

By: Representatives Stringer, Warren

To: Game and Fish

HOUSE BILL NO. 860

1 AN ACT TO AMEND SECTION 49-7-31, MISSISSIPPI CODE OF 1972, TO
2 REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO
3 AUTHORIZE THE HUNTING OF DEER OVER CORN, GRAIN OR OTHER
4 SUPPLEMENTAL FOOD; TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF
5 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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

7 **SECTION 1.** Section 49-7-31, Mississippi Code of 1972, is
8 amended as follows:

9 49-7-31. (1) The open season for game birds and game
10 animals shall be as follows:

11 (a) On bobwhite quail: The season shall open on
12 Thanksgiving day and run through the first Saturday in March next
13 following.

14 (b) On pheasant: There shall be no open season on
15 pheasant.

16 (c) On wild turkey: The commission shall fix the
17 spring season between the Saturday nearest March 20 and May 1 in
18 designated areas. In addition, the commission may fix special
19 fall either-sex seasons.

20 (d) On squirrel:

21 (i) Zone 1: For areas north of Highway 82 plus
22 those portions of Sunflower County and Washington County south of
23 Highway 82 the season shall open on the Saturday nearest October 1
24 and run through February 28.

25 (ii) Zone 2: For areas between Highway 82 and
26 Highway 84, plus such portions of the state south of Highway 84
27 and west of Interstate 55, the season shall open on the Saturday
28 nearest October 15 and run through February 28.



29 (iii) Zone 3: For areas south of Highway 84 and
30 east of Interstate 55 the season shall open on the last Saturday
31 in October and run through February 28.

32 (e) On deer:

33 (i) With bow and arrow: October 1 through the
34 Friday prior to Thanksgiving.

35 (ii) With guns and with dogs: From the Saturday
36 prior to Thanksgiving through December 1.

37 (iii) With primitive weapons and without dogs:
38 December 2 through December 15.

39 (iv) With guns and without dogs: December 16
40 through December 23. However, the commission may allow hunting
41 statewide or in specific areas with any legal weapon which it may
42 designate without dogs after the end of the last season for
43 hunting deer with guns and with dogs, but the season with legal
44 designated weapons and without dogs shall not extend beyond
45 January 31.

46 (v) With guns and with dogs: December 24 through
47 a date fixed by the commission that will provide a total of
48 thirty-nine (39) days of hunting deer with guns and with dogs when
49 added to the number of days provided for hunting deer with guns
50 and with dogs in paragraph (e)(ii).

51 (vi) When hunting deer during any gun season on
52 deer, a hunter must wear in full view five hundred (500) square
53 inches of solid unbroken fluorescent orange.

54 (vii) In order to set and regulate the deer
55 seasons, the commission may:

56 A. Set and regulate the deer seasons on
57 wildlife management areas which it administers;

58 B. Allow the harvesting of antlerless deer in
59 the districts or zones upon the recommendation of the executive
60 director based upon good and substantial quantitative data and
61 research evaluations that demonstrate that the harvesting is



62 necessary to properly manage the herd. The commission, only upon
63 the recommendation of the executive director, may allow the
64 harvesting of antlerless deer during the deer season with guns and
65 with dogs by a majority vote of the commission. Nothing in this
66 section prohibits the harvesting of either sex deer by landowners
67 or leaseholders on private lands under a deer management program
68 prescribed or approved by the executive director.

69 C. Provide a special permit for the
70 harvesting of deer when they are depredating and destroying crops.
71 The department shall supervise the harvesting and provide for the
72 salvaging of the meat of the animals. The commission may
73 authorize the department to assist any farmer in this state, who
74 sustains crop damage by wildlife, in eradication of the problem
75 wildlife.

