

By: Representative Crawford

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 312

1 AN ACT TO AMEND SECTION 49-7-5, MISSISSIPPI CODE OF 1972, TO
 2 PROVIDE THAT ANY RESIDENT, WHO IS A QUALIFIED NATIVE AMERICAN,
 3 SHALL RECEIVE, UPON APPLICATION, A RESIDENT HUNTING LICENSE AND/OR
 4 RESIDENT FISHING LICENSE, FREE OF CHARGE, UPON PROVIDING A TRIBAL
 5 IDENTIFICATION CARD AT THE TIME OF LICENSE ISSUANCE; TO DEFINE THE
 6 TERM "TRIBAL IDENTIFICATION CARD"; TO AMEND SECTIONS 49-7-9,
 7 49-7-17 AND 49-7-21, MISSISSIPPI CODE OF 1972, WHICH RELATE TO
 8 RESIDENT COMBINATION HUNTING AND FISHING LICENSES, THE SALE OF
 9 HUNTING AND FISHING LICENSE CERTIFICATES, AND CERTAIN REQUIREMENTS
 10 FOR FORMS THAT ARE PROVIDED TO APPLICANTS WHEN APPLYING FOR
 11 HUNTING AND FISHING LICENSES, TO CONFORM WITH THE PRECEDING
 12 PROVISION; TO BRING FORWARD SECTIONS 49-7-3, 49-7-8, 49-7-12,
 13 49-7-22, 49-7-23, 49-7-27 AND 49-7-153, MISSISSIPPI CODE OF 1972,
 14 WHICH RELATE TO ISSUING RESIDENT AND NONRESIDENT HUNTING AND
 15 FISHING LICENSES, MULTI-YEAR LICENSES, PENALTIES FOR HUNTING AND
 16 FISHING WITHOUT A LICENSE AND LIFETIME SPORTSMAN HUNTING AND
 17 FISHING LICENSES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR
 18 RELATED PURPOSES.

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

20 **SECTION 1.** Section 49-7-5, Mississippi Code of 1972, is
 21 amended as follows:

22 49-7-5. (1) (a) Any resident, as defined in Section
 23 49-7-3, upon application, shall receive a combination resident
 24 hunting and fishing license for the sum of Twenty-five Dollars
 25 (\$25.00), except as otherwise provided in this section. The
 26 license shall qualify the licensee to hunt under this chapter all



27 game and fowl, including deer and turkey, and to fish in any
28 county of the state.

29 (b) Any resident, as defined in Section 49-7-3, upon
30 application, shall receive a resident combination small game
31 hunting and fishing license for the sum of Ten Dollars (\$10.00)
32 together with the fee provided in Section 49-7-17, except as
33 otherwise provided in this section, to the office or agent issuing
34 the license. The hunting license shall qualify the licensee to
35 hunt and fish under this chapter all game and fowl, except deer
36 and turkey, in any county in the state.

37 (c) Any resident, as defined in Section 49-7-3, upon
38 application, shall receive a sportsman's license for the sum of
39 Forty-five Dollars (\$45.00), except as otherwise provided in this
40 section. The license shall qualify the licensee to hunt under
41 this chapter all game and fowl, including deer and turkey, and to
42 fish as provided by law, in any county in the state, and to hunt
43 using primitive weapons and bow and arrow in the manner provided
44 by law. The commission may notify the licensee of the expiration
45 of his license, and the licensee may renew the license by mailing
46 the sum of Forty-five Dollars (\$45.00) to the commission, except
47 as otherwise provided in this section. A licensee who has not
48 renewed the license within thirty (30) days after the expiration
49 date shall be removed from the commission's records, and the
50 licensee must apply to be placed on the renewal list.



51 (d) In addition to a hunting license allowing the
52 taking of turkey, a resident who hunts turkey during a fall turkey
53 season must purchase a fall turkey hunting permit for a fee of
54 Five Dollars (\$5.00) plus the fee provided in Section 49-7-17,
55 except as otherwise provided in this section. A resident
56 sportsman's licensee or resident lifetime sportsman's licensee may
57 hunt during the fall turkey season without purchasing a permit.

