

By: Representatives Kinkade, Anderson
(122nd), Carpenter, Keen, Mattox, Powell,
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To: Wildlife, Fisheries and
Parks

HOUSE BILL NO. 1298

1 AN ACT TO ESTABLISH THE MISSISSIPPI WILD TURKEY STAMP; TO
2 DEFINE CERTAIN TERMS RELATING TO THE WILD TURKEY STAMP; TO PROVIDE
3 THAT IT IS UNLAWFUL FOR ANY PERSON SIXTEEN YEARS OF AGE OR OLDER
4 TO HUNT OR TAKE ANY WILD TURKEY WITHIN THIS STATE WITHOUT FIRST
5 PROCURING A STATE WILD TURKEY STAMP OR ITS ELECTRONIC EQUIVALENT;
6 TO PROVIDE THAT ANY PENALTY FOR NOT HAVING THE WILD TURKEY STAMP
7 IN POSSESSION WHILE ENGAGED IN HUNTING OR TAKING WILD TURKEY SHALL
8 BE WAIVED IF THE PERSON CAN VERIFY PURCHASE OF A WILD TURKEY STAMP
9 PRIOR TO THE DATE OF THE VIOLATION; TO REQUIRE THE COMMISSION ON
10 WILDLIFE, FISHERIES AND PARKS TO DETERMINE THE FORM OF THE WILD
11 TURKEY STAMP AND THE ELECTRONIC EQUIVALENT OF SUCH STAMP; TO
12 PROVIDE THE FEE FOR A RESIDENT AND NONRESIDENT WILD TURKEY STAMP;
13 TO PROVIDE THAT ALL REVENUE FROM THE SALE OF WILD TURKEY STAMPS
14 SHALL BE USED FOR PROJECTS APPROVED BY THE COMMISSION; TO
15 AUTHORIZE THE COMMISSION TO ENTER INTO RECIPROCAL AGREEMENTS WITH
16 OTHER STATES HAVING A WILD TURKEY STAMP; TO PROVIDE PENALTIES FOR
17 A VIOLATION OF THIS ACT; TO BRING FORWARD SECTIONS 49-7-1, 49-7-5
18 AND 49-7-26, MISSISSIPPI CODE OF 1972, FOR PURPOSE OF POSSIBLE
19 AMENDMENT; AND FOR RELATED PURPOSES.

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

21 **SECTION 1.** For purposes of this act, the following terms
22 have the meanings as described in this section, unless the context
23 clearly requires otherwise:

24 (a) "Commission" means the Mississippi Commission on
25 Wildlife, Fisheries and Parks.



26 (b) "Stamp" means the state wild turkey stamp, or the
27 electronic equivalent of such stamp furnished by the commission.

28 **SECTION 2.** (1) It is unlawful for any person sixteen (16)
29 years of age or older to hunt or take any wild turkey within this
30 state without first procuring a state wild turkey stamp or its
31 electronic equivalent, and having the stamp or proof of purchase
32 of the electronic equivalent in his or her possession while
33 hunting or taking any wild turkey.

34 Any penalty for not having the wild turkey stamp in
35 possession while engaged in hunting or taking wild turkey shall be
36 waived if the person can verify purchase of a wild turkey stamp
37 prior to the date of the violation.

38 (2) Each wild turkey stamp shall be validated by the
39 signature of the licensee written across the face of the stamp or
40 the proof of purchase of the electronic equivalent.

41 (3) The commission shall determine the form of the wild
42 turkey stamp and the electronic equivalent of such stamp. The
43 commission shall furnish the wild turkey stamps to bonded agents
44 for issuance or sale in the same manner as other types of
45 licenses, or cause the electronic equivalent of such stamps to
46 accrue to the purchaser's benefit when purchasing a license from
47 an automated point of sale vendor.

48 **SECTION 3.** The fee for each wild turkey stamp issued under
49 this act is Ten Dollars (\$10.00) for a resident, as defined in



50 Section 49-7-3, and One Hundred Dollars (\$100.00) for a
51 nonresident.

52 **SECTION 4.** (1) All revenue from the sale of wild turkey
53 stamps shall be used for projects approved by the commission for
54 the purpose of protecting and propagating wild turkey, and for the
55 development, restoration, maintenance or preservation of wetlands.
56 Provided, however, that none of such funds shall be expended for
57 administrative salaries.

