

By: Senator(s) Posey, Dearing

To: Wildlife and Fisheries

SENATE BILL NO. 2566
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-7-21, MISSISSIPPI CODE OF 1972, TO
2 PROVIDE THAT ANY NONRESIDENT HUNTING AND TRAPPING WITHOUT A
3 LICENSE SHALL FORFEIT HUNTING OR TRAPPING PRIVILEGES FOR A
4 SPECIFIED PERIOD; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-7-21, Mississippi Code of 1972, is
7 amended as follows:

8 49-7-21. (1) (a) The licenses for hunting, trapping or
9 fishing shall be issued on a form prepared by the executive
10 director and supplied to the bonded agents authorized to issue
11 licenses. The forms shall bear the name and social security
12 number or driver's license number of the applicant. All licenses
13 shall be valid from the date of its issuance to June 30 following
14 its date. The licenses shall be issued in the name of the
15 commission and be countersigned by the bonded agent issuing same.
16 The application for a license under this chapter shall be
17 subscribed and sworn to by the applicant before an officer
18 authorized to administer oaths in this state, and for this purpose
19 the members of the commission, the executive director, sheriffs,
20 conservation officers and bonded agents are hereby authorized to
21 administer oaths, but no charge shall be made by any officer
22 employed by the commission or sheriff for the administration of
23 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 and shall forfeit hunting and trapping privileges
48 for a period of one (1) year. The nonresident shall also be
49 assessed by the court an administrative fee as prescribed under
50 subsection (6) of this section. For the second or any subsequent
51 offense a nonresident shall be fined in an amount of not less than
52 One Thousand Dollars (\$1,000.00) nor more than One Thousand Five
53 Hundred Dollars (\$1,500.00) or imprisoned in the county jail for
54 not more than thirty (30) days, or both such fine and imprisonment
55 and shall forfeit hunting and trapping privileges for a period of
56 two (2) years. The nonresident shall also be assessed by the
57 court an administrative fee as prescribed under subsection (6) of
58 this section.

59 (5) Any nonresident who fishes without the required license
60 is guilty of a misdemeanor and upon conviction shall be fined in



61 an amount not less than One Hundred Dollars (\$100.00) nor more
62 than Two Hundred Fifty Dollars (\$250.00) for the first offense.
63 For the second or any subsequent offense a nonresident shall be
64 fined in an amount not less than Two Hundred Fifty Dollars
65 (\$250.00) nor more than Five Hundred Dollars (\$500.00) and that
66 nonresident shall also be assessed by the court an administrative
67 fee as prescribed under subsection (6) of this section.

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

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

92 **SECTION 2.** This act shall take effect and be in force from
93 and after July 1, 2002.

