

By: Representative Ladner

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1338

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 AND THOSE WHO ARE ACTIVE DUTY FROM
4 PAYING THE FEE OR FEES FOR ENTRY AND USE OF STATE PARKS AND
5 RECREATIONAL FACILITIES; TO REQUIRE THE DEPARTMENT TO PROVIDE A
6 DISCOUNT OF ONE-HALF OF THE REGULAR FEE OR FEES FOR ANY CAMPSITE
7 OR CABIN RENTAL WITHIN STATE PARKS AND RECREATIONAL FACILITIES TO
8 VETERANS AND THOSE WHO ARE ACTIVE DUTY; AND FOR RELATED PURPOSES.

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

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

12 55-3-33. (1) The Mississippi Department of Wildlife,
13 Fisheries and Parks may:

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

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



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

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

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

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



47 enforce the laws of the State of Mississippi within the confines
48 of a state park.

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

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

64 However, the department shall permanently exempt veterans and
65 those who are active duty from paying the fee or fees for the
66 entry and use of state parks and recreational facilities. The
67 department shall also provide a discount of one-half (1/2) of the
68 regular fee or fees for any campsite or cabin rental within state
69 parks and recreational facilities to veterans and those who are
70 active duty.



71 Veterans and those who are active duty shall present to the
72 issuing official written evidence of the individual's active duty
73 service or veteran's service. Such evidence shall include a valid
74 military identification card, a copy of the applicant's DD-214
75 form, a Report of Separation from Military Service, a military
76 discharge document, or a written certification of military service
77 from the Mississippi Veterans Affairs.

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

81 (2) The department shall have the authority to lease to any
82 entity, sell and convey or otherwise transfer to any county or
83 municipality, or close any state park or historical site within
84 its jurisdiction which received a general fund subsidy in fiscal
85 year 1985 in excess of Two Dollars (\$2.00) per visitor to such
86 state park or historical site; provided, however, that this
87 authority shall not include the authority to sell, lease or convey
88 any park that was not in operation under the jurisdiction of the
89 department for a full fiscal year prior to fiscal year 1986.

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

94 (4) (a) The department may contract with the electric
95 public utility with a certificate of public convenience and



96 necessity to serve the area where a state park is located for the
97 transfer of ownership of the electrical infrastructure in the
98 state park to that electric public utility.

99 (b) If the electric public utility enters into an
100 agreement for the operation and maintenance of electrical
101 facilities in a state park, the electric public utility may
102 perform any upgrades to the electrical infrastructure of the park
103 that are necessary for the electrical infrastructure to be in
104 compliance with the electric public utility standards. The
105 electric public utility may assess the costs of the upgrades to
106 the department upon the terms and conditions agreed to by the
107 department and the electric public utility.

108 (c) The department may contract with the electric
109 public utility with the certificate of public convenience and
110 necessity to serve the area for the erection, construction,
111 maintenance, operation and control of electric distribution
112 substations, electric transmission lines, electrical
113 appurtenances, electrical appliances or electrical equipment
114 necessary or useful in the operation or distribution of electric
115 power or energy in the state park.

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

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

