

By: Senator(s) Blackwell

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2005

1 AN ACT TO PROVIDE THAT IT SHALL BE UNLAWFUL TO HUNT DEER WITH
2 DOGS EXCEPT DURING SUCH SPECIAL OPEN SEASONS FOR THE HUNTING OF
3 DEER WITH DOGS AS MAY BE DESIGNATED BY THE COMMISSION ON WILDLIFE,
4 FISHERIES AND PARKS ON A STATEWIDE, REGIONAL, OR LOCAL BASIS; TO
5 PROVIDE THAT IT SHALL BE UNLAWFUL FOR ANY PERSON TO HUNT DEER WITH
6 DOGS ON ANY TRACT OF REAL PROPERTY UNLESS A PERMIT FOR HUNTING
7 DEER WITH DOGS HAS BEEN ISSUED BY THE DEPARTMENT FOR THE TRACT TO
8 THE OWNER OR OWNERS OF THE TRACT OR THE LESSEE OF DEER HUNTING
9 RIGHTS FOR THE TRACT; TO PROVIDE THAT SUCH PERMIT SHALL NOT BE
10 ISSUED UNLESS THE TRACT OF LAND CONSISTS OF A CERTAIN NUMBER OF
11 CONTIGUOUS ACRES; TO PROVIDE THE FEE FOR SUCH PERMIT; TO PROVIDE
12 THAT CERTAIN INFORMATION MUST BE CONTAINED ON A TAG ON THE COLLARS
13 OF DOGS UTILIZED TO HUNT DEER; TO PROVIDE THAT A PERSON WHO HUNTS
14 DEER WITH DOGS MUST OBTAIN AND POSSESS A DEER-DOG HUNTING LICENSE
15 IN ADDITION TO ALL OTHER REQUIRED HUNTING LICENSES AND PERMITS; TO
16 PROVIDE THE FEE FOR SUCH LICENSE; TO PROVIDE THAT IT SHALL BE
17 UNLAWFUL TO RELEASE OR PLACE A DOG, FOR THE PURPOSE OF HUNTING
18 DEER, UPON OR ONTO A PUBLIC RIGHT-OF-WAY WITHOUT THE PERMISSION OF
19 ALL THE LANDOWNERS WHOSE PROPERTY ADJOINS THE RIGHT-OF-WAY WITHIN
20 FIFTY FEET OF THE LOCATION AT WHICH THE DOG IS RELEASED OR PLACED;
21 TO AMEND SECTIONS 49-7-27 AND 49-7-31, MISSISSIPPI CODE OF 1972,
22 IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

24 **SECTION 1.** (1) It shall be unlawful to hunt deer with dogs
25 except during such special open seasons for the hunting of deer
26 with dogs as may be designated by the commission on a statewide,
27 regional, or local basis.



28 (2) In accordance with subsection (1) of this section, the
29 commission is authorized to promulgate rules and regulations
30 establishing an open season for the hunting of deer with dogs as
31 may be appropriate based on sound wildlife management principles.

32 (3) It shall be unlawful for any person to hunt deer with
33 dogs on any tract of real property unless a permit for hunting
34 deer with dogs has been issued by the department for the tract to
35 the owner or owners of the tract or the lessee of deer-hunting
36 rights for the tract. A permit for hunting deer with dogs shall
37 not be issued to a lessee of deer-hunting rights for any tract of
38 real property that is less than one thousand (1,000) contiguous
39 acres or to the property owner or owners for any tract of real
40 property that is less than three hundred (300) contiguous acres.
41 Permits shall authorize hunting with dogs on the tract described
42 in the permit. Any application for a permit for hunting deer with
43 dogs shall be on such form as prescribed by the department and
44 shall include a written description of the tract boundaries and a
45 map showing key features such as public roads or streams on or
46 bordering the tract and occupied dwellings on adjacent properties.
47 The application must be signed by all persons owning any portion
48 of the tract of real property or an authorized agent thereof. An
49 application for a permit under this section must be received at
50 least thirty (30) days prior to hunting deer with dogs and the
51 permit fee shall be One Hundred Dollars (\$100.00).



52 (4) The owner of any dog that is used for hunting deer must
53 cause such dog to be identified at all times during the hunt with
54 the permit number for the tract being hunted. All dogs utilized
55 for hunting deer shall wear a collar with a tag that contains the
56 name, address and telephone number of the person utilizing the
57 dog.

