

By: Representatives Zuber, Guice

To: Conservation and Water Resources

HOUSE BILL NO. 939

1 AN ACT TO AMEND SECTIONS 49-15-313 AND 49-7-21, MISSISSIPPI
2 CODE OF 1972, TO PROVIDE THAT SALTWATER SPORTS FISHING LICENSES
3 SHALL BE VALID FOR A PERIOD OF TWELVE MONTHS FROM THE DATE OF
4 ISSUANCE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-15-313, Mississippi Code of 1972, is
7 amended as follows:

8 49-15-313. (1) Any resident between the ages of sixteen
9 (16) and sixty-five (65) years, as defined in Section 49-7-3,
10 fishing in the marine waters of the state, shall obtain a
11 saltwater sports fishing license for a fee of Four Dollars
12 (\$4.00). This license shall be valid in any waters south of
13 Interstate 10. Any resident citizen who is blind, paraplegic or a
14 multiple amputee, or who has been adjudged by the Veterans
15 Administration as having a total service-connected disability, or
16 has been adjudged totally disabled by the Social Security
17 Administration shall not be required to purchase or have in his
18 possession a saltwater sports fishing license while engaged in
19 such activities. Any resident exempt under this section shall
20 have on his person while fishing proof of residency and age or
21 disability.

22 (2) The commission shall prescribe the forms, types and fees
23 for nonresident saltwater sports fishing licenses except that the
24 fee for a nonresident saltwater sports fishing license shall not
25 be less than Twenty Dollars (\$20.00). Saltwater sports fishing
26 licenses shall be valid for a period of twelve (12) months from
27 the date of issuance. The commission shall require a nonresident
28 to purchase a nonresident freshwater fishing license and a



29 nonresident saltwater sports fishing license if the nonresident's
30 state requires both licenses for a nonresident to fish in its
31 marine waters.

32 (3) All resident vessels engaged in charter boat fishing,
33 party boat fishing, head boat and guide boat fishing shall be
34 issued a separate annual license by the commission at a fee of Two
35 Hundred Dollars (\$200.00). All nonresident vessels engaged in
36 charter boat fishing, party boat fishing, headboat and guide boat
37 fishing shall be issued a separate annual license by the
38 commission. The commission shall set the fees for nonresident
39 vessel licenses as provided in Section 49-15-30. Crew members and
40 customers of the licensed vessels shall not be required to
41 purchase an individual resident or nonresident saltwater fishing
42 license while sponsored by the licensed vessels. An operator of a
43 licensed vessel shall be required to report the number of
44 customers to the department as required by the commission and the
45 information shall be kept confidential and shall not be released,
46 except to other fisheries management agencies or as statistical
47 data. All nonresident vessels engaged in saltwater sport fishing
48 tournaments, not to exceed an aggregate of twenty (20) days per
49 calendar year, shall not be required to purchase an annual license
50 as provided under this subsection.

51 (4) The saltwater sports fishing license is required for all
52 recreational methods of finfish harvest.

53 (5) Any resident who purchases a lifetime sportsman's
54 license, in accordance with Section 49-7-153, shall be entitled to
55 fish in the marine salt waters of the state and shall be exempt
56 from the purchase of a sport saltwater fishing license.

57 (6) Any person authorized to issue a license may collect and
58 retain, for each saltwater fishing license issued, the additional
59 fee authorized under Section 49-7-17.

60 (7) The fees collected from the sale of resident and
61 nonresident saltwater sports fishing licenses shall be deposited



62 into the Seafood Fund and shall be used solely for the management
63 of marine resources.

64 (8) Participants in the Very Special Fishing Olympics are
65 exempt from this section.

66 (9) July 4 of each year is designated as "Free Saltwater
67 Sports Fishing Day." Any person may saltwater sport fish without
68 a license on the "Free Saltwater Sports Fishing Day."

