

By: Posey

To: Wildlife and
Fisheries

SENATE BILL NO. 2553
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO SELL
3 HUNTING LICENSES VIA THE INTERNET; AND FOR RELATED PURPOSES.

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

5 SECTION 1. Section 49-7-21, Mississippi Code of 1972, is
6 amended as follows:[LTR1]

7 49-7-21. (1) (a) The licenses for hunting, trapping or
8 fishing shall be issued on a form prepared by the executive
9 director and supplied to the bonded agents authorized to issue
10 licenses. The forms shall bear the name and social security
11 number or driver's license number of the applicant. All licenses
12 shall be valid from the date of its issuance to June 30 following
13 its date. The license shall be countersigned by the licensee in
14 the presence of the agent authorized to issue the same. The
15 licenses shall be issued in the name of the commission and be
16 countersigned by the bonded agent issuing same. The application
17 for a license under this chapter shall be subscribed and sworn to
18 by the applicant before an officer authorized to administer oaths
19 in this state, and for this purpose the members of the commission,
20 the executive director, sheriffs, conservation officers and bonded
21 agents are hereby authorized to administer oaths, but no charge
22 shall be made by any officer employed by the commission or sheriff
23 for the administration of the oath.

24 (b) A person may purchase a license from the office of
25 the department without appearing in person.

26 (c) The commission may design, establish, and

27 administer a program to provide for the purchase, by electronic
28 means, of any license, permit, registration or reservation issued
29 by the commission or department.

30 (2) Any person authorized to issue licenses for hunting,
31 trapping or fishing in this state who attempts to issue a license
32 on a form other than one as prescribed by this section, or
33 attempts to prepare a license certificate in any manner other than
34 on the form prescribed by this section, and furnished by the
35 executive director, is guilty of a Class II violation, and shall
36 be punished as provided in Section 49-7-143, Mississippi Code of
37 1972, and the person convicted shall be forever barred from
38 issuing licenses in the State of Mississippi.

39 (3) Any resident or nonresident who hunts, takes or traps
40 any wild animal, bird or fish must possess a valid license issued
41 by the commission, unless specifically exempted under this
42 chapter.

43 (4) Any nonresident, who hunts or traps without the required
44 license is guilty of a misdemeanor and upon conviction thereof
45 shall be fined in an amount not less than Five Hundred Dollars
46 (\$500.00) nor more than One Thousand Dollars (\$1,000.00) for the
47 first offense. The nonresident shall also be assessed by the
48 court an administrative fee as prescribed under subsection (6) of
49 this section. For the second or any subsequent offense a
50 nonresident shall be fined in an amount of not less than One
51 Thousand Dollars (\$1,000.00) nor more than One Thousand Five
52 Hundred Dollars (\$1,500.00) or imprisoned in the county jail for
53 not more than thirty (30) days, or both such fine and
54 imprisonment. The nonresident shall also be assessed by the court
55 an administrative fee as prescribed under subsection (6) of this
56 section.

57 (5) Any nonresident who fishes without the required license
58 is guilty of a misdemeanor and upon conviction shall be fined in
59 an amount not less than One Hundred Dollars (\$100.00) nor more

60 than Two Hundred Fifty Dollars (\$250.00) for the first offense.
61 For the second or any subsequent offense a nonresident shall be
62 fined in an amount not less than Two Hundred Fifty Dollars
63 (\$250.00) nor more than Five Hundred Dollars (\$500.00) and that
64 nonresident shall also be assessed by the court an administrative
65 fee as prescribed under subsection (6) of this section.

66 (6) In addition to any other fines or penalties imposed
67 under subsection (4) or (5) of this section, any person convicted
68 for a violation of subsection (3) of this section shall be
69 assessed by the court an administrative fee equal in amount to the
70 cost of the hunting, trapping or fishing license fee that such
71 person unlawfully failed to possess at the time of the violation,
72 the amount of which license fee shall be entered upon the ticket
73 or citation by the charging officer at the time the ticket or
74 citation is issued. The clerk of the court in which conviction
75 for a violation of subsection (3) of this section takes place,
76 promptly shall collect all administrative fees imposed under this
77 subsection and deposit them monthly with the State Treasurer, in
78 the same manner and in accordance with the same procedure, as
79 nearly as practicable, as required for the collection, receipt and
80 deposit of state assessments under Section 99-19-73. However, all
81 administrative fees collected under the provisions of this
82 subsection shall be credited by the State Treasurer to the account
83 of the Department of Wildlife, Fisheries and Parks, and may be
84 expended by the department upon appropriation by the Legislature.

85 (7) Any person who obtains a license under an assumed name
86 or makes a materially false statement to obtain a license is
87 guilty of a felony and shall be subject to a fine of Two Thousand
88 Dollars (\$2,000.00) or may be imprisoned for a term not to exceed
89 one (1) year or both.

90 SECTION 2. This act shall take effect and be in force from
91 and after July 1, 2000.