58 (5) Any person operating a motor vehicle used in conducting
59 a deer hunt with dogs shall during such hunt clearly display in
60 the front or rear windshield of such motor vehicle a decal or card
61 showing the tract permit number in numerals not less than two (2)
62 inches high.

63 (6) The department shall thoroughly investigate for validity
64 any complaints from adjacent property owners regarding hunting
65 deer with dogs in violation of this section or rules and
66 regulations issued pursuant to this section. The commission may
67 take action against a permit holder as provided in Section 49-7-27
68 for violations of the provisions of this section or rules and
69 regulations issued pursuant to this title occurring on the tract
70 of real property for which the permit was issued.

71 (7) Any person sixteen (16) years of age or older,
72 including, without limitation, any person hunting on his or her
73 own property, who hunts deer with dogs must obtain and possess a
74 deer-dog hunting license in addition to all other required hunting
75 licenses and permits. The license fee for such deer-dog license
76 shall be Five Dollars (\$5.00) for a one-year period.



77 (8) In addition to the provisions of subsection (7) of this
78 section, the commission may revoke a deer-dog hunting license for
79 any hunter who, within a single hunting season, commits two (2) or
80 more violations of dogs off of permitted property.

81 (9) It shall be unlawful to release or place a dog, for the
82 purpose of hunting deer, upon or onto a public right-of-way
83 without the permission of all the landowners whose property
84 adjoins the right-of-way within fifty (50) feet of the location at
85 which the dog is released or placed.

86 **SECTION 2.** Section 49-7-27, Mississippi Code of 1972, is
87 amended as follows:

88 49-7-27. (1) The commission may revoke any hunting,
89 trapping, or fishing privileges, license, permit or deny any
90 person the right to secure such license or permit if the person
91 has been convicted of the violation of any of the provisions of
92 this chapter or any regulation thereunder. The revocation of the
93 privilege, license or refusal to grant license shall be for a
94 period of one (1) year. However, before the revocation of the
95 privilege * * *, license or permit shall become effective, the
96 executive director shall send by registered mail notice to the
97 person or licensee, who shall have the right to a hearing or
98 representation before the commission at the next regular meeting
99 or a special meeting. The notice shall set out fully the ground
100 or complaint upon which revocation of, or refusal to grant, the
101 privilege * * *, license or permit is sought.



102 (2) Any person who is convicted for a second time during any
103 period of twelve (12) consecutive months for violation of any of
104 the laws with respect to game, fish or nongame fish or animals
105 shall forfeit his privilege * * *, any license * * *, licenses or
106 permit issued to him by the commission and the commission shall
107 not issue the person any license for a period of one (1) year from
108 the date of forfeiture.

109 (3) Failure of any person to surrender his license * * *, licenses or permits
110 upon demand made by the commission or by its
111 representatives at the direction of the commission shall be a
112 misdemeanor and shall be punishable as such.

113 (4) Any violator whose privilege * * *, license or permit
114 has been revoked, who shall, during the period of revocation, be
115 apprehended for hunting or fishing, shall have imposed upon him a
116 mandatory jail term of not less than thirty (30) days nor more
117 than six (6) months.

118 (5) The commission is authorized to suspend any license or
119 permit issued to any person under this chapter for being out of
120 compliance with an order for support, as defined in Section
121 93-11-153. The procedure for suspension of a license or permit
122 for being out of compliance with an order for support, and the
123 procedure for the reissuance or reinstatement of a license or
124 permit suspended for that purpose, and the payment of any fees for
125 the reissuance or reinstatement of a license or permit suspended
126 for that purpose, shall be governed by Section 93-11-157 or



127 93-11-163, as the case may be. If there is any conflict between
128 any provision of Section 93-11-157 or 93-11-163 and any provision
129 of this chapter, the provisions of Section 93-11-157 or 93-11-163,
130 as the case may be, shall control.

131 (6) If a person is found guilty or pleads guilty or nolo
132 contendere to a violation of Section 49-7-95, and then appeals,
133 the commission shall suspend or revoke the hunting privileges of
134 that person pending the determination of his appeal.