58 (e) The commission may offer a resident apprentice
59 hunting license for a resident who does not have the required
60 certificate of hunter education and may set the fee for the
61 apprentice hunting license. An apprentice license may be
62 purchased only one (1) time by a resident and the apprentice
63 hunting licensee must be accompanied by a licensed or exempt
64 resident hunter at least twenty-one (21) years of age when
65 hunting.

66 (2) (a) Any resident citizen of the State of Mississippi
67 who has not reached the age of sixteen (16) years or who has
68 reached the age of sixty-five (65) years, or any resident citizen
69 who is blind, paraplegic, or a multiple amputee, or who has been
70 adjudged by the Veterans Administration as having a total
71 service-connected disability, or has been adjudged to be totally
72 disabled by the Social Security Administration shall not be
73 required to purchase or have in his possession, a hunting or
74 fishing license while engaged in such activities. A person exempt
75 by reason of total service-connected disability, as adjudged by



76 the Veterans Administration or who has been adjudged to be totally
77 disabled by the Social Security Administration or who is blind,
78 paraplegic or a multiple amputee, shall have in their possession
79 and on their person proof of their age, residency, disability
80 status or other respective physical impairment while engaged in
81 the activities of hunting or fishing.

82 (b) Any resident who is a member of the Armed Forces,
83 including the Reserves and National Guard, and on active duty
84 outside the State of Mississippi is not required to purchase or
85 have in his possession a hunting or fishing license while engaged
86 in such activities on leave from active duty. The resident shall
87 have in his possession and on his person any proof as may be
88 required by the commission.

89 (c) All exempt hunting and fishing licenses previously
90 issued for disabilities shall be null and void effective July 1,
91 1993.

92 (d) The commission may offer a youth all-game hunting
93 and fishing license for exempt youths who have a hunter education
94 certificate and an all-game hunting and fishing license for other
95 persons exempted under paragraph (a). Youths and other exempt
96 persons shall not be required to purchase this license or have it
97 in possession while hunting or fishing. The commission may
98 establish a fee not to exceed Five Dollars (\$5.00) for the
99 licenses.



100 (e) The requirement for purchasing and/or having a
101 hunting or fishing license authorized in subsection (1) of this
102 section may be waived for any resident or nonresident who is an
103 honorably discharged veteran with a combat-related disability and
104 who will be participating in a special hunt, fishing trip or other
105 outdoor recreational event that is available only to such persons
106 as determined by the entity sponsoring the event. The commission
107 is authorized to establish such criteria and/or procedures for an
108 organization to be recognized as a sanctioned entity that provides
109 unique outdoor recreational opportunities for wounded or disabled
110 veterans. Any events sponsored by a recognized organization, and
111 the persons participating in such event, shall be entitled to the
112 waiver set forth above without further action on the part of the
113 commission or the sponsoring organization.

114 (f) Any resident, as defined in Section 49-7-3, who is
115 a qualified Native American shall receive, upon application, any
116 license authorized in this section and Sections 49-7-8, 49-7-9,
117 49-7-17, 49-7-22 and 49-7-153, free of charge, upon providing a
118 tribal identification card at the time of license issuance.

119 For purposes of this chapter, the term "tribal identification
120 card" means a valid identification card issued by a federally
121 recognized American Indian tribe or band that contains a color
122 photograph of the card holder and the card holder's legal name,
123 residence address and date of birth.



124 (3) No license shall be required of residents to hunt, fish
125 or trap on lands in which the record title is vested in such
126 person.

127 (4) Any person or persons exempt under this section from
128 procuring a license shall be subject to and must comply with all
129 other terms and provisions of this chapter.

130 (5) Any person authorized to issue any license under this
131 section may collect and retain for the issuance of each license
132 the additional fee authorized under Section 49-7-17, except as
133 otherwise provided in this section.

