

By: Senator(s) Posey

To: Wildlife, Fisheries and
Parks

SENATE BILL NO. 2846

1 AN ACT TO CREATE SECTION 49-7-33.1, MISSISSIPPI CODE OF 1972,
2 TO ALLOW THE HUNTING OF DEER WITH FEEDERS; TO PRESCRIBE
3 RESTRICTIONS ON SUCH HUNTING; TO AUTHORIZE THE COMMISSION ON
4 WILDLIFE, FISHERIES AND PARKS TO REGULATE AND ESTABLISH FEES FOR
5 SUCH FEEDERS; TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF 1972,
6 TO CONFORM; AND FOR RELATED PURPOSES.

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

8 **SECTION 1.** The following section shall be codified as

9 Section 49-7-33.1, Mississippi Code of 1972:

10 49-7-33.1. (1) The department shall allow the feeding of
11 game by feeders and shall issue permits for feeders each year for
12 the entire year. For the purposes of this section, the term "game
13 feeder" shall mean only a spin cast, broadcast or covered game
14 feeder.

15 (2) All permits issued shall be dated when issued and shall
16 authorize the individual named on the permit to operate a game
17 feeder for the feeding of game during hunting season or for one
18 (1) license year. The permits shall be numbered consecutively.
19 The department shall keep a correct and complete record of all
20 permits issued and shall be open to inspection by the public at
21 all reasonable times.

22 (3) Any person may procure a separate permit to operate each
23 game feeder by filing an application stating his or her name, age,
24 place of residence and mailing address, the county in which the
25 feeder will be located and any other information the department
26 requires. The individual receiving a permit shall be issued a
27 numbered decal to be placed on the game feeder to correspond with
28 the number of the permit.

29 (4) The use of each feeder permitted pursuant to this
30 section shall be subject to the following restrictions:

31 (a) The contents of a game feeder shall contain at
32 least sixteen percent (16%) protein.

33 (b) No game feeder permit shall be issued to be
34 operated upon any privately owned land without the written consent
35 of the owner or individual in lawful possession of the land.

36 (c) No feeder may be placed within five hundred (500)
37 feet of a public road.

38 (d) Each feeder shall be located within two hundred
39 (200) yards of a prepared seedbed food plot or green field during
40 the deer season and the field shall be at least one-fourth (1/4)
41 of an acre in size.

42 (e) Each feeder shall be located at least three (300)
43 feet from any adjacent property line.

44 (f) Feeders used on property during deer season may be
45 hunted over, if the hunter is a minimum of one hundred (100) yards
46 from the feeder and the feeder is out of the hunter's line of
47 sight.

48 (4) The commission may promulgate rules and regulations to
49 implement this section and may establish fees for feeder permits
50 and decals for each feeder. In addition to this authority, the
51 commission may suspend the use of feeders or prohibit their use
52 because of disease or any other cause if the deer population is
53 threatened.

54 (5) A violation of this section constitutes a Class II
55 violation and is punishable as provided in Section 49-7-143 and,
56 in addition, a person convicted of violating this section shall
57 forfeit his hunting, fishing and trapping privileges for the
58 remainder of the license year.

59 **SECTION 2.** Section 49-7-33, Mississippi Code of 1972, is
60 amended as follows:

61 49-7-33. (1) It is unlawful to hunt, trap or kill any wild
62 bird or wild animal of any kind with the aid of bait, recordings
63 of bird or animal calls, or electrically amplified imitations of
64 calls of any kind, except a person:

65 (a) May use electrically amplified sound devices for
66 hunting coyote and crow;

67 (b) May use liquid scents for any animal or bird; and

68 (c) May hunt deer with the aid of feeders on privately
69 owned or leased lands as provided in Section 49-7-33.1.

70 (2) The commission, in its discretion, may relax the
71 restrictions regarding the use of lures or sound devices if a
72 condition arises or exists, as decided by the State Board of
73 Health or county board of health, that may endanger persons or
74 livestock in a certain community, county or area.

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76 **SECTION 3.** This act shall take effect and be in force from
77 and after July 1, 2005.