

By: Senator(s) Seymour, Whaley, McCaughn, Tate, Younger, DeLano, Barnett, Suber, Carter, Wiggins, McLendon, Chism, England, Hill, Jackson (32nd), Boyd, Fillingane, DeBar, McMahan, Butler, McDaniel

To: Wildlife, Fisheries and Parks; Judiciary, Division A

SENATE BILL NO. 2219

1 AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972,  
2 TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC  
3 ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-15-13, Mississippi Code of 1972, is  
6 amended as follows:

7 97-15-13. (1) \* \* \* For purposes of this section, the  
8 following terms shall have the meanings ascribed to them herein:

9 (a) "Right-of-way" means that part of a street, public  
10 road, public highway, levee or railroad maintained by a city,  
11 county, levee board, state or federal entity or railroad  
12 corporation and including that portion up to the adjacent property  
13 line or fence line.

14 \* \* \*

15 ( \* \* \*b) "Firearm" means any firearm other than a  
16 handgun.



17 ( \* \* \* c) "Hunt" or "hunting" means to \* \* \* attempt to  
18 shoot at \* \* \* with the intent to take, kill or wound any wild  
19 animal or wild bird with a firearm as defined in this subsection.

20 \* \* \*

21 (d) "Possession" means a person has a firearm in his  
22 hands or a firearm is on the external surface of a vehicle being  
23 used by the person.

24 ( \* \* \* 2) If any person hunts with a firearm in his  
25 possession, or discharges any firearm in, on or across any street,  
26 public road, public highway, levee, railroad or the right-of-way  
27 thereof, such person is guilty of a misdemeanor and, upon  
28 conviction, shall be punished by a fine not less than One Hundred  
29 Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or  
30 by imprisonment in the county jail for not less than sixty (60)  
31 days nor more than six (6) months, or by both such fine and  
32 imprisonment. This subsection shall not apply to any law  
33 enforcement officer while in the performance of his official duty  
34 or to any person engaged in a lawful action of self-defense. It  
35 shall not be a violation of this section to lawfully be in  
36 possession of a firearm in a motor vehicle, or to ingress or  
37 egress from a motor vehicle parked on a right-of-way to lawfully  
38 access a site off the right-of-way or return from a lawfully  
39 accessed site off the right-of-way. The provisions of this  
40 subsection shall not apply to any person engaged in a lawful  
41 action to protect his property or livestock.



42 ( \* \* \*3) If any person shall willfully shoot any firearms  
43 or hurl any missile at any street, highway or railroad traffic  
44 light; street, highway or railroad marker or other sign for the  
45 regulation or designation of street, highway or railroad travel,  
46 such person, upon conviction, shall be fined not less than One  
47 Hundred Dollars (\$100.00) nor more than Five Hundred Dollars  
48 (\$500.00), or be imprisoned not longer than thirty (30) days in  
49 the county jail, or both.

50 ( \* \* \*4) It shall be the duty of all sheriffs, deputy  
51 sheriffs, constables, conservation officers and peace officers of  
52 this state to enforce the provisions of this section.

53 ( \* \* \*5) If any subsection, paragraph, sentence, clause,  
54 phrase or any part of this section is hereafter declared to be  
55 unconstitutional or void, or if for any reason is declared to be  
56 invalid or of no effect, the remaining subsections, paragraphs,  
57 sentences, clauses, phrases or parts thereof shall be in no manner  
58 affected thereby but shall remain in full force and effect.

59 **SECTION 2.** This act shall take effect and be in force from  
60 and after July 1, 2020.

