

By: Representative Bounds

To: Wildlife, Fisheries and  
Parks

HOUSE BILL NO. 1035

1 AN ACT TO REQUIRE THE MISSISSIPPI COMMISSION ON WILDLIFE,  
 2 FISHERIES AND PARKS TO ESTABLISH A SPECIAL HUNTING PERMIT FOR  
 3 VELVET HUNTING SEASON; TO REQUIRE THE COMMISSION TO ESTABLISH AND  
 4 REGULATE SPECIAL HUNTS DURING VELVET HUNTING SEASON, OUTSIDE OF  
 5 THE REGULAR OPEN SEASON ON DEER; TO AMEND SECTION 49-7-31,  
 6 MISSISSIPPI CODE OF 1972, WHICH RELATES TO OPEN SEASON ON DEER, TO  
 7 REQUIRE THE COMMISSION TO ESTABLISH AND REGULATE SPECIAL HUNTS  
 8 DURING VELVET HUNTING SEASON, OUTSIDE OF THE REGULAR OPEN SEASON  
 9 ON DEER; TO PROVIDE THAT THE SEASON SHALL BE NO LESS THAN THREE  
 10 CONSECUTIVE DAYS IN LENGTH, AND SHALL NOT EXCEED FIVE CONSECUTIVE  
 11 DAYS IN LENGTH; TO PROVIDE THAT THE SEASON SHALL BEGIN ON AUGUST  
 12 20 AND END AUGUST 31; TO BRING FORWARD SECTION 49-1-29,  
 13 MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POWERS AND DUTIES  
 14 OF THE COMMISSION, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR  
 15 RELATED PURPOSES.

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

17 **SECTION 1.** (1) The Mississippi Commission on Wildlife,  
 18 Fisheries and Parks shall establish and regulate special hunts  
 19 during velvet hunting season, outside of the regular open season  
 20 on deer. Such velvet hunting season shall begin on August 20, and  
 21 end no later than August 31, and shall be for no less than three  
 22 (3) consecutive days in length, and for no more than five (5)  
 23 consecutive days in length.



24           (2) The commission shall establish a special hunting permit  
25 for velvet hunting season. Such special hunting permit for velvet  
26 hunting season shall be authorized for a time period beginning on  
27 August 20, and ending no later than August 31, and shall be valid  
28 for no less than three (3) consecutive days in length, and for no  
29 more than five (5) consecutive days in length. The commission  
30 shall select participants, set the cost of permits, if any, the  
31 number of permits to be issued, and the length of the special  
32 permits.

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

35           49-7-31. (1) The open season on deer shall be as follows:

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

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

40                   (c) With primitive weapons and without dogs: December  
41 2 through December 15.

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



48           (e) The commission shall establish an extended season  
49 with primitive weapons and bow and arrow without dogs from  
50 February 1 through February 15 for the area south of U.S. Highway  
51 84 and east of Mississippi Highway 35 only for legal bucks. Any  
52 antlered deer taken in this area during any open season under this  
53 section must be a legal buck as defined in this paragraph. For  
54 purposes of this paragraph, the term "legal buck" means a deer  
55 with antlers of four (4) points or more with a minimum inside  
56 spread of ten (10) inches or a minimum main beam length of  
57 thirteen (13) inches. The commission may regulate the taking of  
58 deer with antlers of four (4) points or less under this paragraph  
59 for the proper management of antlered deer. The commission may  
60 delay the opening date and change the length of bow and arrow  
61 season in paragraph (a) in this area.

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

67           (g) When the open season on deer ends on a Friday, the  
68 commission shall have the authority to extend the season until  
69 thirty (30) minutes after sunset on the following Sunday.

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



72           (3)   (a)   The commission may allow the harvesting of  
73 antlerless deer in the districts or zones upon the recommendation  
74 of the executive director based upon good and substantial  
75 quantitative data and research evaluations that demonstrate that  
76 the harvesting is necessary to properly manage the herd.

77                   (b)   The commission, only upon the recommendation of the  
78 executive director, may allow the harvesting of antlerless deer  
79 during the deer season with guns and with dogs by a majority vote  
80 of the commission.

81                   (c)   Nothing in this subsection prohibits the harvesting  
82 of either-sex deer by landowners or leaseholders on private lands  
83 under the deer management assistance program prescribed or  
84 approved by the executive director.

85           (4)   The commission may provide a special permit for the  
86 harvesting of deer when they are depredating and destroying crops.  
87 The department shall supervise the harvesting and provide for the  
88 salvaging of the meat of the animals. The commission may  
89 authorize the department to assist any farmer in this state, who  
90 sustains crop damage by wildlife, in eradication of the problem  
91 wildlife.

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

95                           (i)   The title owner of the land;

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



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

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

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

104 (6) The commission shall establish and regulate special  
105 hunts during velvet hunting season, outside of the regular open  
106 season on deer. Such velvet hunting season shall begin on August  
107 20, and end no later than August 31, and shall be for no less than  
108 three (3) consecutive days in length, and for no more than five  
109 (5) consecutive days in length.

