

By: Senator(s) Seymour, DeBar, Younger

To: Wildlife, Fisheries and
Parks; Judiciary, Division B

SENATE BILL NO. 2489

1 AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972,
2 TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC
3 ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-15-13, Mississippi Code of 1972, is
6 amended as follows:

7 97-15-13. (1) * * * For purposes of this section, the
8 following terms shall have the meanings ascribed to them herein:

9 (a) "Right-of-way" means that part of a street, public
10 road, public highway, levee or railroad maintained by a city,
11 county, levee board, state or federal entity or railroad
12 corporation and including that portion up to the adjacent property
13 line or fence line.

14 * * *

15 (* * * b) "Firearm" means any firearm * * *.

16 * * *

17 (* * * 2) If any person * * * discharges or attempts to
18 discharge any firearm in, on or across any street, public road,



19 public highway, levee, railroad or the right-of-way thereof, such
20 person is guilty of a misdemeanor and, upon conviction, shall be
21 punished by a fine not less than One Hundred Dollars (\$100.00) nor
22 more than Five Hundred Dollars (\$500.00) or by imprisonment in the
23 county jail for not less than sixty (60) days nor more than six
24 (6) months, or by both such fine and imprisonment. This
25 subsection shall not apply to any law enforcement officer while in
26 the performance of his official duty or to any person engaged in a
27 lawful action of self-defense. It shall not be a violation of
28 this section to lawfully be in possession of a firearm in a motor
29 vehicle, or to ingress or egress from a motor vehicle parked on a
30 right-of-way to lawfully access a site off the right-of-way or
31 return from a lawfully accessed site off the right-of-way. The
32 provisions of this subsection shall not apply to any person
33 engaged in a lawful action to protect his property or livestock.

34 (* * *3) If any person shall willfully shoot any firearms
35 or hurl any missile at any street, highway or railroad traffic
36 light; street, highway or railroad marker or other sign for the
37 regulation or designation of street, highway or railroad travel,
38 such person, upon conviction, shall be fined not less than One
39 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars
40 (\$500.00), or be imprisoned not longer than thirty (30) days in
41 the county jail, or both.



42 (* * *4) It shall be the duty of all sheriffs, deputy
43 sheriffs, constables, conservation officers and peace officers of
44 this state to enforce the provisions of this section.

45 (* * *5) If any subsection, paragraph, sentence, clause,
46 phrase or any part of this section is hereafter declared to be
47 unconstitutional or void, or if for any reason is declared to be
48 invalid or of no effect, the remaining subsections, paragraphs,
49 sentences, clauses, phrases or parts thereof shall be in no manner
50 affected thereby but shall remain in full force and effect.

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

