

By: Representative Robinson (84th)

To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 911
(As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-7-31.5, MISSISSIPPI CODE OF 1972,
2 TO ALLOW LANDOWNERS TO TAKE NUISANCE ANIMALS, ON PROPERTY OWNED OR
3 LEASED BY THEM, WITH ANY WEAPON, WITH OR WITHOUT THE AID OF LIGHT
4 WITH A PERMIT ISSUED BY THE DEPARTMENT OF WILDLIFE, FISHERIES AND
5 PARKS; TO AUTHORIZE THE HUNTING OF NUISANCE ANIMALS WITH
6 ELECTRONIC CALLS AND BAIT, SUBJECT TO CERTAIN EXCEPTIONS; TO
7 EXEMPT THE LANDOWNERS FROM THE LICENSE REQUIREMENTS TO HUNT OR
8 TRAP NUISANCE ANIMALS ON THEIR OWN PROPERTY; TO REQUIRE AGENTS OF
9 LANDOWNERS HUNTING OR TRAPPING NUISANCE ANIMALS TO POSSESS A
10 HUNTING OR TRAPPING LICENSE UNLESS OTHERWISE EXEMPT; TO REQUIRE
11 THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO ESTABLISH THE
12 RULES AND REGULATIONS ON NUISANCE ANIMALS; TO AUTHORIZE THE SALE
13 OF THE MEAT AND HIDE OF NUISANCE ANIMALS; TO PROHIBIT THE TRAPPING
14 AND RELEASE OF WILD HOGS IN DIFFERENT LOCATIONS AND TO PRESCRIBE
15 PENALTIES FOR VIOLATIONS; TO REQUIRE THE WEARING OF HUNTER ORANGE
16 WHEN HUNTING WILD HOGS DURING ANY OPEN GUN SEASON ON DEER; TO
17 AMEND SECTION 49-7-1, MISSISSIPPI CODE OF 1972, TO ADD FOX AND
18 SKUNKS TO THE CLASS OF NUISANCE ANIMALS; TO AMEND SECTION 49-7-33,
19 MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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

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

23 49-7-1. For the purposes of this chapter, the following
24 definitions and interpretations shall govern unless otherwise
25 provided:

26 (a) The following wild animals are classed as game:
27 bear, white-tailed deer, rabbits and squirrels.

28 (b) The following wild animals are classed as
29 fur-bearing animals: muskrats, opossums, otters, * * * weasels,
30 minks, raccoons and bobcats.

31 (c) The following wild animals are classed as nuisance
32 animals: wild hogs, nutria, beaver, fox, skunks and coyote * * *.

33 (d) All freshwater fish in the following families are
34 classed as game fish: Sunfish family (Centrarchidae) - including
35 largemouth bass (Micropterus salmoides), smallmouth bass

36 (Micropterus dolomieu), spotted bass (Micropterus punctulatus),
37 white crappie (Pomoxis annularis), black crappie (Pomoxis
38 nigromaculatus), redear sunfish (Lepomis microlophus), bluegill
39 (Lepomis macrochirus), warmouth (Lepomis gulosus), green sunfish
40 (Lepomis cyanellus), longear sunfish (Lepomis megalotis),
41 redbreast sunfish (Lepomis auritus) and shadow bass (Ambloplites
42 ariommus); Perch family (Percidae) - including walleye
43 (Stizostedion vitreum), sauger (Stizostedion canadense) and yellow
44 perch (Perca flavescens); Pike family (Esocidae) - including
45 redbfin pickerel (Esox americanus americanus), grass pickerel (Esox
46 americanus vermiculatus), chain pickerel (Esox niger); Temperate
47 bass family (Moronidae) including - white bass (Morone chrysops),
48 yellow bass (Morone mississippiensis), striped bass (Morone
49 saxatilis) and hybrid striped bass (Morone chrysops x Morone
50 saxatilis and/or Morone saxatilis x Morone chrysops).

51 The following fish are classed as nongame gross fish: in the
52 Herring family (Clupeidae) - gizzard shad (Dorosoma cepedianum),
53 threadfin shad (Dorosoma petenense); in the Catfish family
54 (Ictaluridae) - channel catfish (Ictalurus punctatus), blue
55 catfish (Ictalurus furcatus), flathead catfish (Pylodictus
56 olivaris), yellow bullhead (Ameiurus natalis), black bullhead
57 (Ameiurus melas), brown bullhead (Ameiurus nebulosus); in the Gar
58 family - spotted gar (Lepisosteus oculatus), longnose gar
59 (Lepisosteus osseus), shortnose gar (Lepisosteus platostomus),
60 alligator gar (Atractosteus spatula); in the Eel family
61 (Anguillidae) - American eel (Anguilla rostrata); in the Bowfin
62 family (Amiidae) - bowfin (Amia calva); in the Paddlefish family
63 (Polyodontidae) - paddlefish (Polyodon spathula); in the Minnow
64 family (Cyprinidae) - common carp (Cyprinus carpio); in the Sucker
65 family (Catostomidae) - river carpsucker (Carpoides carpio),
66 quillback (Carpoides cyprinus), highfin carpsucker (Carpoides
67 velifer), spotted sucker (Minytrema melanops), blacktail redhorse
68 (Moxostoma poecilurum), smallmouth buffalo (Ictiobus bubalus),