134 **SECTION 2.** Section 49-7-9, Mississippi Code of 1972, is
135 amended as follows:

136 49-7-9. (1) (a) Each resident of the State of Mississippi,
137 as defined in Section 49-7-3, fishing in the public fresh waters
138 of the state, including lakes and reservoirs, but not including
139 privately owned ponds and streams, shall purchase a combination
140 small game hunting and fishing license as provided in Section
141 49-7-5 for Ten Dollars (\$10.00), except as otherwise provided in
142 Section 49-7-5. Any resident purchasing a license as prescribed
143 in this subsection shall be entitled to fish, in accordance with
144 the regulations and ordinances of the commission, in all public
145 fresh waters within the territory of the State of Mississippi.

146 (b) A resident may purchase a resident fishing license
147 valid for a period of three (3) days for the sum of Three Dollars
148 (\$3.00), except as otherwise provided in Section 49-7-5.



149 (c) No license shall be required of any resident
150 citizen of the State of Mississippi who has not reached the age of
151 sixteen (16) years or who has reached the age of sixty-five (65)
152 years or who is blind, paraplegic, a multiple amputee or has been
153 adjudged by the Veterans Administration as having a total
154 service-connected disability, or has been adjudged totally
155 disabled by the Social Security Administration. Such person shall
156 not be required to purchase or have in his possession a hunting or
157 fishing license while engaged in such activities.

158 (d) A person exempt by reason of age, total
159 service-connected disability as adjudged by the Veterans
160 Administration or total disability as adjudged by the Social
161 Security Administration or who is blind, paraplegic or a multiple
162 amputee, shall have in their possession and on their person proof
163 of their age, residency, disability status or other respective
164 physical impairment while engaged in the activities of hunting or
165 fishing.

166 (e) Any resident who is a member of the Armed Forces,
167 including the Reserves and National Guard, and on active duty
168 outside the State of Mississippi is not required to purchase or
169 have in his possession a hunting or fishing license while engaged
170 in such activities on leave from active duty. Such resident shall
171 have in his possession and on his person such proof as may be
172 required by the commission.



173 (f) The requirement for purchasing and/or having a
174 hunting or fishing license authorized in this subsection (1) may
175 be waived for any resident or nonresident who is an honorably
176 discharged veteran with a combat-related disability and who will
177 be participating in a special hunt, fishing trip or other outdoor
178 recreational event that is available only to such persons as
179 determined by the entity sponsoring the event. The commission is
180 authorized to establish such criteria and/or procedures for an
181 organization to be recognized as a sanctioned entity that provides
182 unique outdoor recreational opportunities for wounded or disabled
183 veterans. Any events sponsored by a recognized organization, and
184 the persons participating in such event, shall be entitled to the
185 waiver set forth above without further action on the part of the
186 commission or the sponsoring organization.

187 (2) (a) All persons fishing in privately owned lakes or
188 ponds shall have specific permission to do so from the owner of
189 such lake or pond.

190 (b) Residents do not need a fishing license to fish in
191 those waters, except when the owner of the lake or pond charges a
192 fee for fishing, then a resident must have a fishing license to
193 fish in those waters unless exempted under subsection (1) of this
194 section.

195 (3) The first weekend of "National Fishing and Boating Week"
196 in June of each year is designated as "Free Fishing Weekend."
197 July 4 is designated as "Free Fishing Day." Any person may sport



198 fish without a license on "Free Fishing Weekend," and on "Free
199 Fishing Day."

200 (4) Any person authorized to issue any license under this
201 section may collect and retain for issuing each license the
202 additional fee authorized under Section 49-7-17, except as
203 otherwise provided in Section 49-7-5.

204 **SECTION 3.** Section 49-7-17, Mississippi Code of 1972, is
205 amended as follows:

206 49-7-17. (1) The department may provide for the appointment
207 of persons as license agents to sell license certificates for
208 hunting, trapping or fishing as authorized under Section 49-7-21.

