

By: Representative Hudson

To: Game and Fish

HOUSE BILL NO. 1089

1 AN ACT TO AMEND SECTION 49-7-3, MISSISSIPPI CODE OF 1972, TO
2 AUTHORIZE THE ISSUANCE OF RESIDENT HUNTING AND FISHING LICENSES TO
3 OUT-OF-STATE MILITARY PERSONNEL WHO WERE BORN IN MISSISSIPPI OR
4 HAVE RELATIVES RESIDING IN THE STATE; AND FOR RELATED PURPOSES.

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

6 **SECTION 1.** Section 49-7-3, Mississippi Code of 1972, is
7 amended as follows:

8 49-7-3. (1) Any resident of the State of Mississippi shall
9 be entitled to receive a resident fishing license.

10 (2) Any person domiciled within the State of Mississippi
11 shall be entitled to receive a resident hunting license provided
12 in Section 49-7-5. The domicile of a person is that person's
13 principal or primary home or place of abode. A "principal or
14 primary home or place of abode" is that home or place in which a
15 person's habitation is fixed and to which he, whenever absent, has
16 the present intention of returning after a departure of absence
17 therefrom, regardless of the duration of the absence. The burden
18 of proving domicile shall be on the person claiming such status.
19 The following evidence or other reliable evidence may be
20 considered in establishing, but is not necessarily determinative
21 of, domicile: driver's license, residence for income or other tax
22 purposes, homestead exemption receipt, or any other means
23 prescribed by the department. In the case of minors, domicile of
24 the parents shall be used as evidence of the minor's domicile.

25 (3) A nondomiciliary of the state may be issued a resident
26 hunting or fishing license or combination resident hunting/fishing
27 license upon providing the following:



28 (a) A current identification card from a Mississippi
29 college or university; or

30 (b) A current military identification card showing that
31 the person is an active member of the Armed Forces (excluding
32 Reserves and the National Guard) and proof that the person is
33 stationed on a military base in Mississippi; or

34 (c) A current military identification card showing that
35 the person is an active member of the Armed Forces (excluding
36 Reserves and the National Guard) who is stationed on a military
37 base outside of Mississippi and proof that the person was born in
38 Mississippi or currently has one or more relatives residing in
39 Mississippi. For the purposes of this paragraph (c), the term
40 "relative" means any person related by blood or marriage within
41 the third degree, computed by the rule of the civil law.

42 (4) A holder of a resident or nonresident license is
43 required to carry the license on his person while engaged in
44 hunting, trapping or fishing. Any penalty for not carrying a
45 license while engaged in hunting, trapping or fishing shall be
46 waived if the person can verify purchase of a license prior to the
47 date of the violation.

48 (5) Each application or filing made under this section shall
49 include the Social Security number(s) of the applicant in
50 accordance with Section 93-11-64.

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

