters or other exigent circumstances, and violates the closure or shortening of an open season done in accordance with subsection (3) of this section, shall be guilty of a Class II offense and, upon conviction, shall be punished as provided in Section 49-7-143. In addition, any person convicted of a violation of subsection (3) of this section shall have their hunting, fishing and trapping privileges suspended for no less than three (3) years from the date of conviction.

(5) Any person who violates subsections (1) or (2) of this section shall be guilty of a Class III offense, and upon conviction, shall be punished as provided in Section 49-7-101.

SECTION 2. This act shall take effect and be in force from and after July 1, 2016.