

By: Representatives Hobgood-Wilkes, Barnett, Calvert, Carpenter, Creekmore IV, Currie, Estrada, Faulkner, Fondren, Ford (73rd), Gibbs (36th), Gibbs (72nd), Hale, Haney, Holloway (76th), Hurst, Keen, Ladner, Mangold, Mansell, Mattox, McCarty, McKnight, McMillan, Morgan, Owen, Pigott, Rushing, Shanks, Smith, Tubb, Varner, Wallace, Tullos, Horne, Lancaster

To: Wildlife, Fisheries and Parks

HOUSE BILL NO. 370

1 AN ACT TO AMEND SECTIONS 49-7-5, 49-7-9, AND 47-7-17,
 2 MISSISSIPPI CODE OF 1972, TO REVISE THE FEES CHARGED FOR HUNTING
 3 AND FISHING LICENSES ISSUED TO PERSONS WHO ARE RATED AS HAVING AT
 4 LEAST SEVENTY PERCENT NONPERMANENT SERVICE-CONNECTED DISABILITY BY
 5 THE VETERANS' ADMINISTRATION OR UNITED STATES DEPARTMENT OF
 6 VETERANS AFFAIRS; TO PROVIDE THAT THE COMMISSION ON WILDLIFE,
 7 FISHERIES AND PARKS MAY NOT COLLECT AN ADDITIONAL FEE FOR THE
 8 PURPOSE OF RECOUPING ADMINISTRATIVE COSTS INCURRED BY THE
 9 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR ISSUING A LICENSE
 10 SOLD TO SUCH A PERSON; TO BRING FORWARD SECTIONS 49-7-3, 49-7-8,
 11 49-7-12, 49-7-22 AND 49-7-23, MISSISSIPPI CODE OF 1972, WHICH ARE
 12 SECTIONS OF LAW REGULATING HUNTING AND FISHING IN MISSISSIPPI, FOR
 13 THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

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

17 49-7-5. (1) (a) Any resident, as defined in Section
 18 49-7-3, upon application, shall receive a combination resident
 19 hunting and fishing license for the sum of Twenty-five Dollars
 20 (\$25.00), or One Dollar (\$1.00) if such person is rated as having
 21 at least seventy percent (70%) nonpermanent service-connected
 22 disability by the Veterans' Administration or United States
 23 Department of Veterans Affairs. The license shall qualify the



24 licensee to hunt under this chapter all game and fowl, including
25 deer and turkey, and to fish in any county of the state.

26 (b) Any resident, as defined in Section 49-7-3, upon
27 application, shall receive a resident combination small game
28 hunting and fishing license for the sum of Ten Dollars (\$10.00),
29 or One Dollar (\$1.00) if such person is rated as having at least
30 seventy percent (70%) nonpermanent service-connected disability by
31 the Veterans' Administration or United States Department of
32 Veterans Affairs, together with the fee provided in Section
33 49-7-17 to the office or agent issuing the license. The hunting
34 license shall qualify the licensee to hunt and fish under this
35 chapter all game and fowl, except deer and turkey, in any county
36 in the state.

37 (c) Any resident, as defined in Section 49-7-3, upon
38 application, shall receive a sportsman's license for the sum of
39 Forty-five Dollars (\$45.00), or One Dollar (\$1.00) if such person
40 is rated as having at least seventy percent (70%) nonpermanent
41 service-connected disability by the Veterans' Administration or
42 United States Department of Veterans Affairs. The license shall
43 qualify the licensee to hunt under this chapter all game and fowl,
44 including deer and turkey, and to fish as provided by law, in any
45 county in the state, and to hunt using primitive weapons and bow
46 and arrow in the manner provided by law. The commission may
47 notify the licensee of the expiration of his license, and the
48 licensee may renew the license by mailing the sum of Forty-five



49 Dollars (\$45.00) or One Dollar (\$1.00), as the case may be, to the
50 commission. A licensee who has not renewed the license within
51 thirty (30) days after the expiration date shall be removed from
52 the commission's records, and the licensee must apply to be placed
53 on the renewal list.

54 (d) In addition to a hunting license allowing the
55 taking of turkey, a resident who hunts turkey during a fall turkey
56 season must purchase a fall turkey hunting permit for a fee of
57 Five Dollars (\$5.00), or One Dollar (\$1.00) if such person is
58 rated as having at least seventy percent (70%) nonpermanent
59 service-connected disability by the Veterans' Administration or
60 United States Department of Veterans Affairs, plus the fee
61 provided in Section 49-7-17. A resident sportsman's licensee or
62 resident lifetime sportsman's licensee may hunt during the fall
63 turkey season without purchasing a permit.