209 The department may, by administrative rule, establish
210 qualifications, standards and regulations for such license agents.

211 (2) Each license agent shall be required to be covered under
212 a surety bond. The department may establish, by administrative
213 rule, the procedures for the bonding of its license agents, which
214 procedures may include the implementation of a blanket bonding
215 system. All premiums for surety bonds required under this section
216 shall be at the expense of the license agents.

217 (3) Any officer or person authorized to issue any hunting or
218 fishing license or permit or any combination game and fish license
219 under the laws of this state shall have the power and authority to
220 collect and retain for the issuance of such license, except as
221 otherwise provided in Section 49-7-5, the sum of One Dollar
222 (\$1.00), in addition to the license fee provided by law, when such



223 license or permit is sold to a resident of this state. The
224 Commission on Wildlife, Fisheries and Parks is authorized, in its
225 discretion, to contract with license agents for services rendered
226 for an additional amount, not to exceed One Dollar (\$1.00), in
227 addition to the license fee provided by law, except as otherwise
228 provided in Section 49-7-5.

229 (4) The Commission on Wildlife, Fisheries and Parks is
230 authorized to establish, set and collect an additional fee for any
231 license sold, except as otherwise provided in Section 49-7-5, that
232 will recoup the department's cost of issuing the license,
233 conducting any electronic transaction therefor, and generally
234 recovering the department's administrative costs of selling
235 licenses and maintaining the electronic databases of those sales.

236 **SECTION 4.** Section 49-7-21, Mississippi Code of 1972, is
237 amended as follows:

238 49-7-21. (1) (a) The licenses for hunting, trapping or
239 fishing shall be issued on a form prepared by the executive
240 director and supplied to the bonded agents authorized to issue
241 licenses. The forms shall bear the name and social security
242 number or driver's license number or tribal identification card
243 number of the applicant. All annual licenses shall be valid for
244 one (1) year after the date of its issuance. The licenses shall
245 be issued in the name of the commission and be countersigned by
246 the bonded agent issuing same.



247 (b) A person may purchase a license from the office of
248 the department without appearing in person.

249 (c) The commission may design, establish, and
250 administer a program to provide for the purchase, by electronic
251 means, of any license, permit, registration or reservation issued
252 by the commission or department.

253 (2) Any person authorized to issue licenses for hunting,
254 trapping or fishing in this state who attempts to issue a license
255 on a form other than one as prescribed by this section, or
256 attempts to prepare a license certificate in any manner other than
257 on the form prescribed by this section, and furnished by the
258 executive director, is guilty of a Class II violation, and shall
259 be punished as provided in Section 49-7-143, * * * and the person
260 convicted shall be forever barred from issuing licenses in the
261 State of Mississippi.

262 (3) (a) Any resident or nonresident who hunts, takes or
263 traps any wild animal, bird or fish must possess a valid license
264 issued by the commission, unless specifically exempted under this
265 chapter.

266 (b) A resident who violates this subsection shall be
267 fined Five Hundred Dollars (\$500.00). If at the hearing date or
268 the date of payment of the fine the resident shows proof of the
269 required Mississippi license or tribal identification card, the
270 fine shall be reduced to One Hundred Dollars (\$100.00). If the
271 resident shows proof that the required license was purchased



272 before the date of the violation, the case shall be dismissed and
273 all court costs shall be waived against the defendant.

274 (c) In addition to the penalty imposed in paragraph
275 (b), any resident who is not able to show proof of the required
276 Mississippi license or tribal identification card, shall be
277 assessed by the court an administrative fee as prescribed under
278 subsection (6) of this section.

