

By: Representative Busby

To: Marine Resources

HOUSE BILL NO. 1320

1 AN ACT TO AMEND SECTION 49-15-79, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON, FIRM OR CORPORATION
3 TO USE OR ATTEMPT TO USE A PURSE SEINE FOR THE TAKING OF FISH OR
4 TO HAVE SUCH SEINE IN THE WATER WITHIN TWO MILES OF THE SHORELINE
5 OF JACKSON COUNTY, MISSISSIPPI AND WITHIN TWO MILES OF THE
6 SHORELINE OF CAT ISLAND; TO REPEAL SECTION 49-15-35, MISSISSIPPI
7 CODE OF 1972, WHICH PROVIDES THAT THE COMMISSION MAY ADOPT
8 ORDINANCES PROHIBITING THE TAKING AND CATCHING OF MENHADEN WITHIN
9 CERTAIN LIMITS; TO BRING FORWARD SECTION 49-15-78, MISSISSIPPI
10 CODE OF 1972, WHICH PROVIDES FOR THE USE OF A GILL NET, TRAMMEL
11 NET, ENTANGLEMENT NET, OR LIKE CONTRIVANCES, FOR THE PURPOSE OF
12 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

14 **SECTION 1.** Section 49-15-79, Mississippi Code of 1972, is
15 amended as follows:

16 49-15-79. (1) It is unlawful for any person, firm or
17 corporation to use or attempt to use a purse seine for the taking
18 of fish or to have such seine in the water within one (1) mile of
19 the shoreline of the County of Hancock or Harrison in the State of
20 Mississippi. It is unlawful for any person, firm or corporation
21 to use or attempt to use a purse seine for the taking of fish or
22 to have such seine in the water within two (2) miles of the
23 shoreline of Cat Island and the shoreline of the County of Jackson



24 in the State of Mississippi. The Boards of Supervisors of
25 Hancock, Harrison and Jackson Counties shall have the authority to
26 submit proposed regulations to the commission to regulate within
27 their respective counties the use of * * * trammel nets. The
28 commission may consider all such proposals submitted by the boards
29 of supervisors in formulating regulations to be promulgated under
30 this section.

31 (2) A person, firm or corporation convicted of a violation
32 of this section or regulations promulgated under this section
33 shall be punished by the penalties provided in Section
34 49-15-100(2) * * *.

35 **SECTION 2.** Section 49-15-35, Mississippi Code of 1972, which
36 provides that the commission may adopt ordinances prohibiting the
37 taking and catching of menhaden within certain limits of the coast
38 line of the county so requesting, but the commission shall not fix
39 such limits except upon request of the board of supervisors, and
40 such limit shall not exceed two (2) miles from the shore line, or
41 two (2) miles from the corporate limit boundaries of any
42 municipality bordering on the Mississippi Sound, is repealed.

43 **SECTION 3.** Section 49-15-78, Mississippi Code of 1972, is
44 brought forward as follows:

45 49-15-78. (1) (a) It is unlawful for a person to use a
46 gill net, trammel net, entanglement net, or like contrivances for
47 the taking of finfish in marine waters within one-half (1/2) mile
48 of the shoreline.



49 (b) For the purposes of this section, the phrase "like
50 contrivances" means any net that is similar in form, function,
51 purpose or use to a gill net, trammel net or entanglement net.

52 (c) It is unlawful for a person to use a haul seine net
53 for the taking of fish in marine waters within one-half (1/2) mile
54 of the shoreline of Cat Island.

55 (d) The provisions of this section shall not apply to
56 hand seines, cast nets or brill nets.

57 (2) A violation of this section is punishable by the
58 penalties provided in Section 49-15-100.

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

