

By: Representatives Kinkade, Carpenter,  
Keen, Tubb

To: Wildlife, Fisheries and  
Parks; Accountability,  
Efficiency, Transparency

HOUSE BILL NO. 1331

1 AN ACT TO AMEND SECTION 49-7-58.4, MISSISSIPPI CODE OF 1972,  
2 TO PROVIDE THAT THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS  
3 SHALL NOT PROHIBIT THE TRANSLOCATION OF WHITE-TAILED DEER BETWEEN  
4 PERMITTED ENCLOSURES; TO BRING FORWARD SECTIONS 49-7-53 AND  
5 49-7-54, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE  
6 AMENDMENT; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** Section 49-7-58.4, Mississippi Code of 1972, is  
9 amended as follows:

10 49-7-58.4. (1) The Commission on Wildlife, Fisheries and  
11 Parks and the Department of Wildlife, Fisheries and Parks shall  
12 have plenary power to regulate all commercial and noncommercial  
13 wild animal enclosures in order to conserve and protect native  
14 wildlife for all citizens to enjoy and to protect our recreational  
15 economy dependent on native wildlife resources.

16 (2) The Commission on Wildlife, Fisheries and Parks shall  
17 regulate any facility that prevents the free ingress and egress of  
18 native or nonnative cervids as the same are defined by the  
19 commission. The commission may promulgate rules and regulations  
20 requiring the issuance of permits and the payment of a reasonable



21 fee therefor. Regulations promulgated under this authority must  
22 have a majority vote of the commission to be adopted.

23 (3) In an effort to promote biodiversity and otherwise  
24 ensure the overall health of animals within permitted enclosures,  
25 and to prevent potential abnormalities resulting from in-breeding,  
26 the commission shall not promulgate any rule that prohibits the  
27 translocation of white-tailed deer from within a permitted  
28 enclosure, to be released into another permitted enclosure. The  
29 commission may adopt rules for ensuring the health of animals to  
30 be moved between enclosures, such as live-tests for disease, prior  
31 to any translocation, in consultation with the State Veterinarian  
32 and/or best veterinary practices.

33 **SECTION 2.** Section 49-7-53, Mississippi Code of 1972, is  
34 brought forward as follows:

35 49-7-53. (1) It is unlawful for any railroad, express  
36 company or common carrier to knowingly receive for shipment or to  
37 ship any game animals, birds, or fish named in this chapter;  
38 except that a railroad, express company or common carrier may  
39 receive and carry game animals, birds or fish when accompanied by  
40 the hunter killing same and as provided otherwise in this chapter.

41 (2) No person or corporation may ship, transport or carry,  
42 cause to be shipped, transported or carried, or receive for  
43 shipment, transportation or carriage, or have in his possession  
44 with intent to ship, transport or carry, or secure the shipment,  
45 transportation or carriage beyond the limits of this state, any



46 game animal, bird or fish, except for the following in accordance  
47 with rules and regulations promulgated by the commission:

48 (a) Rabbits;

49 (b) The furs or pelts of beaver, opossum, otter,  
50 raccoon or other fur-bearing animals during the open season and  
51 thirty (30) days thereafter;

52 (c) Skins and sinew of deer and products crafted,  
53 fashioned or made from deer bones or antlers not in velvet;

54 (d) Game fish produced in a legally permitted  
55 aquaculture facility pursuant to Section 79-22-9;

56 (e) Any part of a wild turkey, except the meat; and

57 (f) The meat, hide or any other body parts of nuisance  
58 animals.

59 (3) The offering or reception by any person or corporation  
60 within this state of any such birds, animals or fish for shipment  
61 from this state shall be prima facie evidence that such birds,  
62 animals or game fish were killed, captured or taken within the  
63 state. Each game animal, bird or fish in possession, received for  
64 shipment or transportation, or shipped or transported in violation  
65 of this section is a separate offense.

66 (4) A nonresident licensee during the open season may ship,  
67 transport or carry from this state any game animal, bird or fish  
68 lawfully taken but not in excess of the bag and possession limits  
69 prescribed in Section 49-7-41.



70           Such nonresident licensee shall accompany the shipment or  
71 shall attach to such animals, birds or fish, or any package  
72 containing them, an affidavit in a form to be prescribed by the  
73 executive director that such animals, birds or fish were lawfully  
74 killed or taken by him and are being shipped or transported to his  
75 home and are not for sale. A duplicate of such affidavit shall be  
76 filed with the transportation company or agent thereof, whose duty  
77 it shall be to transmit the same to the executive director within  
78 ten (10) days after its receipt. Such affidavit shall be sworn to  
79 within ten (10) days after its receipt, and shall be sworn to  
80 before a person authorized to administer oaths in the state. For  
81 such purpose, conservation officers and agents of the  
82 transportation companies are hereby authorized to administer such  
83 oaths.

84           (5) A violation of this section is a Class I violation and  
85 is punishable as provided in Section 49-7-141.

86           **SECTION 3.** Section 49-7-54, Mississippi Code of 1972, is  
87 brought forward as follows:

88           49-7-54. (1) It is unlawful to import and translocate live  
89 white-tailed deer into this state, except that university research  
90 facilities may import live white-tailed deer upon prior approval  
91 of the commission. The commission shall establish regulations  
92 governing the importation of white-tailed deer with emphasis on  
93 preventing the introduction of diseases.



94 (2) A person who violates this section is guilty of a Class  
95 I violation and shall be punished as provided in Section 49-7-141.

96 **SECTION 4.** This act shall take effect and be in force from  
97 and after July 1, 2024.

