

Senate Amendments to House Bill No. 517

TO THE CLERK OF THE HOUSE:

THIS IS TO INFORM YOU THAT THE SENATE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

11 **SECTION 1.** Section 49-4-39, Mississippi Code of 1972, is
12 amended as follows:

13 49-4-39. (1) As used in this section:

14 (a) "Head boat" means a fishing boat that takes
15 recreational (sports) fishermen out for a fee per person.

16 (b) "Charter boat" means a fishing boat with a skipper,
17 guide, outfitter or captain that is rented for a fee for the
18 purpose of fishing.

19 (c) "Guide" means a person who advises or shows the way
20 to others for a fee.

21 (d) "Outfitter" means an establishment that sells
22 services for outdoor activities.

23 (e) "Skipper" means the captain of a ship or boat.

24 (f) "Captain" means a person who is at the helm,
25 controls or steering of a ship or boat.

26 (2) The commission may regulate hunting, fishing and
27 wildlife viewing, guide and outfitter services. The commission
28 shall have the following powers and duties:

29 (a) Prescribe the form and type of licenses;

30 (b) Prescribe an annual distinguishable decal for each
31 boat;

32 (* * * c) Except as otherwise provided in this section,
33 establish fees for the types of licenses; the fee for guide and
34 outfitter services annual licenses * * * to be less than Five
35 Hundred Dollars (\$500.00) for residents and not less than Two
36 Thousand Dollars (\$2,000.00) for nonresidents; * * *

37 * * *

38 (d) Require one-year proof of residency and a valid
39 sportsman's license for residents;

40 (e) Require a valid nonresident fishing license for
41 nonresidents;

42 (f) Require First Aid/CPR certification; and

43 (g) Exercise all powers to make regulations for
44 enforcement and safety of such services.

45 (3) A fishing guide, outfitter, skipper or captain that
46 utilizes a boat to provide fishing guide services shall obtain an
47 annual fishing guide boat license and decal for a fee of Two
48 Hundred Fifty Dollars (\$250.00). In order to obtain a fishing
49 guide boat license and decal, an applicant must register the boat
50 being utilized with the department and provide to the department a
51 copy of the driver's license of the guide, outfitter, skipper or

52 captain and proof of liability insurance and such other
53 information as the department may require by regulation.

54 (4) A fishing guide, outfitter, skipper, captain, boat mate
55 or crew is prohibited from keeping a recreational bag limit of
56 fish.

57 (5) The presence of a guide, outfitter, skipper, captain,
58 boat mate or crew does not count toward the boat's daily
59 possession limit for all game fish.

60 (6) A violation of this section or any regulation created by
61 the commission exercising its powers to regulate safety and
62 services is a Class II violation and is punishable as provided in
63 Section 9-7-143.

64 **SECTION 2.** This act shall take effect and be in force from
65 and after July 1, 2023, and shall stand repealed on June 30, 2023.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT UTILIZES A BOAT
3 TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE
4 FEE FOR SUCH LICENSE; TO PROVIDE THAT FRESHWATER FISHING GUIDES
5 SHALL BE PROHIBITED FROM FISHING WHILE PROVIDING SERVICE; TO
6 PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM
7 KEEPING ANY FISH CAUGHT BY THE PERSONS THEY ARE GUIDING; TO
8 PROVIDE THAT THE PRESENCE OF THE GUIDE DOES NOT COUNT TOWARD THE
9 BAG LIMIT FOR FISH; AND FOR RELATED PURPOSES.

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Eugene S. Clarke
Secretary of the Senate