69 **SECTION 2.** Section 49-7-21, Mississippi Code of 1972, is
70 amended as follows:

71 49-7-21. (1) (a) The licenses for hunting, trapping or
72 fishing shall be issued on a form prepared by the executive
73 director and supplied to the bonded agents authorized to issue
74 licenses. The forms shall bear the name and social security
75 number or driver's license number of the applicant. All licenses,
76 except the saltwater sports fishing license, shall be valid from
77 the date of its issuance to June 30 following its date. Saltwater
78 sports fishing licenses shall be valid for a period of twelve (12)
79 months from the date of issuance. The licenses shall be issued in
80 the name of the commission and be countersigned by the bonded
81 agent issuing same. The application for a license under this
82 chapter shall be subscribed and sworn to by the applicant before
83 an officer authorized to administer oaths in this state, and for
84 this purpose the members of the commission, the executive
85 director, sheriffs, conservation officers and bonded agents are
86 hereby authorized to administer oaths, but no charge shall be made
87 by any officer employed by the commission or sheriff for the
88 administration of the oath.

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

91 (c) The commission may design, establish, and
92 administer a program to provide for the purchase, by electronic
93 means, of any license, permit, registration or reservation issued
94 by the commission or department.



95 (2) Any person authorized to issue licenses for hunting,
96 trapping or fishing in this state who attempts to issue a license
97 on a form other than one as prescribed by this section, or
98 attempts to prepare a license certificate in any manner other than
99 on the form prescribed by this section, and furnished by the
100 executive director, is guilty of a Class II violation, and shall
101 be punished as provided in Section 49-7-143, Mississippi Code of
102 1972, and the person convicted shall be forever barred from
103 issuing licenses in the State of Mississippi.

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

108 (4) Any nonresident, who hunts or traps without the required
109 license is guilty of a misdemeanor and upon conviction thereof
110 shall be fined in an amount not less than Five Hundred Dollars
111 (\$500.00) nor more than One Thousand Dollars (\$1,000.00) for the
112 first offense and shall forfeit hunting and trapping privileges
113 for a period of one (1) year. The nonresident shall also be
114 assessed by the court an administrative fee as prescribed under
115 subsection (6) of this section. For the second or any subsequent
116 offense a nonresident shall be fined in an amount of not less than
117 One Thousand Dollars (\$1,000.00) nor more than One Thousand Five
118 Hundred Dollars (\$1,500.00) or imprisoned in the county jail for
119 not more than thirty (30) days, or both such fine and imprisonment
120 and shall forfeit hunting and trapping privileges for a period of
121 two (2) years. The nonresident shall also be assessed by the
122 court an administrative fee as prescribed under subsection (6) of
123 this section.

124 (5) Any nonresident who fishes without the required license
125 is guilty of a misdemeanor and upon conviction shall be fined in
126 an amount not less than One Hundred Dollars (\$100.00) nor more
127 than Two Hundred Fifty Dollars (\$250.00) for the first offense.



128 For the second or any subsequent offense a nonresident shall be
129 fined in an amount not less than Two Hundred Fifty Dollars
130 (\$250.00) nor more than Five Hundred Dollars (\$500.00) and that
131 nonresident shall also be assessed by the court an administrative
132 fee as prescribed under subsection (6) of this section.

133 (6) In addition to any other fines or penalties imposed
134 under subsection (4) or (5) of this section, any person convicted
135 for a violation of subsection (3) of this section shall be
136 assessed by the court an administrative fee equal in amount to the
137 cost of the hunting, trapping or fishing license fee that such
138 person unlawfully failed to possess at the time of the violation,
139 the amount of which license fee shall be entered upon the ticket
140 or citation by the charging officer at the time the ticket or
141 citation is issued. The clerk of the court in which conviction
142 for a violation of subsection (3) of this section takes place,
143 promptly shall collect all administrative fees imposed under this
144 subsection and deposit them monthly with the State Treasurer, in
145 the same manner and in accordance with the same procedure, as
146 nearly as practicable, as required for the collection, receipt and
147 deposit of state assessments under Section 99-19-73. However, all
148 administrative fees collected under the provisions of this
149 subsection shall be credited by the State Treasurer to the account
150 of the Department of Wildlife, Fisheries and Parks, and may be
151 expended by the department upon appropriation by the Legislature.

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

157 **SECTION 3.** This act shall take effect and be in force from
158 and after July 1, 2003.