279 (4) (a) Any nonresident, who hunts or traps without the
280 required license is guilty of a misdemeanor and, upon conviction
281 thereof, shall be fined in an amount not less than Five Hundred
282 Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00)
283 for the first offense and shall forfeit hunting and trapping
284 privileges for a period of one (1) year. For the second offense a
285 nonresident shall be fined in an amount of not less than One
286 Thousand Dollars (\$1,000.00) nor more than One Thousand Five
287 Hundred Dollars (\$1,500.00) or imprisoned in the county jail for
288 not more than thirty (30) days, or both such fine and imprisonment
289 and shall forfeit hunting and trapping privileges for a period of
290 two (2) years. For any third or subsequent offense, a nonresident
291 is guilty of a Class I violation and shall be punished as provided
292 in Section 49-7-141 * * *.

293 (b) The nonresident shall also be assessed by the court
294 an administrative fee as prescribed under subsection (6) of this
295 section.



296 (c) Forfeiture of hunting, trapping and fishing
297 privileges may be waived if, at the hearing date or the date of
298 payment of the fine, the nonresident shows proof of the required
299 nonresident hunting or trapping license.

300 (5) Any nonresident who fishes without the required license
301 is guilty of a misdemeanor and, upon conviction, shall be fined in
302 an amount not less than One Hundred Dollars (\$100.00) nor more
303 than Two Hundred Fifty Dollars (\$250.00) for the first offense.
304 For the second or any subsequent offense a nonresident shall be
305 fined in an amount not less than Two Hundred Fifty Dollars
306 (\$250.00) nor more than Five Hundred Dollars (\$500.00) and that
307 nonresident shall also be assessed by the court an administrative
308 fee as prescribed under subsection (6) of this section.

309 (6) In addition to any other fines or penalties imposed
310 under subsection (4) or (5) of this section, the person convicted
311 shall be assessed by the court an administrative fee equal in
312 amount to the cost of the hunting, trapping or fishing license fee
313 that such person unlawfully failed to possess at the time of the
314 violation, the amount of which license fee shall be entered upon
315 the ticket or citation by the charging officer at the time the
316 ticket or citation is issued. The clerk of the court in which the
317 conviction takes place, promptly shall collect all administrative
318 fees imposed under this subsection and deposit them monthly with
319 the State Treasurer, in the same manner and in accordance with the
320 same procedure, as nearly as practicable, as required for the



321 collection, receipt and deposit of state assessments under Section
322 99-19-73. However, all administrative fees collected under the
323 provisions of this subsection shall be credited by the State
324 Treasurer to the account of the Department of Wildlife, Fisheries
325 and Parks, and may be expended by the department upon
326 appropriation by the Legislature.

327 (7) Any person who obtains a license under an assumed name
328 or makes a materially false statement to obtain a license is
329 guilty of a felony and shall be subject to a fine of Two Thousand
330 Dollars (\$2,000.00) or may be imprisoned for a term not to exceed
331 one (1) year, or both.

332 (8) At the time that a person is applying for or renewing
333 his or her license, the department shall ask the person if he or
334 she would like to register as a donor to make an anatomical gift
335 in accordance with Section 41-39-139. If the answer is yes, the
336 department shall inform the prospective donor that his or her
337 decision to be a donor cannot be revoked, changed or contested
338 after his or her death by the donor's next of kin or by any other
339 person, and shall ask the person if he or she desires information
340 about the person's decision to be a donor to be sent to another
341 person or persons. If the answer is yes, the department shall
342 obtain the name and mailing address of the person or persons
343 designated by the prospective donor, and the donor registry shall
344 send the information about the prospective donor's decision to the
345 designated person or persons as requested.



346 **SECTION 5.** Section 49-7-3, Mississippi Code of 1972, is
347 brought forward as follows:

348 49-7-3. (1) Any resident of the State of Mississippi shall
349 be entitled to receive a resident fishing license.

