

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
ParksHOUSE BILL NO. 698
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-7-20.1, MISSISSIPPI CODE OF 1972,
2 TO PROVIDE AN EXCEPTION TO HUNTER EDUCATION REQUIREMENTS FOR
3 CHILDREN BETWEEN AGES OF 12 AND 16; TO AMEND SECTION 49-7-5,
4 MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSION ON WILDLIFE,
5 FISHERIES AND PARKS TO ISSUE A RESIDENT APPRENTICE HUNTING LICENSE
6 FOR RESIDENTS WITHOUT HUNTER EDUCATION CERTIFICATE; TO AMEND
7 SECTION 49-7-20, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR
8 RELATED PURPOSES.

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

10 **SECTION 1.** Section 49-7-20.1, Mississippi Code of 1972, is
11 amended as follows:

12 49-7-20.1. (1) (a) To reduce hunting accidents of children
13 under license age, to protect the safety of these children and to
14 promote hunter safety, a child at least twelve (12) years of age
15 and under sixteen (16) years of age must have a certificate of
16 satisfactory completion of a hunter education course approved by
17 the department before hunting in this state.

18 (b) A child at least twelve (12) years of age and under
19 sixteen (16) years of age may hunt without having the certificate
20 of hunter education required under this subsection if the child is
21 in the presence and under the direct supervision of a licensed or
22 exempt resident hunter at least twenty-one (21) years of age when
23 hunting.

24 (2) A child under the age of twelve (12) must be in the
25 presence and under the direct supervision of a licensed or exempt
26 resident hunter at least twenty-one (21) years of age when the
27 child is hunting.

28 (3) There is no penalty for a violation of this section, but
29 to protect the safety of the child a conservation officer may

30 require the child to end the hunt and may unload the firearm and
31 may take the firearm and the child to an adult.

32 **SECTION 2.** Section 49-7-5, Mississippi Code of 1972, is
33 amended as follows:

34 49-7-5. (1) (a) Any resident, as defined in Section
35 49-7-3, upon application, shall receive a combination resident
36 hunting and fishing license for the sum of Seventeen Dollars
37 (\$17.00). Such license shall qualify the licensee to hunt under
38 this chapter all game and fowl, including deer and turkey, and to
39 fish in any county of the state.

40 (b) Any resident, as defined in Section 49-7-3, upon
41 application, shall receive a resident combination small game
42 hunting and fishing license for the sum of Thirteen Dollars
43 (\$13.00) together with the fee provided in Section 49-7-17 to the
44 office or agent issuing such license. Such hunting license shall
45 qualify the licensee to hunt and fish under this chapter all game
46 and fowl, except deer and turkey, in any county in the state.

47 (c) Any resident of the State of Mississippi, as
48 defined in Section 49-7-3, upon application, shall receive a
49 resident small game license, and for it shall pay the issuing
50 officer or agent the sum of Thirteen Dollars (\$13.00), together
51 with the fee provided in Section 49-7-17 to the officer or agent
52 issuing such license. Such hunting license shall qualify the
53 person holding the same to hunt under the provisions of this
54 chapter, and in season, all game and fowl, except deer and turkey,
55 in any county in the state.

56 (d) Any resident, as defined in Section 49-7-3, upon
57 application, shall receive a sportsman's license for the sum of
58 Thirty-two Dollars (\$32.00). Such license shall qualify the
59 licensee to hunt under this chapter all game and fowl, including
60 deer and turkey, and to fish as provided by law, in any county in
61 the state, and to hunt using primitive weapons and bow and arrow
62 in the manner provided by law. The commission may notify the

63 licensee of the expiration of his license, and the licensee may
64 renew the license by mailing the sum of Thirty-two Dollars
65 (\$32.00) to the commission. A licensee who has not renewed the
66 license within thirty (30) days after the expiration date shall be
67 removed from the commission's records, and the licensee must apply
68 to be placed on the renewal list.

69 (e) In addition to a hunting license allowing the
70 taking of turkey, a resident who hunts turkey during a fall turkey
71 season must purchase a fall turkey hunting permit for a fee of
72 Five Dollars (\$5.00) plus the fee provided in Section 49-7-17. A
73 resident sportsman's licensee or resident lifetime sportsman
74 licensee may hunt during the fall turkey season without purchasing
75 a permit.

76 (f) The commission may offer a resident apprentice
77 hunting license for a resident who does not have the required
78 certificate of hunter education and may set the fee for the
79 apprentice hunting license. An apprentice license may be
80 purchased only one (1) time by a resident and the apprentice
81 hunting licensee must be accompanied by a licensed or exempt
82 resident hunter at least twenty-one (21) years of age when
83 hunting.

84 (2) (a) Any resident citizen of the State of Mississippi
85 who has not reached the age of sixteen (16) years or who has
86 reached the age of sixty-five (65) years, or any resident citizen
87 who is blind, paraplegic, or a multiple amputee, or who has been
88 adjudged by the Veterans Administration as having a total
89 service-connected disability, or has been adjudged to be totally
90 disabled by the Social Security Administration shall not be
91 required to purchase or have in his possession, a hunting or
92 fishing license while engaged in such activities. A person exempt
93 by reason of total service-connected disability, as adjudged by
94 the Veterans Administration or who has been adjudged to be totally
95 disabled by the Social Security Administration or who is blind,

96 paraplegic or a multiple amputee, shall have in their possession
97 and on their person proof of their age, residency, disability
98 status or other respective physical impairment while engaged in
99 the activities of hunting or fishing.

100 (b) All exempt hunting and fishing licenses previously
101 issued for disabilities shall be null and void effective July 1,
102 1993.

103 (c) The commission may offer a youth all-game hunting
104 and fishing license for exempt youths who have a hunter education
105 certificate and an all-game hunting and fishing license for other
106 persons exempted under paragraph (a). Youths and other exempt
107 persons shall not be required to purchase this license or have it
108 in possession while hunting or fishing. The commission may
109 establish a fee not to exceed Five Dollars (\$5.00) for such
110 licenses.

111 (3) No license shall be required of residents to hunt, fish
112 or trap on lands in which the record title is vested in such
113 person.

114 (4) Any person or persons exempt under this section from
115 procuring a license shall be subject to and must comply with all
116 other terms and provisions of this chapter.

117 (5) Any person authorized to issue any license under this
118 section may collect and retain for the issuance of each license
119 the additional fee authorized under Section 49-7-17.

120 **SECTION 3.** Section 49-7-20, Mississippi Code of 1972, is
121 amended as follows:

122 49-7-20. (1) It is unlawful for any person born on or after
123 January 1, 1972, to procure any Mississippi hunting license,
124 except a resident apprentice hunting license, unless the person
125 has been issued certification of satisfactory completion of a
126 hunter education course approved by the department.

127 (2) It is unlawful for any person to issue any Mississippi
128 hunting license, except a resident apprentice hunting license, to

129 any person born on or after January 1, 1972, unless the purchaser
130 has provided valid certification of satisfactory completion of a
131 hunter education course approved by the department.

132 (3) It is unlawful for any person to fraudulently obtain a
133 hunter education certification.

134 (4) The department may revoke any hunting license or hunter
135 education certification upon determination that the holder was not
136 entitled to issuance or obtained the license or certification by
137 any fraudulent means.

138 **SECTION 4.** This act shall take effect and be in force from
139 and after July 1, 2006.