110 **SECTION 3.** Section 49-1-29, Mississippi Code of 1972, is  
111 brought forward as follows:

112 49-1-29. (1) The commission may promulgate rules and  
113 regulations, inaugurate studies and surveys, and establish any  
114 services it deems necessary to carry out wildlife laws. A  
115 violation of any rules or regulations promulgated by the  
116 commission shall constitute a misdemeanor and shall be punished as  
117 provided in Section 49-7-101.

118 (2) The executive director shall have authority with  
119 commission approval:

120 (a) To close or shorten the open season as prescribed  
121 by law in cases of urgent emergency on any species of game birds,



122 game or fur-bearing animals, reptiles, fish or amphibians, in any  
123 locality, when it finds after investigation and public review that  
124 the action is reasonably necessary to secure the perpetuation of  
125 any species of game birds, game or fur-bearing animals, reptiles,  
126 fish or amphibians and to maintain an adequate supply in the  
127 affected area. The statutes shall continue in full force and  
128 effect, except as restricted and limited by the rules and  
129 regulations promulgated by the commission.

130           (b) To designate wildlife refuges, with the consent of  
131 the property owner or owners, in any localities it finds necessary  
132 to secure perpetuation of any species of game birds, game or  
133 fur-bearing animals, reptiles, fish or amphibians and to maintain  
134 an adequate supply for the purpose of providing a safe retreat  
135 where the animals may rest and replenish adjacent hunting,  
136 trapping or fishing grounds or waters, and to approve land  
137 suitable for such purposes as eligible for the income tax credit  
138 authorized under Section 27-7-22.22.

139           (c) To acquire and hold for the state by purchase,  
140 condemnation, lease, or agreement as authorized from time to time  
141 by the Legislature, and to receive by gifts or devise, lands or  
142 water suitable for fish habitats, game and bird habitats, state  
143 parks, access sites, wildlife refuges, or for public shooting,  
144 trapping or fishing grounds or waters, to provide areas on which  
145 any citizen may hunt, trap or fish under any special regulations  
146 as the commission may prescribe, and to approve lands suitable for



147 such purposes as eligible for the income tax credit authorized  
148 under Section 27-7-22.22.

149 (d) To extend and consolidate lands or waters suitable  
150 for the above purposes by exchange of lands or waters under its  
151 jurisdiction.

152 (e) To capture, propagate, transport, sell or exchange  
153 any species of game birds, game or fur-bearing animals, reptiles,  
154 fish or amphibians needed for stocking or restocking any lands or  
155 waters of the state.

156 (f) To enter into cooperative agreements with persons,  
157 firms, corporations or governmental agencies for purposes  
158 consistent with this chapter.

159 (g) To regulate the burning of rubbish, slashings and  
160 marshes or other areas it may find reasonably necessary to reduce  
161 the danger of destructive fires.

162 (h) To conduct research in improved wildlife and  
163 fisheries conservation methods and to disseminate information to  
164 the residents of the state through the schools, public media and  
165 other publications.

166 (i) To have exclusive charge and control of the  
167 propagation and distribution of wild birds, animals, reptiles,  
168 fish and amphibians, the conduct and control of hatcheries,  
169 biological stations and game and fur farms owned or acquired by  
170 the state; to expend for the protection, propagation or  
171 preservation of game birds, game or fur-bearing animals, reptiles,



172 fish and amphibians all funds of the state acquired for this  
173 purpose arising from licenses, gifts or otherwise; and shall have  
174 charge of the enforcement of all wildlife laws.

175 (j) To grant permits and provide regulations for field  
176 trials and dog trainers.

177 (k) To prohibit and to regulate the taking of nongame  
178 gross fish, except minnows.

179 (l) To enter into agreements with landowners to trap  
180 and purchase quail on the premises of the landowner and to provide  
181 for the distribution of quail.

182 (m) To operate or lease to third persons concessions or  
183 other rights or privileges on lakes owned or leased by the  
184 department. Owners of land adjoining land owned or leased by the  
185 department shall have priority to the concessions or rights or  
186 privileges, if the owners meet the qualifications established by  
187 the commission.

188 (n) To implement a beaver control program and to charge  
189 fees, upon the recommendation of the Beaver Control Advisory  
190 Board, to landowners participating in the beaver control program  
191 described in Section 49-7-201.

192 (o) To apply for, receive and expend any federal, state  
193 or local funds, contributions or funds from any other source for  
194 the purpose of beaver control or eradication.

195 (p) To require the department to divide the districts  
196 into zones if necessary, and periodically survey the districts or





197 zones to obtain information that is necessary to properly  
198 determine the population and allowable harvest limits of wildlife  
199 within the district or zone.

200 (q) To grant wildlife personnel access to enter the  
201 enclosure and utilize the best collection methods available to  
202 obtain tissue samples for testing where CWD has been diagnosed  
203 within five (5) miles of the enclosure.

204 If CWD is detected within an enclosure, the commission shall  
205 not declare surrounding or adjoining properties within a five (5)  
206 mile radius of the enclosure, a CWD Management Zone, until chronic  
207 wasting disease is positively detected within such radius on these  
208 surrounding or adjoining properties.

209 **SECTION 4.** This act shall take effect and be in force from  
210 and after July 1, 2022.