135 (7) (a) If a person does not comply with a summons or a
136 citation or does not pay a fine, fee or assessment for violating a
137 wildlife law or regulation, the commission shall revoke the
138 fishing, hunting, or trapping privileges of that person. When a
139 person does not comply or fails to pay, the clerk of the court
140 shall notify the person in writing by first class mail that if the
141 person does not comply or pay within ten (10) days from the date
142 of mailing, the court will notify the commission and the
143 commission will revoke the fishing, hunting or trapping privileges
144 of that person. The cost of notice may be added to other court
145 costs. If the person does not comply or pay as required, the
146 court clerk shall immediately mail a copy of the court record and
147 a copy of the notice to the commission. After receiving notice
148 from the court, the commission shall revoke the fishing, hunting
149 or trapping privileges of that person.

150 (b) A person whose fishing, hunting or trapping
151 privileges have been revoked under this subsection shall remain



152 revoked until the person can show proof that all obligations of
153 the court have been met.

154 (c) A person shall pay a Twenty-five Dollar (\$25.00)
155 fee to have his privileges reinstated. The fee shall be paid to
156 the department.

157 **SECTION 3.** Section 49-7-31, Mississippi Code of 1972, is
158 amended as follows:

159 49-7-31. (1) The open season on deer shall be as follows:

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

162 (b) With guns * * *: from the Saturday prior to
163 Thanksgiving through December 1.

164 (c) With primitive weapons * * *: December 2 through
165 December 15.

166 (d) With guns * * *: December 16 through December 23.
167 However, the commission may allow hunting statewide or in specific
168 areas with any legal weapon which it may designate * * *, but the
169 season with legal designated weapons * * * shall not extend beyond
170 January 31.

171 (e) The commission shall establish an extended season
172 with primitive weapons and bow and arrow * * * from February 1
173 through February 15 for the area south of U.S. Highway 84 and east
174 of Mississippi Highway 35 only for legal bucks. Any antlered deer
175 taken in this area during any open season under this section must
176 be a legal buck as defined in this paragraph. For purposes of



177 this paragraph, the term "legal buck" means a deer with antlers of
178 four (4) points or more with a minimum inside spread of ten (10)
179 inches or a minimum main beam length of thirteen (13) inches. The
180 commission may regulate the taking of deer with antlers of four
181 (4) points or less under this paragraph for the proper management
182 of antlered deer. The commission may delay the opening date and
183 change the length of bow and arrow season in subsection (1)(a) in
184 this area.

185 (f) * * * The commission may designate special open
186 seasons for hunting deer with dogs on a statewide, regional or
187 local basis as authorized in Section 1 of this act during any
188 season in which guns that are not primitive weapons may be used.

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

191 (3) (a) The commission may allow the harvesting of
192 antlerless deer in the districts or zones upon the recommendation
193 of the executive director based upon good and substantial
194 quantitative data and research evaluations that demonstrate that
195 the harvesting is necessary to properly manage the herd.

196 * * *

197 (* * *b) Nothing in this subsection prohibits the
198 harvesting of either-sex deer by landowners or leaseholders on
199 private lands under the deer management assistance program
200 prescribed or approved by the executive director.



201 (4) The commission may provide a special permit for the
202 harvesting of deer when they are depredating and destroying crops.
203 The department shall supervise the harvesting and provide for the
204 salvaging of the meat of the animals. The commission may
205 authorize the department to assist any farmer in this state, who
206 sustains crop damage by wildlife, in eradication of the problem
207 wildlife.

208 (5) (a) During any open season on deer with primitive
209 weapons after November 30, a person may use any legal weapon of
210 choice on private lands only, if the person is:

211 (i) The title owner of the land;

212 (ii) The lessee of the hunting rights on the land;

213 (iii) A member of a hunting club leasing the
214 hunting rights on the land; or

215 (iv) A guest of a person specified in subparagraph
216 (i), (ii) or (iii).

217 (b) If the person is required to have a hunting
218 license, the person must have a primitive weapon license,
219 Sportsman's License or a Lifetime Sportsman's License.

220 **SECTION 4.** Section 1 of this act shall be codified in
221 Chapter 7, Title 49, Mississippi Code of 1972.

222 **SECTION 5.** This act shall take effect and be in force from
223 and after July 1, 2017.

