

By: Senator(s) Seymour, Suber

To: Wildlife, Fisheries and
Parks

COMMITTEE SUBSTITUTE
FOR
SENATE BILL NO. 2488

1 AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT UTILIZES A BOAT
3 TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE
4 FEE FOR SUCH LICENSE; TO PROVIDE THAT FRESHWATER FISHING GUIDES
5 SHALL BE PROHIBITED FROM FISHING WHILE PROVIDING SERVICE; TO
6 PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM
7 KEEPING ANY FISH CAUGHT BY THE PERSONS THEY ARE GUIDING; TO
8 PROVIDE THAT THE PRESENCE OF THE GUIDE DOES NOT COUNT TOWARD THE
9 BAG LIMIT FOR FISH; AND FOR RELATED PURPOSES.

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

11 **SECTION 1.** Section 49-4-39, Mississippi Code of 1972, is
12 amended as follows:

13 49-4-39. (1) As used in this section:

14 (a) "Head boat" means a fishing boat that takes
15 recreational (sports) fishermen out for a fee per person.

16 (b) "Charter boat" means a fishing boat with a skipper,
17 guide, outfitter or captain that is rented for a fee for the
18 purpose of fishing.

19 (c) "Guide" means a person who advises or shows the way
20 to others for a fee.



21 (d) "Outfitter" means an establishment that sells
22 services for outdoor activities.

23 (e) "Skipper" means the captain of a ship or boat.

24 (f) "Captain" means a person who is at the helm,
25 controls or steering of a ship or boat.

26 (2) The commission may regulate hunting, fishing and
27 wildlife viewing, guide and outfitter services. The commission
28 shall have the following powers and duties:

29 (a) Prescribe the form and type of licenses;

30 (b) Prescribe an annual distinguishable decal for each
31 boat;

32 (* * *c) Except as otherwise provided in this section,
33 establish fees for the types of licenses; the fee for guide
34 services annual licenses * * * to be One Hundred Fifty Dollars
35 (\$150.00) for residents and Two Thousand Five Hundred Dollars
36 (\$2,500.00) for nonresidents; the fee for outfitters annual
37 licenses * * * to be Two Hundred Fifty Dollars (\$250.00) for
38 residents and Two Thousand Five Hundred Dollars (\$2,500.00) for
39 nonresidents; * * *

40 * * *

41 (d) Require one-year proof of residency and a valid
42 sportsman's license for residents;

43 (e) Require a valid nonresident fishing license for
44 nonresidents;

45 (f) Require First Aid/CPR certification; and



46 (g) Exercise all powers to make regulations for
47 enforcement and safety of such services.

48 (3) A fishing guide, outfitter, skipper or captain that
49 utilizes a boat to provide fishing guide services shall obtain an
50 annual fishing guide boat license and decal for a fee of Two
51 Hundred Fifty Dollars (\$250.00). In order to obtain a fishing
52 guide boat license and decal, an applicant must register the boat
53 being utilized with the department and provide to the department a
54 copy of the driver's license of the guide, outfitter, skipper or
55 captain and proof of liability insurance and such other
56 information as the department may require by regulation.

57 (4) A fishing guide, outfitter, skipper, captain, boat mate
58 or crew is prohibited from keeping a recreational bag limit of
59 fish.

60 (5) The presence of a guide, outfitter, skipper, captain,
61 boat mate or crew does not count toward the boat's daily
62 possession limit for all game fish.

63 (6) A violation of this section or any regulation created by
64 the commission exercising its powers to regulate safety and
65 services is a Class II violation and is punishable as provided in
66 Section 9-7-143.

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

