

By: Representative Kinkade

To: Wildlife, Fisheries and  
Parks

HOUSE BILL NO. 998

1 AN ACT TO AMEND SECTION 49-7-1.1, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT THE WILDLIFE IN MISSISSIPPI BELONGS TO THE  
3 CITIZENS OF THE STATE AT LARGE; TO PROVIDE THAT THE STATE HAS A  
4 DUTY TO PROTECT AND SUSTAIN ITS WILDLIFE FOR THE PUBLIC'S BENEFIT,  
5 AS WELL AS THE DUTY AND AUTHORITY TO DEFEND THE PUBLIC'S INTEREST  
6 IN THE STATE'S WILDLIFE, IN ACCORDANCE WITH SOUND SCIENTIFIC  
7 PRINCIPLES; AND FOR RELATED PURPOSES.

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

9 **SECTION 1.** Section 49-7-1.1, Mississippi Code of 1972, is  
10 amended as follows:

11 49-7-1.1. Hunting, trapping and fishing and wildlife are  
12 vital parts of the heritage of the State of Mississippi. It shall  
13 be the public policy of the State of Mississippi to protect and  
14 preserve these activities. The wildlife in Mississippi belongs to  
15 the citizens of the state at large, and the state has a duty to  
16 protect and sustain its wildlife for the public's benefit, as well  
17 as the duty and authority to defend the public's interest in the  
18 state's wildlife, in accordance with sound scientific principles.

19 The Mississippi Commission on Wildlife, Fisheries and Parks,  
20 acting by and through, and in collaboration with, the Mississippi



21 Department of Wildlife, Fisheries and Parks, may regulate hunting,  
22 trapping and fishing activities in the State of Mississippi,  
23 consistent with its powers and duties under the law. No court of  
24 this state may enjoin, suspend, curtail or abrogate any hunting,  
25 trapping or fishing activity which is otherwise lawful under the  
26 laws of this state or the regulations of the commission, except  
27 upon a showing, by clear and convincing evidence, of an immediate  
28 threat to the public health, safety and welfare, or other imminent  
29 peril. It is, and shall be, the public policy of this state to  
30 promote hunting, trapping and fishing and other outdoor  
31 recreational opportunities and to preserve these activities and  
32 the state's wildlife for all generations to come.

33       **SECTION 2.** This act shall take effect and be in force from  
34 and after July 1, 2023.