64 (e) The commission may offer a resident apprentice
65 hunting license for a resident who does not have the required
66 certificate of hunter education and may set the fee for the
67 apprentice hunting license. An apprentice license may be
68 purchased only one (1) time by a resident and the apprentice
69 hunting licensee must be accompanied by a licensed or exempt
70 resident hunter at least twenty-one (21) years of age when
71 hunting.

72 (2) (a) Any resident citizen of the State of Mississippi
73 who has not reached the age of sixteen (16) years or who has



74 reached the age of sixty-five (65) years, or any resident citizen
75 who is blind, paraplegic, or a multiple amputee, or who has been
76 adjudged by the Veterans Administration as having a total
77 service-connected disability, or has been adjudged to be totally
78 disabled by the Social Security Administration shall not be
79 required to purchase or have in his possession, a hunting or
80 fishing license while engaged in such activities. A person exempt
81 by reason of total service-connected disability, as adjudged by
82 the Veterans Administration or who has been adjudged to be totally
83 disabled by the Social Security Administration or who is blind,
84 paraplegic or a multiple amputee, shall have in their possession
85 and on their person proof of their age, residency, disability
86 status or other respective physical impairment while engaged in
87 the activities of hunting or fishing.

88 (b) Any resident who is a member of the Armed Forces,
89 including the Reserves and National Guard, and on active duty
90 outside the State of Mississippi is not required to purchase or
91 have in his possession a hunting or fishing license while engaged
92 in such activities on leave from active duty. The resident shall
93 have in his possession and on his person any proof as may be
94 required by the commission.

95 (c) All exempt hunting and fishing licenses previously
96 issued for disabilities shall be null and void effective July 1,
97 1993.



98 (d) The commission may offer a youth all-game hunting
99 and fishing license for exempt youths who have a hunter education
100 certificate and an all-game hunting and fishing license for other
101 persons exempted under paragraph (a). Youths and other exempt
102 persons shall not be required to purchase this license or have it
103 in possession while hunting or fishing. The commission may
104 establish a fee not to exceed Five Dollars (\$5.00) for the
105 licenses.

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

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



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

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

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

131 49-7-9. (1) (a) Each resident of the State of Mississippi,
132 as defined in Section 49-7-3, fishing in the public fresh waters
133 of the state, including lakes and reservoirs, but not including
134 privately owned ponds and streams, shall purchase a combination
135 small game hunting and fishing license as provided in Section
136 49-7-5 for Ten Dollars (\$10.00), or One Dollar (\$1.00) if such
137 person is rated as having at least seventy percent (70%)
138 nonpermanent service-connected disability by the Veterans'
139 Administration or United States Department of Veterans Affairs.
140 Any resident purchasing a license as prescribed in this subsection
141 shall be entitled to fish, in accordance with the regulations and
142 ordinances of the commission, in all public fresh waters within
143 the territory of the State of Mississippi.

144 (b) A resident may purchase a resident fishing license
145 valid for a period of three (3) days for the sum of Three Dollars
146 (\$3.00), or One Dollar (\$1.00) if such person is rated as having
147 at least seventy percent (70%) nonpermanent service-connected



148 disability by the Veterans' Administration or United States
149 Department of Veterans Affairs.

150 (c) No license shall be required of any resident
151 citizen of the State of Mississippi who has not reached the age of
152 sixteen (16) years or who has reached the age of sixty-five (65)
153 years or who is blind, paraplegic, a multiple amputee or has been
154 adjudged by the Veterans Administration as having a total
155 service-connected disability, or has been adjudged totally
156 disabled by the Social Security Administration. Such person shall
157 not be required to purchase or have in his possession a hunting or
158 fishing license while engaged in such activities.

159 (d) A person exempt by reason of age, total
160 service-connected disability as adjudged by the Veterans
161 Administration or total disability as adjudged by the Social
162 Security Administration or who is blind, paraplegic or a multiple
163 amputee, shall have in their possession and on their person proof
164 of their age, residency, disability status or other respective
165 physical impairment while engaged in the activities of hunting or
166 fishing.