350 (2) Any person domiciled within the State of Mississippi
351 shall be entitled to receive a resident hunting license provided
352 in Section 49-7-5. The domicile of a person is that person's
353 principal or primary home or place of abode. A "principal or
354 primary home or place of abode" is that home or place in which a
355 person's habitation is fixed and to which he, whenever absent, has
356 the present intention of returning after a departure of absence
357 therefrom, regardless of the duration of the absence. The burden
358 of proving domicile shall be on the person claiming such status.
359 The following evidence or other reliable evidence may be
360 considered in establishing, but is not necessarily determinative
361 of, domicile: driver's license, valid and current tribal
362 identification card issued by a federally recognized Indian tribe
363 containing a photograph of the person submitting the
364 identification card, residence for income or other tax purposes,
365 homestead exemption receipt, or any other means prescribed by the
366 department. In the case of minors, domicile of the parents shall
367 be used as evidence of the minor's domicile.

368 (3) A nondomiciliary of the state may be issued a resident
369 hunting or fishing license or combination resident hunting/fishing
370 license upon providing the following:



371 (a) A current identification card from a Mississippi
372 college or university; or

373 (b) A current military identification card showing that
374 the person is an active member of the United States Armed Forces
375 (excluding Reserves and the National Guard) and proof that the
376 person is stationed on a military base in Mississippi.

377 (4) A nondomiciliary of the state may be issued a special
378 Armed Forces fourteen-day hunting and fishing license with the
379 same hunting and fishing privileges and at the same fee of a
380 resident sportsman's license, if the nondomiciliary is an active
381 member of the United States Armed Forces (excluding Reserves and
382 the National Guard) and his application is approved by the
383 department. The applicant must file his application for the
384 special fourteen-day license in the office of the department. The
385 department shall establish requirements for proof of active
386 military status and any other requirements it deems desirable.
387 The department shall not issue more than two (2) special
388 fourteen-day licenses to the same applicant per license year.

389 (5) A holder of a resident or nonresident license is
390 required to carry the license on his person while engaged in
391 hunting, trapping or fishing. Any penalty for not carrying a
392 license while engaged in hunting, trapping or fishing shall be
393 waived if the person can verify purchase of a license prior to the
394 date of the violation.



395 (6) Each application or filing made under this section shall
396 include the social security number(s) of the applicant in
397 accordance with Section 93-11-64.

398 **SECTION 6.** Section 49-7-8, Mississippi Code of 1972, is
399 brought forward as follows:

400 49-7-8. (1) No nonresident sixteen (16) years of age or
401 older may hunt, fish, kill, take or trap any game animal, bird or
402 fish without having acquired and having in his immediate
403 possession a valid license issued by the Mississippi Commission on
404 Wildlife, Fisheries and Parks.

405 (2) The commission shall have the following duties and
406 powers:

407 (a) To prescribe the forms and types of nonresident
408 licenses that a nonresident must obtain;

409 (b) To determine the total number of each type of
410 nonresident license to be issued annually;

411 (c) To establish fees for nonresident licenses and the
412 collection fees for the agent issuing such licenses; provided,
413 however, that the fee for a nonresident all game hunting license
414 shall not be less than Sixty Dollars (\$60.00);

415 (d) To exercise all incidental powers necessary to
416 develop a nonresident licensing program.

417 (3) A nonresident who violates this section or any licensing
418 regulation of the commission is guilty of a misdemeanor and shall
419 be punished as provided in Section 49-7-21(3).



420 **SECTION 7.** Section 49-7-12, Mississippi Code of 1972, is
421 brought forward as follows:

422 49-7-12. (1) The commission may promulgate rules and
423 regulations for nonresident recreational and commercial permits
424 and licenses in order to promote and to enter into reciprocal
425 agreements with other states.

426 (2) The commission may issue and prescribe the forms, types
427 and fees of nonresident freshwater commercial fishing licenses to
428 be sold by the department and not by licensing agents.

429 (3) (a) The commission may prescribe regulations for
430 nonresident commercial fishing equipment, tagging requirements,
431 harvest size and possession restrictions, restricted areas,
432 fishing restrictions, reporting requirements, wholesale dealers,
433 and the selling, reselling and exporting of fish taken in the
434 public freshwaters of the state.

