

By: Senator(s) Posey

To: Wildlife and
Fisheries

SENATE BILL NO. 2826

1 AN ACT TO PROVIDE A PENALTY FOR A PERSON WHO FAILS TO RESPOND
2 TO A SUMMONS OR CITATION ISSUED BY THE DEPARTMENT OF WILDLIFE,
3 FISHERIES AND PARKS; TO PROVIDE A REINSTATEMENT FEE FOR REVOKED
4 LICENSES; TO BRING FORWARD SECTION 49-7-27, MISSISSIPPI CODE OF
5 1972; AND FOR RELATED PURPOSES.

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

7 SECTION 1. (1) Upon failure of any person to respond timely
8 and properly to a summons or citation charging such person with a
9 violation of any law, rule or regulation enforced by the
10 Department of Wildlife, Fisheries and Parks, or upon failure of
11 any person to pay timely any fine, fee or assessment levied as a
12 result of a violation of any law, rule of regulation enforced by
13 the Department of Wildlife, Fisheries and Parks, the clerk of the
14 court shall give written notice to the person by United States
15 first class mail at his last known address advising the person
16 that if within ten (10) days after the notice is deposited in the
17 mail the person has not properly responded to the summons or
18 citation or has not paid the entire amount of all fines, fees and
19 assessments levied, then the court will give notice to the
20 commission and the commission shall revoke the hunting, fishing
21 and trapping privileges and any permit issued to the person. The
22 actual cost incurred by the court in the giving of notice may be
23 added to any other court costs assessed in the case. If within
24 ten (10) days after the notice is given in accordance with this
25 subsection such person has not satisfactorily disposed of the
26 matter pending before the court, then the clerk of the court
27 immediately shall mail a copy of the abstract or the court record

28 along with a certified copy of the notice given under this
29 subsection, to the commission. After receiving notice from the
30 court clerk, the commission shall revoke the hunting, fishing and
31 trapping privileges and/or any permit issued to any such person.

32 (2) A person whose hunting, fishing and trapping privileges
33 or permit that has been revoked under subsection (1) shall remain
34 under revocation until the person can show proof that all
35 obligations of the court have been met.

36 (3) Any person who has had their hunting, fishing or
37 trapping privileges revoked for any reason shall be required to
38 pay a Twenty-five Dollar (\$25.00) reinstatement fee to the
39 Department of Wildlife, Fisheries and Parks.

40 SECTION 2. Section 49-7-27, Mississippi Code of 1972, is
41 brought forward as follows:

42 49-7-27. The commission may revoke any hunting, trapping or
43 fishing privileges, license or deny any person the right to secure
44 such license if the person has been convicted of the violation of
45 any of the provisions of this chapter or any regulation
46 thereunder. The revocation of the privilege, license or refusal
47 to grant license shall be for a period of one (1) year. However,
48 before the revocation of the privilege or license shall become
49 effective, the executive director shall send by registered mail
50 notice to the person or licensee, who shall have the right to a
51 hearing or representation before the commission at the next
52 regular meeting or a special meeting, the notice shall set out
53 fully the ground or complaint upon which revocation of, or refusal
54 to grant, the privilege or license is sought.

55 Any person who is convicted for a second time during any
56 period of twelve (12) consecutive months for violation of any of
57 the laws with respect to game, fish or nongame fish or animals
58 shall forfeit his privilege and any license or licenses issued to
59 him by the commission and the commission shall not issue the
60 person any license for a period of one (1) year from the date of
61 forfeiture.

62 Failure of any person to surrender his license or licenses
63 upon demand made by the commission or by its representatives at
64 the direction of the commission shall be a misdemeanor and shall

65 be punishable as such.

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

70 In addition to the reasons specified in this section and
71 other provisions of this chapter, the commission shall be
72 authorized to suspend any license issued to any person under this
73 chapter for being out of compliance with an order for support, as
74 defined in Section 93-11-153. The procedure for suspension of a
75 license for being out of compliance with an order for support, and
76 the procedure for the reissuance or reinstatement of a license
77 suspended for that purpose, and the payment of any fees for the
78 reissuance or reinstatement of a license suspended for that
79 purpose, shall be governed by Section 93-11-157 or 93-11-163, as
80 the case may be. If there is any conflict between any provision
81 of Section 93-11-157 or 93-11-163 and any provision of this
82 chapter, the provisions of Section 93-11-157 or 93-11-163, as the
83 case may be, shall control.

84 SECTION 3. This act shall take effect and be in force from
85 and after July 1, 1999.