

By: Senator(s) Posey

To: Wildlife and Fisheries

SENATE BILL NO. 2789

1 AN ACT TO AMEND SECTION 49-7-41, MISSISSIPPI CODE OF 1972, TO  
2 ALLOW BUCKS WITH LESS THAN FOUR POINTS TO BE TAKEN IF NECESSARY TO  
3 MANAGE DEER ON DMAP LANDS; TO REQUIRE PERMIT TO TAKE SUCH BUCKS;  
4 TO REQUIRE AN ANNUAL REPORT ON THE PROGRAM; AND FOR RELATED  
5 PURPOSES.

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

7 **SECTION 1.** Section 49-7-41, Mississippi Code of 1972, is  
8 amended as follows:

9 49-7-41. (1) The commission may set the bag limits for game  
10 animals, birds and fish, unless the bag limits are established by  
11 the Legislature by statute. This subsection shall stand repealed  
12 on July 1, 2004.

13 (2) (a) The bag limit on antlered buck deer is one (1) buck  
14 per day, not to exceed three (3) per license year. An antlered  
15 buck deer must have antlers of four (4) points or greater to be  
16 taken except as provided in paragraph (2)(b).

17 (b) A buck deer with less than four (4) points may be  
18 taken by permit if it is necessary to manage deer on lands under  
19 the deer management assistance program or wildlife management  
20 areas. The department may only issue permits to clubs, landowners  
21 and wildlife management areas that are under the guidance of an  
22 approved DMAP consultant or department wildlife biologist. A  
23 written management justification must accompany any request for  
24 such permits. Any buck deer with less than four (4) points  
25 harvested under this permit must be identified with a tag  
26 immediately upon possession. Buck deer taken by permit shall not  
27 apply to the annual bag limit on antlered buck deer. The



28 department shall include a report on permits issued, to whom  
29 issued and deer harvested in the annual deer program report.

30           (3) (a) The bag limit on antlerless deer is one (1)  
31 per day, not to exceed three (3) per license year; except that two  
32 (2) additional antlerless deer per license year may be taken with  
33 a bow and arrow. Antlerless deer may be taken only in the areas  
34 prescribed by order of the commission. It is illegal to take a  
35 spotted fawn in any season.

36           (b) It is unlawful for a nonresident to kill an  
37 antlerless deer except: (i) a nonresident may take antlerless  
38 deer on lands that the title is vested in the nonresident or on  
39 lands that the nonresident has leased the hunting and fishing  
40 rights; or (ii) a nonresident who has a native son or daughter  
41 nonresident lifetime sportsman license or a resident lifetime  
42 sportsman license may take antlerless deer on private lands,  
43 wildlife management areas or national wildlife refuges.

44           (4) The bag limit on antlerless deer set by this section  
45 shall not apply to private lands under the deer management  
46 assistance program or the fee-based antlerless program as approved  
47 by the department.

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

