

By: Senator(s) Suber, Younger

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2540

1 AN ACT TO AMEND SECTION 49-7-1.1, MISSISSIPPI CODE OF 1972,
2 TO ESTABLISH UNEQUIVOCALLY THAT WILDLIFE IN MISSISSIPPI BELONGS TO
3 THE CITIZENS OF THE STATE AT LARGE, AND THE STATE HAS A DUTY TO
4 PROTECT AND SUSTAIN ITS WILDLIFE FOR THE PUBLIC'S BENEFIT, AS WELL
5 AS THE DUTY AND AUTHORITY TO DEFEND THE PUBLIC'S INTEREST IN ITS
6 WILDLIFE IN ACCORDANCE WITH SOUND SCIENTIFIC PRINCIPLES; AND FOR
7 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 wildlife are vital
12 parts of the heritage of the State of Mississippi. It shall be
13 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.

