

By: Senator(s) Moran, Thompson

To: Ports and Marine Resources

SENATE BILL NO. 2476

1 AN ACT TO AMEND SECTION 49-15-46, MISSISSIPPI CODE OF 1972,
2 TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO
3 LICENSE MOLLUSCAN SHELLFISH AQUACULTURE OPERATIONS AND TO LICENSE
4 MULTIPLE VESSELS AT SUCH AQUACULTURE OPERATIONS; AND FOR RELATED
5 PURPOSES.

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

7 **SECTION 1.** Section 49-15-46, Mississippi Code of 1972, is
8 amended as follows:

9 49-15-46. (1) Each vessel used to catch, take, carry or
10 transport oysters from the reefs of the State of Mississippi, or
11 engaged in transporting any oysters in any of the waters within
12 the territorial jurisdiction of the State of Mississippi, for
13 commercial use, shall annually, before beginning operations, be
14 licensed by the * * * department and pay the following license
15 fee:

16 (a) Fifty Dollars (\$50.00) on each in-state vessel or
17 boat used for tonging oysters or gathering oysters by hand;

18 (b) One Hundred Dollars (\$100.00) on each in-state
19 vessel or boat used for dredging oysters;



20 (c) One Hundred Dollars (\$100.00) on each out-of-state
21 vessel or boat used for tonging oysters or gathering oysters by
22 hand; or

23 (d) Two Hundred Dollars (\$200.00) on each out-of-state
24 vessel or boat used for dredging oysters * * *.

25 * * *

26 (2) * * * Each molluscan shellfish aquaculture operation
27 shall annually, before beginning operations, be licensed by the
28 department and pay the following license fee:

29 (a) Fifty Dollars (\$50.00) on each resident molluscan
30 shellfish aquaculture operation; or

31 (b) One Hundred Dollars (\$100.00) on each nonresident
32 molluscan shellfish aquaculture operation.

33 (3) The * * * department may authorize the transfer of a
34 vessel license to a different vessel provided that the owner of
35 both vessels is the same titled owner.

36 (4) All oysters harvested in the State of Mississippi shall
37 be tagged. Tags shall be issued by the department and shall bear
38 the catcher's name, the date and origin of the catch, the shell
39 stock dealer's name and permit number. The department shall
40 number all tags issued and shall maintain a record of those tags.
41 The * * * department, in its discretion, may adopt any regulations
42 regarding the tagging of oysters and other shellfish.

43 (5) Each person catching or taking oysters from the waters
44 of the State of Mississippi for personal use shall obtain a permit



45 from the * * * department and pay an annual recreational oyster
46 permit fee of Ten Dollars (\$10.00). Oysters caught under a
47 recreational permit shall not be offered for sale. The limits on
48 the allowable catch of oysters for recreational purposes shall be
49 three (3) sacks per week. The department shall issue tags of a
50 distinguishing color to designate recreationally harvested
51 oysters, which shall be tagged on the same day of harvest in the
52 manner prescribed in subsection (4) of this section for
53 commercially harvested oysters or by regulation of the * * *
54 department.

55 (6) The * * * department shall assess and collect a shell
56 retention fee for the shells taken from waters within the
57 territorial jurisdiction of the State of Mississippi as follows:

58 (a) Commercial and recreational harvesters - Fifteen
59 Cents (15¢) per sack paid to the department on the day of harvest;

60 (b) Initial oyster processor, dealer or factory first
61 purchasing the oysters - Fifteen Cents (15¢) per sack paid to the
62 department no later than the tenth day of the month following the
63 purchase, on forms submitted by the department;

64 (c) Commercial harvesters transporting their catch out
65 of the state - Fifty Cents (50¢) per sack paid to the department
66 on the day of harvest, in addition to the fees paid in * * *
67 paragraph (a) of this subsection; and

68 (d) Commercial harvesters not selling their oysters to
69 a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the



70 department on the day of harvest, in addition to fees paid
71 in * * * paragraph (a) of this subsection.

72 Funds received from the shell retention fee shall be paid
73 into a special fund in the State Treasury to be appropriated by
74 the Legislature for use by the * * * department to further oyster
75 production in this state, which includes plantings of oysters
76 and/or cultch materials.

77 (7) During open seasons, oysters may be taken only by hands,
78 tongs and dredges.

79 (8) Vessels licensed under Section 49-15-46 may keep in
80 whole, for personal consumption up to thirty-six (36) blue crabs
81 (portunidae family), per day. This exemption for personal
82 consumption does not apply to fish or crabs that are otherwise
83 illegal to possess or catch.

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

