

By: Representative Kinkade

To: Wildlife, Fisheries and  
Parks

HOUSE BILL NO. 43

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 the Mississippi Department of Wildlife,



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

33         **SECTION 2.** This act shall take effect and be in force from  
34 and after July 1, 2024.

