

By: Representatives Sanford, Tullos

To: Wildlife, Fisheries and Parks

HOUSE BILL NO. 542

1 AN ACT TO AMEND SECTIONS 49-7-5 AND 49-7-9, MISSISSIPPI CODE
2 OF 1972, TO PROVIDE THAT ANY RESIDENT WHO IS A HONORABLY
3 DISCHARGED VETERAN THAT SERVED IN THE ARMED FORCES IS NOT REQUIRED
4 TO PURCHASE, OR HAVE ON HIS OR HER PERSON, A HUNTING OR FISHING
5 LICENSE WHILE ENGAGED IN SUCH ACTIVITIES; TO BRING FORWARD SECTION
6 49-7-3, MISSISSIPPI CODE OF 1972, WHICH RELATES TO RESIDENT AND
7 NONRESIDENT HUNTING AND FISHING LICENSES, FOR PURPOSES OF POSSIBLE
8 AMENDMENT; AND FOR RELATED PURPOSES.

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

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

12 49-7-5. (1) (a) Any resident, as defined in Section
13 49-7-3, upon application, shall receive a combination resident
14 hunting and fishing license for the sum of Twenty-five Dollars
15 (\$25.00). The license shall qualify the licensee to hunt under
16 this chapter all game and fowl, including deer and turkey, and to
17 fish in any county of the state.

18 (b) Any resident, as defined in Section 49-7-3, upon
19 application, shall receive a resident combination small game
20 hunting and fishing license for the sum of Ten Dollars (\$10.00)
21 together with the fee provided in Section 49-7-17 to the office or



22 agent issuing the license. The hunting license shall qualify the
23 licensee to hunt and fish under this chapter all game and fowl,
24 except deer and turkey, in any county in the state.

25 (c) Any resident, as defined in Section 49-7-3, upon
26 application, shall receive a sportsman's license for the sum of
27 Forty-five Dollars (\$45.00). The license shall qualify the
28 licensee to hunt under this chapter all game and fowl, including
29 deer and turkey, and to fish as provided by law, in any county in
30 the state, and to hunt using primitive weapons and bow and arrow
31 in the manner provided by law. The commission may notify the
32 licensee of the expiration of his license, and the licensee may
33 renew the license by mailing the sum of Forty-five Dollars
34 (\$45.00) to the commission. A licensee who has not renewed the
35 license within thirty (30) days after the expiration date shall be
36 removed from the commission's records, and the licensee must apply
37 to be placed on the renewal list.

38 (d) In addition to a hunting license allowing the
39 taking of turkey, a resident who hunts turkey during a fall turkey
40 season must purchase a fall turkey hunting permit for a fee of
41 Five Dollars (\$5.00) plus the fee provided in Section 49-7-17. A
42 resident sportsman's licensee or resident lifetime sportsman's
43 licensee may hunt during the fall turkey season without purchasing
44 a permit.

45 (e) The commission may offer a resident apprentice
46 hunting license for a resident who does not have the required



47 certificate of hunter education and may set the fee for the
48 apprentice hunting license. An apprentice license may be
49 purchased only one (1) time by a resident and the apprentice
50 hunting licensee must be accompanied by a licensed or exempt
51 resident hunter at least twenty-one (21) years of age when
52 hunting.

53 (2) (a) Any resident citizen of the State of Mississippi
54 who has not reached the age of sixteen (16) years or who has
55 reached the age of sixty-five (65) years, or any resident citizen
56 who is blind, paraplegic, or a multiple amputee, or who has been
57 adjudged by the Veterans Administration as having a total
58 service-connected disability, or has been adjudged to be totally
59 disabled by the Social Security Administration shall not be
60 required to purchase or have in his or her possession, a hunting
61 or fishing license while engaged in such activities. A person
62 exempt by reason of total service-connected disability, as
63 adjudged by the Veterans Administration or who has been adjudged
64 to be totally disabled by the Social Security Administration or
65 who is blind, paraplegic or a multiple amputee, shall have in
66 their possession and on their person proof of their age,
67 residency, disability status or other respective physical
68 impairment while engaged in the activities of hunting or fishing.

69 (b) Any resident who is a member of the Armed Forces,
70 including the Reserves and National Guard, and on active
71 duty * * * is not required to purchase or have in his or her



72 possession a hunting or fishing license while engaged in such
73 activities * * *. The resident shall have in his or her
74 possession and on his or her person any proof as may be required
75 by the commission.

76 (c) Any resident who is a honorably discharged veteran
77 that served in the Armed Forces is not required to purchase or
78 have in his or her possession a hunting or fishing license while
79 engaged in such activities. The resident shall have in his or her
80 possession, and on his or her person, proof that he or she is a
81 honorably discharged veteran of the Armed Forces, or any other
82 proof as may be required by the commission. A certificate from
83 the State Veterans Affairs Board stating that the resident is a
84 honorably discharged veteran of the Armed Forces is sufficient
85 proof.

86 (* * *d) All exempt hunting and fishing licenses
87 previously issued for disabilities shall be null and void
88 effective July 1, 1993.

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



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

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

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

117 (5) Any person authorized to issue any license under this
118 section may collect and retain for the issuance of each license
119 the additional fee authorized under Section 49-7-17.

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



122 49-7-9. (1) (a) Each resident of the State of Mississippi,
123 as defined in Section 49-7-3, fishing in the public fresh waters
124 of the state, including lakes and reservoirs, but not including
125 privately owned ponds and streams, shall purchase a combination
126 small game hunting and fishing license as provided in Section
127 49-7-5 for Ten Dollars (\$10.00). Any resident purchasing a
128 license as prescribed in this subsection shall be entitled to
129 fish, in accordance with the regulations and ordinances of the
130 commission, in all public fresh waters within the territory of the
131 State of Mississippi.

