

By: Representative Kinkade

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1560

1 AN ACT TO AMEND SECTION 49-7-58, MISSISSIPPI CODE OF 1972, TO
2 PROHIBIT HUNTING DEER WITH DOGS IN ANY COUNTY THAT THE COMMISSION
3 ON WILDLIFE, FISHERIES AND PARKS HAS DECLARED TO BE A CHRONIC
4 WASTING DISEASE MANAGEMENT ZONE; TO AMEND SECTIONS 49-7-31 AND
5 49-7-37, MISSISSIPPI CODE OF 1972, WHICH RELATE TO HUNTING DEER
6 WITH DOGS, TO CONFORM WITH THE PRECEDING SECTION; AND FOR RELATED
7 PURPOSES.

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

9 **SECTION 1.** Section 49-7-58, Mississippi Code of 1972, is
10 amended as follows:

11 49-7-58. (1) (a) In addition to the ban on importing
12 white-tailed deer under Section 49-7-54, there is hereby imposed a
13 temporary moratorium on the importation of elk, red deer, mule
14 deer, black-tailed deer and other cervids designated as
15 susceptible to chronic wasting disease by the State Veterinarian
16 and crosses of any such animals into the State of Mississippi.
17 The moratorium on importing such animals shall end upon the
18 adoption of chronic wasting disease regulations by the United
19 States Department of Agriculture.



20 (b) Any person who possesses, buys, imports or
21 transports any cervid that has been imported in the state in
22 violation of the moratorium shall be subject to a Class I penalty
23 under Section 49-7-141. Any person that imports any exotic animal
24 into the state in violation of entry requirements or regulations
25 of the Board of Animal Health or the Department of Wildlife shall
26 be subject to a Class I penalty under Section 49-7-141. A second
27 or subsequent violation under this section shall be punished by
28 the maximum fine under Section 49-7-141. The agency issuing a
29 permit for cervids or exotic animals within an enclosure shall
30 revoke the permit of any person found in violation of the
31 moratorium. If any cervid in an enclosure tests positive for
32 chronic wasting disease or if any cervids within the enclosure
33 have been imported from an area diagnosed with chronic wasting
34 disease, then all cervids in the enclosure shall be deemed a
35 threat to native wildlife and to public health and may be killed
36 and disposed of by the state.

37 (2) Hunting deer with dogs is prohibited in any county that
38 the Commission on Wildlife, Fisheries and Parks has declared to be
39 a chronic wasting disease management zone.

40 (* * *3) It shall be the duty of the Commissioner of
41 Agriculture and Commerce, the Board of Animal Health, the State
42 Veterinarian, the Commission on Wildlife, Fisheries and Parks, and
43 the Department of Wildlife, Fisheries and Parks to consult and
44 coordinate efforts on matters related to chronic wasting disease,



45 the prevention of the introduction of chronic wasting disease in
46 the state and to ensure the health and safety of the public and
47 wildlife.

48 (* * *4) The Commission on Wildlife, Fisheries and Parks
49 and the Department of Wildlife, Fisheries and Parks shall have
50 plenary authority in matters related to the importation of
51 white-tailed deer, white-tailed deer in enclosures, and prevention
52 of the introduction of chronic wasting disease into the native
53 wildlife population.

54 **SECTION 2.** Section 49-7-31, Mississippi Code of 1972, is
55 amended as follows:

56 49-7-31. (1) The open season on deer shall be as follows:

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

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

61 (c) With primitive weapons and without dogs: December
62 2 through December 15.

63 (d) With guns and without dogs: December 16 through
64 December 23. However, the commission may allow hunting statewide
65 or in specific areas with any legal weapon which it may designate
66 without dogs after the end of the last season for hunting deer
67 with guns and with dogs, but the season with legal designated
68 weapons and without dogs shall not extend beyond January 31.



69 (e) The commission shall establish an extended season
70 with primitive weapons and bow and arrow without dogs from
71 February 1 through February 15 for the area south of U.S. Highway
72 84 and east of Mississippi Highway 35 only for legal bucks. Any
73 antlered deer taken in this area during any open season under this
74 section must be a legal buck as defined in this paragraph. For
75 purposes of this paragraph, the term "legal buck" means a deer
76 with antlers of four (4) points or more with a minimum inside
77 spread of ten (10) inches or a minimum main beam length of
78 thirteen (13) inches. The commission may regulate the taking of
79 deer with antlers of four (4) points or less under this paragraph
80 for the proper management of antlered deer. The commission may
81 delay the opening date and change the length of bow and arrow
82 season in * * * paragraph (a) in this area.

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

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

90 (3) (a) The commission may allow the harvesting of
91 antlerless deer in the districts or zones upon the recommendation
92 of the executive director based upon good and substantial



93 quantitative data and research evaluations that demonstrate that
94 the harvesting is necessary to properly manage the herd.

95 (b) The commission, only upon the recommendation of the
96 executive director, may allow the harvesting of antlerless deer
97 during the deer season with guns and with dogs by a majority vote
98 of the commission.

99 (c) Nothing in this subsection prohibits the harvesting
100 of either-sex deer by landowners or leaseholders on private lands
101 under the deer management assistance program prescribed or
102 approved by the executive director.

103 (4) The commission may provide a special permit for the
104 harvesting of deer when they are depredating and destroying crops.
105 The department shall supervise the harvesting and provide for the
106 salvaging of the meat of the animals. The commission may
107 authorize the department to assist any farmer in this state, who
108 sustains crop damage by wildlife, in eradication of the problem
109 wildlife.

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

113 (i) The title owner of the land;

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

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



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

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

122 (6) The provisions of this section shall be subject to the
123 provisions of Section 49-7-58.

124 **SECTION 3.** Section 49-7-37, Mississippi Code of 1972, is
125 amended as follows:

126 49-7-37. (1) Any resident of this state licensed to hunt or
127 otherwise take any legal game bird or game animal in this state by
128 or with the use of firearms, may hunt, kill, shoot or otherwise
129 take game animals or game birds by the use of falcons or hawks as
130 may be prescribed by the commission and in compliance with federal
131 guidelines.

132 (2) The commission may extend the special archery seasons on
133 any public hunting projects, game refuges or prescribed areas
134 having surplus deer populations.

135 (3) The killing by primitive firearms of an antlerless deer
136 or any other deer protected during the regular deer season is
137 prohibited, but the commission may designate areas of the state in
138 which the killing of antlerless deer may be permitted or limited.

139 (4) The commission may make reasonable rules and regulations
140 concerning the special seasons with falcons and hawks, bow and
141 arrow and primitive firearms which it deems necessary and proper.



142 The commission shall define the term "primitive firearm" for
143 purposes of this section and other law or regulation.

144 (5) The use of dogs shall be prohibited for hunting deer
145 during any of the special hunting seasons.

146 (6) In addition to a hunting license allowing the taking of
147 deer, any resident desiring to hunt deer with bow and arrow or
148 primitive firearm during primitive weapon or archery season or
149 special hunts established by the commission shall purchase a
150 special resident archery and/or primitive firearms license at a
151 fee of Fourteen Dollars (\$14.00) for each license plus the fee
152 provided in Section 49-7-17.

153 (7) Any person violating this section is guilty of a Class
154 II violation and shall be punished as provided in Section
155 49-7-143.

156 (8) All seasons provided for herein shall begin on Saturday.

157 (9) The provisions of this section shall be subject to the
158 provisions of Section 49-7-58.

159 **SECTION 4.** This act shall take effect and be in force from
160 and after July 1, 2020.