167 (e) Any resident who is a member of the Armed Forces,
168 including the Reserves and National Guard, and on active duty
169 outside the State of Mississippi is not required to purchase or
170 have in his possession a hunting or fishing license while engaged
171 in such activities on leave from active duty. Such resident shall



172 have in his possession and on his person such proof as may be
173 required by the commission.

174 (f) The requirement for purchasing and/or having a
175 hunting or fishing license authorized in this subsection (1) may
176 be waived for any resident or nonresident who is an honorably
177 discharged veteran with a combat-related disability and who will
178 be participating in a special hunt, fishing trip or other outdoor
179 recreational event that is available only to such persons as
180 determined by the entity sponsoring the event. The commission is
181 authorized to establish such criteria and/or procedures for an
182 organization to be recognized as a sanctioned entity that provides
183 unique outdoor recreational opportunities for wounded or disabled
184 veterans. Any events sponsored by a recognized organization, and
185 the persons participating in such event, shall be entitled to the
186 waiver set forth above without further action on the part of the
187 commission or the sponsoring organization.

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

191 (b) Residents do not need a fishing license to fish in
192 those waters, except when the owner of the lake or pond charges a
193 fee for fishing, then a resident must have a fishing license to
194 fish in those waters unless exempted under subsection (1) of this
195 section.



196 (3) The first weekend of "National Fishing and Boating Week"
197 in June of each year is designated as "Free Fishing Weekend."
198 July 4 is designated as "Free Fishing Day." Any person may sport
199 fish without a license on "Free Fishing Weekend," and on "Free
200 Fishing Day."

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

204 **SECTION 3.** Section 49-7-17, Mississippi Code of 1972, is
205 amended as follows:

206 49-7-17. (1) The department may provide for the appointment
207 of persons as license agents to sell license certificates for
208 hunting, trapping or fishing as authorized under Section 49-7-21.

209 The department may, by administrative rule, establish
210 qualifications, standards and regulations for such license agents.

211 (2) Each license agent shall be required to be covered under
212 a surety bond. The department may establish, by administrative
213 rule, the procedures for the bonding of its license agents, which
214 procedures may include the implementation of a blanket bonding
215 system. All premiums for surety bonds required under this section
216 shall be at the expense of the license agents.

217 (3) Any officer or person authorized to issue any hunting or
218 fishing license or permit or any combination game and fish license
219 under the laws of this state shall have the power and authority to
220 collect and retain for the issuance of such license the sum of One



221 Dollar (\$1.00), in addition to the license fee provided by law,
222 when such license or permit is sold to a resident of this state.
223 The Commission on Wildlife, Fisheries and Parks is authorized, in
224 its discretion, to contract with license agents for services
225 rendered for an additional amount, not to exceed One Dollar
226 (\$1.00), in addition to the license fee provided by law.

227 (4) The Commission on Wildlife, Fisheries and Parks is
228 authorized to establish, set and collect an additional fee for any
229 license sold that will recoup the department's cost of issuing the
230 license, conducting any electronic transaction therefor, and
231 generally recovering the department's administrative costs of
232 selling licenses and maintaining the electronic databases of those
233 sales. However, the Commission on Wildlife, Fisheries and Parks
234 may not collect such a fee for any license sold to a person who is
235 rated as having at least seventy percent (70%) nonpermanent
236 service-connected disability by the Veterans' Administration or
237 United States Department of Veterans Affairs.

238 **SECTION 4.** Section 49-7-3, Mississippi Code of 1972, is
239 brought forward as follows:

240 49-7-3. (1) Any resident of the State of Mississippi shall
241 be entitled to receive a resident fishing license.

242 (2) Any person domiciled within the State of Mississippi
243 shall be entitled to receive a resident hunting license provided
244 in Section 49-7-5. The domicile of a person is that person's
245 principal or primary home or place of abode. A "principal or



246 primary home or place of abode" is that home or place in which a
247 person's habitation is fixed and to which he, whenever absent, has
248 the present intention of returning after a departure of absence
249 therefrom, regardless of the duration of the absence. The burden
250 of proving domicile shall be on the person claiming such status.
251 The following evidence or other reliable evidence may be
252 considered in establishing, but is not necessarily determinative
253 of, domicile: driver's license, valid and current tribal
254 identification card issued by a federally recognized Indian tribe
255 containing a photograph of the person submitting the
256 identification card, residence for income or other tax purposes,
257 homestead exemption receipt, or any other means prescribed by the
258 department. In the case of minors, domicile of the parents shall
259 be used as evidence of the minor's domicile.