69 bigmouth buffalo (*Ictiobus cyprinellus*), black buffalo (*Ictiobus*
70 *niger*); in the Drum family (*Sciaenidae*) - freshwater drum
71 (*Aplodinotus grunniens*).

72 All fish native to Mississippi that are not classed as game
73 fish or nongame gross fish are classed as nongame fish.

74 All fish native to foreign countries and all fish native to
75 the United States but not native to Mississippi are classed as
76 nonnative fish.

77 (d) The following are classed as game birds: geese,
78 brant ducks, rails, coots, snipe, gallinules, moorhens, woodcock,
79 crow, mergansers, wild turkey, quail and doves.

80 All other species of wild resident or migratory birds are
81 classed as nongame birds.

82 (e) Closed season: the time during which birds,
83 animals or fish may not be taken.

84 (f) Open season: the time during which birds, animals
85 or fish may be lawfully taken.

86 (g) "Commission" means the Mississippi Commission on
87 Wildlife, Fisheries and Parks.

88 (h) "Department" means the Mississippi Department of
89 Wildlife, Fisheries and Parks.

90 (i) "Executive director" means the Executive Director
91 of the Department of Wildlife, Fisheries and Parks.

92 **SECTION 2.** Section 49-7-31.5, Mississippi Code of 1972, is
93 amended as follows:

94 49-7-31.5. (1) * * * The hunting, trapping and taking
95 of * * * nuisance animals shall be regulated by the * * *
96 commission. The commission may adopt regulations to regulate the
97 hunting, trapping and taking of nuisance animals and to control
98 the population of nuisance animals.

99 (2) (a) Landowners, agricultural leaseholders or their
100 designated agents may take predatory and nuisance animals
101 year-round on lands owned or leased by them.

102 (b) Landowners, agricultural leaseholders or their
103 designated agents may take nuisance animals with any type of
104 weapon and may take nuisance animals during the night after legal
105 hunting hours on lands owned or leased by them with a permit
106 issued by the department.

107 (c) No license is required for a resident landowner
108 hunting or trapping nuisance animals on his own land. An
109 agricultural leaseholder, designated agent and any other person
110 must possess either an all-game hunting license or trapping
111 license, unless otherwise exempt.

112 (3) The taking of any animal or animals other than nuisance
113 animals by the use of a trap or traps is unlawful except during
114 the time the season is open for the taking of fur-bearing animals.

115 (4) Nuisance animals may be run, chased or pursued with
116 dogs, except as provided in Section 49-7-32, year-round by
117 licensed hunters.

118 * * *

119 (5) Nuisance animals may be hunted with the aid of
120 electronic calls.

121 (6) Nuisance animals may be hunted or trapped with the aid
122 of bait and lures, on private lands, according to regulations
123 adopted by the commission.

124 (7) Any part of a nuisance animal may be bought and sold
125 year-round.

126 (8) (a) Wild hogs may not be caught or trapped and released
127 into the wild at a location different from the location where the
128 wild hog was caught or trapped.

129 (b) A violation of this subsection is a Class I
130 violation and is punishable as provided under Section 49-7-141.

131 (9) When hunting wild hogs during any open gun season on
132 deer, a hunter must wear in full view at least five hundred (500)
133 square inches of solid unbroken fluorescent orange.

134 **SECTION 3.** Section 49-7-33, Mississippi Code of 1972, is
135 amended as follows:

136 49-7-33. (1) It is unlawful to hunt, trap or kill any wild
137 bird or wild animal of any kind with the aid of bait, recordings
138 of bird or animal calls, or electrically amplified imitations of
139 calls of any kind, except a person:

140 (a) May use electrically amplified sound devices for
141 hunting * * * crow;

142 (b) May use liquid scents for any animal or bird; * * *

143 (c) May use lures for trapping fur-bearing
144 animals, * * * according to regulations adopted by the commission;
145 and

146 (d) May take nuisance animals as provided in Section
147 49-7-31.5.

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

153 * * *

154 **SECTION 4.** This act shall take effect and be in force from
155 and after its passage.