132 (b) A resident may purchase a resident fishing license
133 valid for a period of three (3) days for the sum of Three Dollars
134 (\$3.00).

135 (c) No license shall be required of any resident
136 citizen of the State of Mississippi who has not reached the age of
137 sixteen (16) years or who has reached the age of sixty-five (65)
138 years or who is blind, paraplegic, a multiple amputee or has been
139 adjudged by the Veterans Administration as having a total
140 service-connected disability, or has been adjudged totally
141 disabled by the Social Security Administration. Such person shall
142 not be required to purchase or have in his possession a hunting or
143 fishing license while engaged in such activities.

144 (d) A person exempt by reason of age, total
145 service-connected disability as adjudged by the Veterans
146 Administration or total disability as adjudged by the Social



147 Security Administration or who is blind, paraplegic or a multiple
148 amputee, shall have in their possession and on their person proof
149 of their age, residency, disability status or other respective
150 physical impairment while engaged in the activities of hunting or
151 fishing.

152 (e) Any resident who is a member of the Armed Forces,
153 including the Reserves and National Guard, and on active
154 duty * * * is not required to purchase or have in his or her
155 possession a hunting or fishing license while engaged in such
156 activities * * *. The resident shall have in his or her
157 possession and on his or her person any proof as may be required
158 by the commission.

159 (f) Any resident who is a honorably discharged veteran
160 that served in the Armed Forces is not required to purchase or
161 have in his or her possession a hunting or fishing license while
162 engaged in such activities. The resident shall have in his or her
163 possession, and on his or her person, proof that he or she is a
164 honorably discharged veteran of the Armed Forces, or any proof as
165 may be required by the commission. A certificate from the State
166 Veterans Affairs Board stating that the resident is a honorably
167 discharged veteran of the Armed Forces is sufficient proof.

168 (* * *g) The requirement for purchasing and/or having
169 a hunting or fishing license authorized in this subsection (1) may
170 be waived for any resident or nonresident who is an honorably
171 discharged veteran with a combat-related disability and who will



172 be participating in a special hunt, fishing trip or other outdoor
173 recreational event that is available only to such persons as
174 determined by the entity sponsoring the event. The commission is
175 authorized to establish such criteria and/or procedures for an
176 organization to be recognized as a sanctioned entity that provides
177 unique outdoor recreational opportunities for wounded or disabled
178 veterans. Any events sponsored by a recognized organization, and
179 the persons participating in such event, shall be entitled to the
180 waiver set forth above without further action on the part of the
181 commission or the sponsoring organization.

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

185 (b) Residents do not need a fishing license to fish in
186 those waters, except when the owner of the lake or pond charges a
187 fee for fishing, then a resident must have a fishing license to
188 fish in those waters unless exempted under subsection (1) of this
189 section.

190 (3) The first weekend of "National Fishing and Boating Week"
191 in June of each year is designated as "Free Fishing Weekend."
192 July 4 is designated as "Free Fishing Day." Any person may sport
193 fish without a license on "Free Fishing Weekend," and on "Free
194 Fishing Day."



195 (4) Any person authorized to issue any license under this
196 section may collect and retain for issuing each license the
197 additional fee authorized under Section 49-7-17.

198 **SECTION 3.** Section 49-7-3, Mississippi Code of 1972, is
199 brought forward as follows:

200 49-7-3. (1) Any resident of the State of Mississippi shall
201 be entitled to receive a resident fishing license.

202 (2) Any person domiciled within the State of Mississippi
203 shall be entitled to receive a resident hunting license provided
204 in Section 49-7-5. The domicile of a person is that person's
205 principal or primary home or place of abode. A "principal or
206 primary home or place of abode" is that home or place in which a
207 person's habitation is fixed and to which he, whenever absent, has
208 the present intention of returning after a departure of absence
209 therefrom, regardless of the duration of the absence. The burden
210 of proving domicile shall be on the person claiming such status.
211 The following evidence or other reliable evidence may be
212 considered in establishing, but is not necessarily determinative
213 of, domicile: driver's license, valid and current tribal
214 identification card issued by a federally recognized Indian tribe
215 containing a photograph of the person submitting the
216 identification card, residence for income or other tax purposes,
217 homestead exemption receipt, or any other means prescribed by the
218 department. In the case of minors, domicile of the parents shall
219 be used as evidence of the minor's domicile.



220 (3) A nondomiciliary of the state may be issued a resident
221 hunting or fishing license or combination resident hunting/fishing
222 license upon providing the following:

223 (a) A current identification card from a Mississippi
224 college or university; or

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

229 (4) A nondomiciliary of the state may be issued a special
230 Armed Forces fourteen-day hunting and fishing license with the
231 same hunting and fishing privileges and at the same fee of a
232 resident sportsman's license, if the nondomiciliary is an active
233 member of the United States Armed Forces (excluding Reserves and
234 the National Guard) and his application is approved by the
235 department. The applicant must file his application for the
236 special fourteen-day license in the office of the department. The
237 department shall establish requirements for proof of active
238 military status and any other requirements it deems desirable.
239 The department shall not issue more than two (2) special
240 fourteen-day licenses to the same applicant per license year.

241 (5) A holder of a resident or nonresident license is
242 required to carry the license on his person while engaged in
243 hunting, trapping or fishing. Any penalty for not carrying a
244 license while engaged in hunting, trapping or fishing shall be



245 waived if the person can verify purchase of a license prior to the
246 date of the violation.

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

250 **SECTION 4.** This act shall take effect and be in force from
251 and after July 1, 2023.