260 (3) A nondomiciliary of the state may be issued a resident
261 hunting or fishing license or combination resident hunting/fishing
262 license upon providing the following:

263 (a) A current identification card from a Mississippi
264 college or university; or

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

269 (4) A nondomiciliary of the state may be issued a special
270 Armed Forces fourteen-day hunting and fishing license with the



271 same hunting and fishing privileges and at the same fee of a
272 resident sportsman's license, if the nondomiciliary is an active
273 member of the United States Armed Forces (excluding Reserves and
274 the National Guard) and his application is approved by the
275 department. The applicant must file his application for the
276 special fourteen-day license in the office of the department. The
277 department shall establish requirements for proof of active
278 military status and any other requirements it deems desirable.
279 The department shall not issue more than two (2) special
280 fourteen-day licenses to the same applicant per license year.

281 (5) A holder of a resident or nonresident license is
282 required to carry the license on his person while engaged in
283 hunting, trapping or fishing. Any penalty for not carrying a
284 license while engaged in hunting, trapping or fishing shall be
285 waived if the person can verify purchase of a license prior to the
286 date of the violation.

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

290 **SECTION 5.** Section 49-7-8, Mississippi Code of 1972, is
291 brought forward as follows:

292 49-7-8. (1) No nonresident sixteen (16) years of age or
293 older may hunt, fish, kill, take or trap any game animal, bird or
294 fish without having acquired and having in his immediate



295 possession a valid license issued by the Mississippi Commission on
296 Wildlife, Fisheries and Parks.

297 (2) The commission shall have the following duties and
298 powers:

299 (a) To prescribe the forms and types of nonresident
300 licenses that a nonresident must obtain;

301 (b) To determine the total number of each type of
302 nonresident license to be issued annually;

303 (c) To establish fees for nonresident licenses and the
304 collection fees for the agent issuing such licenses; provided,
305 however, that the fee for a nonresident all game hunting license
306 shall not be less than Sixty Dollars (\$60.00);

307 (d) To exercise all incidental powers necessary to
308 develop a nonresident licensing program.

309 (3) A nonresident who violates this section or any licensing
310 regulation of the commission is guilty of a misdemeanor and shall
311 be punished as provided in Section 49-7-21(3).

312 **SECTION 6.** Section 49-7-12, Mississippi Code of 1972, is
313 brought forward as follows:

314 49-7-12. (1) The commission may promulgate rules and
315 regulations for nonresident recreational and commercial permits
316 and licenses in order to promote and to enter into reciprocal
317 agreements with other states.



318 (2) The commission may issue and prescribe the forms, types
319 and fees of nonresident freshwater commercial fishing licenses to
320 be sold by the department and not by licensing agents.

321 (3) (a) The commission may prescribe regulations for
322 nonresident commercial fishing equipment, tagging requirements,
323 harvest size and possession restrictions, restricted areas,
324 fishing restrictions, reporting requirements, wholesale dealers,
325 and the selling, reselling and exporting of fish taken in the
326 public freshwaters of the state.

327 (b) The commission may exercise all powers necessary to
328 regulate nonresident freshwater commercial fishing.

329 (4) The commission may require a nonresident to purchase the
330 same type and number of freshwater commercial fishing licenses and
331 pay the same fees that are required of Mississippi residents to
332 engage in like activity in the nonresident's state.

333 (5) Any nonresident who engages in freshwater commercial
334 fishing without having the required licenses is guilty of a Class
335 I violation and punishable as provided under Section 49-7-141 and
336 shall forfeit any equipment, gear or nets used in the offense.

337 **SECTION 7.** Section 49-7-22, Mississippi Code of 1972, is
338 brought forward as follows:

339 49-7-22. (1) The commission may authorize the issuance of a
340 multiyear license not to exceed four (4) years of any license
341 issued by the commission. The fee for a multiyear license shall



342 be commensurate with the total of the annual fees for the annual
343 license for the number of years of the multiyear license.

344 (2) A person authorized to issue licenses by the department
345 may collect and retain for issuing each license the fee authorized
346 under Section 49-7-17.

347 **SECTION 8.** Section 49-7-23, Mississippi Code of 1972, is
348 brought forward as follows:

349 49-7-23. The executive director may designate constables as
350 deputy conservation officers, and constables so designated may be
351 permitted to sell hunting and fishing licenses and may retain the
352 fee provided in Section 49-7-17 for issuing each such license.

353 **SECTION 9.** This act shall take effect and be in force from
354 and after July 1, 2024.