435 (b) The commission may exercise all powers necessary to
436 regulate nonresident freshwater commercial fishing.

437 (4) The commission may require a nonresident to purchase the
438 same type and number of freshwater commercial fishing licenses and
439 pay the same fees that are required of Mississippi residents to
440 engage in like activity in the nonresident's state.

441 (5) Any nonresident who engages in freshwater commercial
442 fishing without having the required licenses is guilty of a Class
443 I violation and punishable as provided under Section 49-7-141 and
444 shall forfeit any equipment, gear or nets used in the offense.



445 **SECTION 8.** Section 49-7-22, Mississippi Code of 1972, is
446 brought forward as follows:

447 49-7-22. (1) The commission may authorize the issuance of a
448 multiyear license not to exceed four (4) years of any license
449 issued by the commission. The fee for a multiyear license shall
450 be commensurate with the total of the annual fees for the annual
451 license for the number of years of the multiyear license.

452 (2) A person authorized to issue licenses by the department
453 may collect and retain for issuing each license the fee authorized
454 under Section 49-7-17.

455 **SECTION 9.** Section 49-7-23, Mississippi Code of 1972, is
456 brought forward as follows:

457 49-7-23. The executive director may designate constables as
458 deputy conservation officers, and constables so designated may be
459 permitted to sell hunting and fishing licenses and may retain the
460 fee provided in Section 49-7-17 for issuing each such license.

461 **SECTION 10.** Section 49-7-27, Mississippi Code of 1972, is
462 brought forward as follows:

463 49-7-27. (1) The commission may revoke any hunting,
464 trapping, or fishing privileges, license or deny any person the
465 right to secure such license if the person has been convicted of
466 the violation of any of the provisions of this chapter or any
467 regulation thereunder. The revocation of the privilege, license
468 or refusal to grant license shall be for a period of one (1) year.
469 However, before the revocation of the privilege or license shall



470 become effective, the executive director shall send by registered
471 mail notice to the person or licensee, who shall have the right to
472 a hearing or representation before the commission at the next
473 regular meeting or a special meeting. The notice shall set out
474 fully the ground or complaint upon which revocation of, or refusal
475 to grant, the privilege or license is sought.

476 (2) Any person who is convicted for a second time during any
477 period of twelve (12) consecutive months for violation of any of
478 the laws with respect to game, fish or nongame fish or animals
479 shall forfeit his privilege and any license or licenses issued to
480 him by the commission and the commission shall not issue the
481 person any license for a period of one (1) year from the date of
482 forfeiture.

483 (3) Failure of any person to surrender his license or
484 licenses upon demand made by the commission or by its
485 representatives at the direction of the commission shall be a
486 misdemeanor and shall be punishable as such.

487 (4) Any violator whose privilege or license has been
488 revoked, who shall, during the period of revocation, be
489 apprehended for hunting or fishing, shall have imposed upon him a
490 mandatory jail term of not less than thirty (30) days nor more
491 than six (6) months.

492 (5) The commission is authorized to suspend any license
493 issued to any person under this chapter for being out of
494 compliance with an order for support, as defined in Section



495 93-11-153. The procedure for suspension of a license for being
496 out of compliance with an order for support, and the procedure for
497 the reissuance or reinstatement of a license suspended for that
498 purpose, and the payment of any fees for the reissuance or
499 reinstatement of a license suspended for that purpose, shall be
500 governed by Section 93-11-157 or 93-11-163, as the case may be.
501 If there is any conflict between any provision of Section
502 93-11-157 or 93-11-163 and any provision of this chapter, the
503 provisions of Section 93-11-157 or 93-11-163, as the case may be,
504 shall control.

505 (6) If a person is found guilty or pleads guilty or nolo
506 contendere to a violation of Section 49-7-95, and then appeals,
507 the commission shall suspend or revoke the hunting privileges of
508 that person pending the determination of his appeal.