76 (viii) It shall not be unlawful in Winston,
77 Kemper, Smith, Jasper and Newton Counties for any person to hunt
78 deer over corn, grain or other supplemental food during any deer
79 hunting season in accordance with such rules and regulations as
80 the commission shall prescribe. The commission shall report to
81 the Legislature on July 1, 2004, on this pilot project and the
82 effect it has on deer hunting and the deer population. The
83 paragraph (e) (viii) shall stand repealed from and after July 1,
84 2005.

85 (ix) The commission shall establish a special
86 hunting season for youth under the age of sixteen (16) and for
87 handicapped persons in the Natchez State Park. The commission
88 shall also establish a primitive weapon season in the Natchez
89 State Park. The selection of participants in the primitive weapon
90 season shall be by public drawing from all qualified applications.
91 The commission shall set the number of permits to be issued and
92 the length of the special seasons. The commission may also
93 establish a special hunting season for youth and handicapped
94 persons or a primitive weapon season as provided in this



95 subparagraph in any other state park under the jurisdiction of the
96 department but shall only do so upon the recommendation of the
97 staff of the department as approved by the commission. The
98 commission shall select participants and set the number of permits
99 to be issued and the length of the special seasons in the manner
100 provided in this subparagraph.

101 (x) The commission may establish and regulate
102 special youth hunts for all nonmigratory game birds and animals
103 outside of the open season on wildlife management areas and on
104 private lands.

105 (f) On fur-bearing animals: The commission may fix the
106 open season on fur-bearing animals between November 1 and March 1
107 next following and fix the open season for hunting opossums,
108 raccoons and bobcats with dogs and guns by licensed hunters from
109 October 1 to February 28 next following; but raccoons and bobcats
110 may be run, hunted, chased or pursued throughout the year with
111 dogs by licensed hunters. The commission may establish an
112 additional open season on raccoon from July 1 through October 1,
113 and the bag limit on raccoon during the additional open season
114 shall be one (1) per party, per night.

115 (g) On rabbits: The season shall open on the Saturday
116 nearest October 15 and run through February 28 next following, and
117 when rabbits are depredating or destroying crops, the owner of the
118 crops or his tenants may shoot the rabbits with guns.

119 (h) On predatory animals: The hunting of predatory
120 animals shall be restricted to the open seasons for hunting any
121 game animal or game bird, using only the firearms, ammunition,
122 primitive weapons or archery equipment legal for use during that
123 open season. Landowners, agricultural leaseholders or their
124 designated agents may take predatory animals year-round on lands
125 owned or leased by them. The taking of any animal or animals
126 other than beavers or coyote by the use of a trap or traps is
127 unlawful except during the time the season is open for the taking



128 of fur-bearing animals. Fox and coyote may be run, chased or
129 pursued with dogs except as provided in Section 49-7-32 year-round
130 by licensed hunters.

131 (i) On migratory birds: The open season for migratory
132 birds shall be the season prescribed by the Federal Migratory Bird
133 Treaty regulations.

134 (j) It is unlawful to trap fox after the closed season
135 for trapping of other fur-bearing animals, except on property
136 owned or leased by the person trapping.

137 (2) It is the intent of the Legislature that the open season
138 for game birds and game animals shall be stabilized unless some
139 unforeseen calamity affecting the resource necessitates earlier
140 change.

141 **SECTION 2.** Section 49-7-33, Mississippi Code of 1972, is
142 amended as follows:

143 49-7-33. Except as otherwise provided in Section
144 49-7-31(1)(e)(viii), it is unlawful to hunt, trap or kill any wild
145 bird or wild animal of any kind with the aid of bait, recordings
146 of bird or animal calls, or electrically amplified imitations of
147 calls of any kind, except a person may use electrically amplified
148 sound devices for hunting coyote and crow. The commission, in its
149 discretion, may relax the restrictions regarding the use of lures
150 or sound devices if a condition arises or exists, as decided by
151 the State Board of Health or county board of health, that may
152 endanger persons or livestock in a certain community, county or
153 area.

154 A person may use liquid scents for any animal or bird.

155 **SECTION 3.** This act shall take effect and be in force from
156 and after July 1, 2002.

