

By: Senator(s) Seymour, Jolly, Younger,
DeBar, Hill

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2174

1 AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC
3 ROAD, PUBLIC HIGHWAY, LEVEE, OR RAILROAD; AND FOR RELATED
4 PURPOSES.

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

6 **SECTION 1.** Section 97-15-13, Mississippi Code of 1972, is
7 amended as follows:

8 97-15-13. * * * (* * *1) For purposes of this section, the
9 following terms shall have the meanings ascribed to them herein:

10 (a) "Right-of-way" means that part of a street, public
11 road, public highway, levee or railroad maintained by a city,
12 county, levee board, state or federal entity or railroad
13 corporation and including that portion up to the adjacent property
14 line or fence line.

15 * * *

16 (* * *b) "Firearm" means any firearm other than a
17 handgun.



(* * *c) "Hunt" or "hunting" means to hunt or chase or to shoot at or kill * * * or wound any wild animal or wild bird with a firearm as defined in this subsection.

* * *

(* * *2) If any person hunts with a firearm on his or her person or discharges any firearm in, on or across any street, public road, public highway, levee, railroad or the right-of-way thereof, such person is guilty of a misdemeanor and, upon conviction, shall be punished by a fine not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not less than sixty (60) days nor more than six (6) months, or by both such fine and imprisonment. This subsection shall not apply to any law enforcement officer while in the performance of his official duty or to any person engaged in a lawful action of self-defense. It shall not be a violation of this section to lawfully be in possession of a firearm in a motor vehicle, or to ingress or egress from a motor vehicle parked on a right-of-way to lawfully access a site off the right-of-way or return from a lawfully accessed site off the right-of-way.

(* * *3) If any person shall willfully shoot any firearms or hurl any missile at any street, highway or railroad traffic light; street, highway or railroad marker or other sign for the regulation or designation of street, highway or railroad travel, such person, upon conviction, shall be fined not less than One



43 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars
44 (\$500.00), or be imprisoned not longer than thirty (30) days in
45 the county jail, or both.

46 (* * *4) It shall be the duty of all sheriffs, deputy
47 sheriffs, constables, conservation officers and peace officers of
48 this state to enforce the provisions of this section.

49 (* * *5) If any subsection, paragraph, sentence, clause,
50 phrase or any part of this section is hereafter declared to be
51 unconstitutional or void, or if for any reason is declared to be
52 invalid or of no effect, the remaining subsections, paragraphs,
53 sentences, clauses, phrases or parts thereof shall be in no manner
54 affected thereby but shall remain in full force and effect.

55 **SECTION 2.** This act shall take effect and be in force from
56 and after July 1, 2018.

