

By: Representative Hudson

To: Game and Fish

HOUSE BILL NO. 1078

1 AN ACT TO AMEND SECTION 49-7-45, MISSISSIPPI CODE OF 1972, TO  
2 PROVIDE THAT IT IS UNLAWFUL FOR ANY PERSON TO SNARE, TRAP, CATCH  
3 OR CAPTURE ANY DEER, IN OR OUT OF SEASON; TO PRESCRIBE PENALTIES  
4 FOR VIOLATIONS; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-7-45, Mississippi Code of 1972, is  
7 amended as follows:

8 49-7-45. (1) It is unlawful for any person:

9 (a) (i) To hunt, chase, kill or to pursue with the  
10 intent to take, kill or wound any wild animal or wild bird in  
11 violation of this chapter;

12 (ii) To hunt, take, kill or wound any game animal  
13 or game bird with a gun larger than 10 gauge;

14 (iii) To hunt, take, wound or shoot at any game  
15 bird:

16 (A) From any motorboat or other craft having  
17 a motor attached unless the motor has been completely shut off and  
18 its progress has ceased. A craft under power may be used to  
19 retrieve dead or crippled birds; however, crippled birds may not  
20 be shot from a craft under power; or

21 (B) From any sinkbox or battery except in  
22 waters of the Gulf Coast.

23 (b) To wound, drown, shoot, capture, take or otherwise  
24 kill any deer from a boat.

25 (c) To lend or transfer or borrow or to use or display  
26 while hunting, trapping or fishing, a license or tag of another.



27           (d) To aid in the securing of a license for or to  
28 knowingly issue a license for any person not legally entitled to  
29 same.

30           (e) To hunt, trap or fish in this state after the right  
31 to do so has been denied by the commission or the license therefor  
32 has been revoked.

33           (f) To hunt or trap any birds, game or wild animals  
34 during the closed season.

35           (g) To snare, trap, catch or capture any deer, in or  
36 out of season.

37           (h) Any person violating paragraphs (b), (f) or (g) is  
38 guilty of a Class II offense and shall be punished as provided in  
39 Section 49-7-143.

40           (2) Any citation issued to a boat operator for not  
41 registering or possessing the boat's registration card shall be  
42 dismissed, along with all related court costs if the boat operator  
43 can verify that the boat was properly registered prior to the date  
44 of violation. A boat operator may submit a copy of his or her  
45 boat's proper registration card, certified by the clerk or  
46 magistrate of the court holding the trial or hearing, along with  
47 all related court costs, to the court or magistrate before the  
48 date of the trial or hearing and the citation shall be dismissed  
49 under this subsection without the boat operator or the boat  
50 operator's counsel being present.

51           **SECTION 2.** This act shall take effect and be in force from  
52 and after July 1, 2003.