509 (7) (a) If a person does not comply with a summons or a
510 citation or does not pay a fine, fee or assessment for violating a
511 wildlife law or regulation, the commission shall revoke the
512 fishing, hunting, or trapping privileges of that person. When a
513 person does not comply or fails to pay, the clerk of the court
514 shall notify the person in writing by first class mail that if the
515 person does not comply or pay within ten (10) days from the date
516 of mailing, the court will notify the commission and the
517 commission will revoke the fishing, hunting or trapping privileges
518 of that person. The cost of notice may be added to other court
519 costs. If the person does not comply or pay as required, the



520 court clerk shall immediately mail a copy of the court record and
521 a copy of the notice to the commission. After receiving notice
522 from the court, the commission shall revoke the fishing, hunting
523 or trapping privileges of that person.

524 (b) A person whose fishing, hunting or trapping
525 privileges have been revoked under this subsection shall remain
526 revoked until the person can show proof that all obligations of
527 the court have been met.

528 (c) A person shall pay a Twenty-five Dollar (\$25.00)
529 fee to have his privileges reinstated. The fee shall be paid to
530 the department.

531 **SECTION 11.** Section 49-7-153, Mississippi Code of 1972, is
532 brought forward as follows:

533 49-7-153. (1) Any resident may purchase a lifetime
534 sportsman hunting and fishing license by filing an application in
535 the office of the department. The license shall qualify the
536 licensee to take all fish, game and fowl, except waterfowl,
537 including deer and turkey, in the manner provided by law. The
538 license shall also permit the licensee to hunt with primitive
539 weapons and bow and arrow, and to fish in the public waters of the
540 state, including the taking of crabs, oysters, shrimp and any
541 saltwater fish authorized to be taken under a recreational
542 license.

543 (2) The department may issue a resident lifetime sportsman
544 license at a fee to be determined by the commission at an amount



545 not less than One Thousand Dollars (\$1,000.00) for a person
546 thirteen (13) years of age or older and not less than Five Hundred
547 Dollars (\$500.00) for a person under thirteen (13) years of age.
548 All lifetime licenses shall be issued from the office of the
549 department. Each application for a lifetime license must be
550 accompanied by a certified copy of the birth certificate of the
551 individual to be named as the license holder, if the individual is
552 twelve (12) years of age or under.

553 (3) The commission shall establish proof of residency
554 requirements for the purchase of a lifetime license, and shall
555 also establish such restrictions on and regulations for lifetime
556 licenses as it deems necessary and proper. An applicant for a
557 resident lifetime license must have been domiciled in this state
558 for eighteen (18) consecutive months immediately preceding the
559 date of his application for a license. The burden of proving
560 domicile shall be on the applicant.

561 (4) The department may issue a native son or daughter
562 nonresident lifetime sportsman hunting and fishing license. The
563 commission shall establish the fee, but the fee shall not be less
564 than One Thousand Five Hundred Dollars (\$1,500.00). The applicant
565 must provide a certified copy of the original birth certificate
566 showing that the applicant was born in Mississippi and/or if the
567 parents' address was in Mississippi at the time of birth as shown
568 on the birth certificate or other documents and/or official
569 documents reflect that one of said parents was on active military



570 service outside the State of Mississippi at the time of said
571 birth. Further, if the birth certificate of each parent reflects
572 that each parent was born in the State of Mississippi, then any
573 child born outside the State of Mississippi of those parents may
574 be issued a nonresident lifetime sportsman license for the above
575 set out fee.

576 (5) Any materially false statement contained in an
577 application for a lifetime license renders void the license issued
578 pursuant to that application, and subjects the applicant to
579 criminal prosecution under Section 49-7-45.

580 (6) Nothing in this section exempts an applicant for a
581 lifetime license from meeting other qualifications or requirements
582 otherwise established by law for the privilege of hunting or
583 fishing.

584 **SECTION 12.** This act shall take effect and be in force from
585 and after July 1, 2023.

