

By: Representative Wright

To: Wildlife, Fisheries and  
Parks

HOUSE BILL NO. 398

1 AN ACT TO AMEND SECTION 55-3-33, MISSISSIPPI CODE OF 1972, TO  
2 REQUIRE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO  
3 PERMANENTLY EXEMPT VETERANS FROM PAYING THE FEE OR FEES FOR ENTRY  
4 AND USE OF STATE PARKS AND RECREATIONAL FACILITIES; AND FOR  
5 RELATED PURPOSES.

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

7 **SECTION 1.** Section 55-3-33, Mississippi Code of 1972, is  
8 amended as follows:

9 55-3-33. (1) The Mississippi Department of Wildlife,  
10 Fisheries and Parks may:

11 (a) Take charge and have full jurisdiction and control  
12 over all state parks, which parks shall be operated for the  
13 purpose of providing outdoor recreational activities and enjoyment  
14 for the citizens of the State of Mississippi and for the purpose  
15 of attracting visitors to the state.

16 (b) Set up a uniform accounting procedure for the state  
17 parks and prescribe the manner in which books, records and  
18 accounts shall be kept, which procedure shall account for all



19 monies taken in and expended by the various parks and shall  
20 provide for periodic audits of such books.

21 (c) Accept gifts, bequests of money or other property,  
22 real or personal, to be used for the purpose of advancing the  
23 recreation and conservation interests in state parks. The  
24 department is authorized, subject to approval by the State  
25 Legislature, to purchase property, real or personal, to be used  
26 for state park purposes.

27 (d) Contract with the State Transportation Commission,  
28 any municipality or board of supervisors of the state for  
29 locating, constructing and maintaining roads and other  
30 improvements in state parks and for payment of a part of the costs  
31 thereof; however, no county or municipality more than twenty-five  
32 (25) miles distant from a state park may contract for, or do, or  
33 pay for any such work for a state park other than the  
34 International Gardens of Mississippi. Any county or municipality  
35 authorized to assist financially under the provisions of Sections  
36 55-3-31 through 55-3-51 is authorized, in the discretion of its  
37 respective governing authority, to set aside, appropriate and  
38 expend monies from the General Fund for the purpose of defraying  
39 such expense after a mandatory election is held on the question  
40 within the county or municipality.

41 (e) Designate employees as peace officers with power to  
42 make arrests for infraction of the rules and regulations of the  
43 department. Such officers are authorized to carry weapons and to



44 enforce the laws of the State of Mississippi within the confines  
45 of a state park.

46 (f) Enforce and delegate the responsibility to enforce  
47 all reasonable rules and regulations governing the occupancy and  
48 use of lands and waters in state parks under its jurisdiction,  
49 supply recreational and conservation facilities and charge fees  
50 for the use of same; review all rates and charges for facilities  
51 and accommodations furnished at the various state parks annually,  
52 making such charges as are justified; and establish fees for  
53 entrance to state parks.

54 (g) To periodically establish a discounted fee or fees  
55 for the entry and use of selected state parks and recreational  
56 facilities. The discounted fee or fees shall only be used for the  
57 purpose or purposes of marketing and promotion to increase the  
58 patronage and revenue of those selected parks and facilities. The  
59 discounted fee or fees shall not be considered a donation of state  
60 property.

61 However, the department shall permanently exempt veterans  
62 from paying the fee or fees for the entry and use of state parks  
63 and recreational facilities.

64 Each park shall retain from revenues generated therein, a sum  
65 sufficient to pay necessary expenses of operation, but in no event  
66 to be less than seventy-five percent (75%) of such revenues.

67 (2) The department shall have the authority to lease to any  
68 entity, sell and convey or otherwise transfer to any county or



69 municipality, or close any state park or historical site within  
70 its jurisdiction which received a general fund subsidy in fiscal  
71 year 1985 in excess of Two Dollars (\$2.00) per visitor to such  
72 state park or historical site; provided, however, that this  
73 authority shall not include the authority to sell, lease or convey  
74 any park that was not in operation under the jurisdiction of the  
75 department for a full fiscal year prior to fiscal year 1986.

76 (3) The department may execute agreements with  
77 rails-to-trails and recreational districts by which the department  
78 will assume responsibility for the operation and maintenance of  
79 trails developed under Sections 55-25-1 through 55-25-15.

80 (4) (a) The department may contract with the electric  
81 public utility with a certificate of public convenience and  
82 necessity to serve the area where a state park is located for the  
83 transfer of ownership of the electrical infrastructure in the  
84 state park to that electric public utility.

85 (b) If the electric public utility enters into an  
86 agreement for the operation and maintenance of electrical  
87 facilities in a state park, the electric public utility may  
88 perform any upgrades to the electrical infrastructure of the park  
89 that are necessary for the electrical infrastructure to be in  
90 compliance with the electric public utility standards. The  
91 electric public utility may assess the costs of the upgrades to  
92 the department upon the terms and conditions agreed to by the  
93 department and the electric public utility.



94                   (c) The department may contract with the electric  
95 public utility with the certificate of public convenience and  
96 necessity to serve the area for the erection, construction,  
97 maintenance, operation and control of electric distribution  
98 substations, electric transmission lines, electrical  
99 appurtenances, electrical appliances or electrical equipment  
100 necessary or useful in the operation or distribution of electric  
101 power or energy in the state park.

102                   (d) Any agreement entered into by the department and an  
103 electric public utility under this subsection is exempt from the  
104 public purchasing requirements under Section 31-7-13.

105                   **SECTION 2.** This act shall take effect and be in force from  
106 and after July 1, 2022.

