

By: Representative Bounds

To: Wildlife, Fisheries and
Parks; Judiciary B

HOUSE BILL NO. 1281

1 AN ACT TO AMEND SECTION 97-15-32, MISSISSIPPI CODE OF 1972,
 2 TO PROVIDE THAT A PERSON WHO DUMPS ANY DEAD WILDLIFE, OR PARTS OR
 3 WASTE OF SUCH WILDLIFE, IN CERTAIN AREAS WITHIN THE STATE SHALL
 4 HAVE HIS OR HER HUNTING PRIVILEGE AND ANY HUNTING LICENSE OR
 5 LICENSES ISSUED TO HIM OR HER REVOKED BY THE MISSISSIPPI
 6 COMMISSION ON WILDLIFE, FISHERIES AND PARKS FOR A PERIOD OF ONE
 7 YEAR, AND THE COMMISSION SHALL NOT ISSUE THE PERSON ANY LICENSE
 8 FOR A PERIOD OF ONE YEAR FROM THE DATE OF FORFEITURE; TO BRING
 9 FORWARD SECTION 49-7-27, MISSISSIPPI CODE OF 1972, WHICH RELATES
 10 TO REVOCATION OF HUNTING AND FISHING LICENSES, FOR PURPOSES OF
 11 POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

13 **SECTION 1.** Section 97-15-32, Mississippi Code of 1972, is
 14 amended as follows:

15 97-15-32. (1) Anyone who puts, throws or dumps on the
 16 streets, roads or highways within this state, or within the limits
 17 of the rights-of-way of such streets, roads or highways, or in the
 18 lakes, streams, rivers or navigable waters or upon any private
 19 property without permission of the owner of such property, any
 20 dead wildlife, wildlife parts or waste, in addition to being
 21 civilly liable for all damages caused by such act, upon



22 conviction, shall be guilty of a misdemeanor and punished as
23 provided in this section.

24 (2) Any person found guilty of the violation of this section
25 shall, upon conviction, be fined not less than Two Hundred Dollars
26 (\$200.00) nor more than Four Hundred Dollars (\$400.00) * * *, and
27 shall have his or her hunting privilege and any hunting license or
28 licenses issued to him or her revoked by the Mississippi
29 Commission on Wildlife, Fisheries and Parks for a period of one
30 (1) year, and the commission shall not issue the person any
31 license for a period of one (1) year from the date of forfeiture.

32 (3) A person convicted for a first offense under this
33 section may be required to perform the following, and a person
34 convicted for a second or subsequent offense shall have his or her
35 hunting privilege and any hunting license or licenses issued to
36 him or her revoked by the commission for a period of one (1) year,
37 and the commission shall not issue the person any license for a
38 period of one (1) year from the date of forfeiture, and shall be
39 required to:

40 (a) Remove the unlawfully discarded dead wildlife or
41 waste;

42 (b) Restore property damaged by, or pay damages for any
43 damage arising out of the unlawfully discarded dead wildlife or
44 waste;

45 (c) Perform community public service relating to the
46 removal of any unlawfully discarded dead wildlife or waste or to



47 the restoration of any area polluted by unlawfully discarded dead
48 wildlife or waste; and

49 (d) Pay all reasonable investigative and prosecutorial
50 expenses and costs to the investigative and/or prosecutorial
51 agency or agencies.

52 (4) It shall be the duty of all law enforcement officers to
53 enforce the provisions of this section.

54 **SECTION 2.** Section 49-7-27, Mississippi Code of 1972, is
55 brought forward as follows:

56 49-7-27. (1) The commission may revoke any hunting,
57 trapping, or fishing privileges, license or deny any person the
58 right to secure such license if the person has been convicted of
59 the violation of any of the provisions of this chapter or any
60 regulation thereunder. The revocation of the privilege, license
61 or refusal to grant license shall be for a period of one (1) year.
62 However, before the revocation of the privilege or license shall
63 become effective, the executive director shall send by registered
64 mail notice to the person or licensee, who shall have the right to
65 a hearing or representation before the commission at the next
66 regular meeting or a special meeting. The notice shall set out
67 fully the ground or complaint upon which revocation of, or refusal
68 to grant, the privilege or license is sought.

69 (2) Any person who is convicted for a second time during any
70 period of twelve (12) consecutive months for violation of any of
71 the laws with respect to game, fish or nongame fish or animals



72 shall forfeit his privilege and any license or licenses issued to
73 him by the commission and the commission shall not issue the
74 person any license for a period of one (1) year from the date of
75 forfeiture.

76 (3) Failure of any person to surrender his license or
77 licenses upon demand made by the commission or by its
78 representatives at the direction of the commission shall be a
79 misdemeanor and shall be punishable as such.

80 (4) Any violator whose privilege or license has been
81 revoked, who shall, during the period of revocation, be
82 apprehended for hunting or fishing, shall have imposed upon him a
83 mandatory jail term of not less than thirty (30) days nor more
84 than six (6) months.

85 (5) The commission is authorized to suspend any license
86 issued to any person under this chapter for being out of
87 compliance with an order for support, as defined in Section
88 93-11-153. The procedure for suspension of a license for being
89 out of compliance with an order for support, and the procedure for
90 the reissuance or reinstatement of a license suspended for that
91 purpose, and the payment of any fees for the reissuance or
92 reinstatement of a license suspended for that purpose, shall be
93 governed by Section 93-11-157 or 93-11-163, as the case may be.
94 If there is any conflict between any provision of Section
95 93-11-157 or 93-11-163 and any provision of this chapter, the



96 provisions of Section 93-11-157 or 93-11-163, as the case may be,
97 shall control.

98 (6) If a person is found guilty or pleads guilty or nolo
99 contendere to a violation of Section 49-7-95, and then appeals,
100 the commission shall suspend or revoke the hunting privileges of
101 that person pending the determination of his appeal.

102 (7) (a) If a person does not comply with a summons or a
103 citation or does not pay a fine, fee or assessment for violating a
104 wildlife law or regulation, the commission shall revoke the
105 fishing, hunting, or trapping privileges of that person. When a
106 person does not comply or fails to pay, the clerk of the court
107 shall notify the person in writing by first class mail that if the
108 person does not comply or pay within ten (10) days from the date
109 of mailing, the court will notify the commission and the
110 commission will revoke the fishing, hunting or trapping privileges
111 of that person. The cost of notice may be added to other court
112 costs. If the person does not comply or pay as required, the
113 court clerk shall immediately mail a copy of the court record and
114 a copy of the notice to the commission. After receiving notice
115 from the court, the commission shall revoke the fishing, hunting
116 or trapping privileges of that person.

117 (b) A person whose fishing, hunting or trapping
118 privileges have been revoked under this subsection shall remain
119 revoked until the person can show proof that all obligations of
120 the court have been met.



121 (c) A person shall pay a Twenty-five Dollar (\$25.00)
122 fee to have his privileges reinstated. The fee shall be paid to
123 the department.

124 **SECTION 3.** This act shall take effect and be in force from
125 and after July 1, 2024.