58 (2) The commission may enter into contracts with nonprofit
59 organizations for the use of part of such funds outside the United
60 States, if the commission finds that such contracts are necessary
61 for carrying out the purposes of this act.

62 **SECTION 5.** The commission may enter into reciprocal
63 agreements with other states having a wild turkey stamp.

64 **SECTION 6.** Before approving and allocating funds for a
65 proposed project to be undertaken outside the State of Mississippi
66 or outside the United States, the commission shall obtain evidence
67 that the project is acceptable to the government agency having
68 jurisdiction over the lands and waters affected by such project.

69 **SECTION 7.** Any person violating any of the provisions of
70 this act shall be guilty of a misdemeanor and, upon conviction,
71 shall be fined not less than Twenty-five Dollars (\$25.00) nor more
72 than One Hundred Dollars (\$100.00).

73 **SECTION 8.** Section 49-7-1, Mississippi Code of 1972, is
74 brought forward as follows:



75 49-7-1. For the purposes of this chapter, the following
76 definitions and interpretations shall govern unless otherwise
77 provided:

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

80 (b) The following wild animals are classed as
81 fur-bearing animals: muskrats, opossums, otters, weasels, minks,
82 raccoons and bobcats.

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

85 (d) All freshwater fish in the following families are
86 classed as game fish: Sunfish family (Centrarchidae) - including
87 largemouth bass (*Micropterus salmoides*), smallmouth bass
88 (*Micropterus dolomieu*), spotted bass (*Micropterus punctulatus*),
89 white crappie (*Pomoxis annularis*), black crappie (*Pomoxis*
90 *nigromaculatus*), redear sunfish (*Lepomis microlophus*), bluegill
91 (*Lepomis macrochiris*), warmouth (*Lepomis gulosus*), green sunfish
92 (*Lepomis cyanellus*), longear sunfish (*Lepomis megalotis*),
93 redbreast sunfish (*Lepomis auritus*) and shadow bass (*Ambloplites*
94 *arionomus*); Perch family (Percidae) - including walleye
95 (*Stizostedion vitreum*), sauger (*Stizostedion canadense*) and yellow
96 perch (*Perca flavescens*); Pike family (Esocidae) - including
97 redfin pickerel (*Esox americanus americanus*), grass pickerel (*Esox*
98 *americanus vermiculatus*), chain pickerel (*Esox niger*); Temperate
99 bass family (Moronidae) including - white bass (*Morone chrysops*),



100 yellow bass (*Morone mississippiensis*), striped bass (*Morone*
101 *saxatilis*) and hybrid striped bass (*Morone chrysops* x *Morone*
102 *saxatilis* and/or *Morone saxatilis* x *Morone chrysops*).

103 The following fish are classed as nongame gross fish: in the
104 Herring family (*Clupeidae*) - gizzard shad (*Dorosoma cepedianum*),
105 threadfin shad (*Dorosoma petenense*); in the Catfish family
106 (*Ictaluridae*) - channel catfish (*Ictalurus punctatus*), blue
107 catfish (*Ictalurus furcatus*), flathead catfish (*Pylodictus*
108 *olivaris*), yellow bullhead (*Ameiurus natalis*), black bullhead
109 (*Ameiurus melas*), brown bullhead (*Ameiurus nebulosus*); in the Gar
110 family - spotted gar (*Lepisosteus oculatus*), longnose gar
111 (*Lepisosteus osseus*), shortnose gar (*Lepisosteus platostomus*),
112 alligator gar (*Atractosteus spatula*); in the Eel family
113 (*Anguillidae*) - American eel (*Anguilla rostrata*); in the Bowfin
114 family (*Amiidae*) - bowfin (*Amia calva*); in the Paddlefish family
115 (*Polyodontidae*) - paddlefish (*Polyodon spathula*); in the Minnow
116 family (*Cyprinidae*) - common carp (*Cyprinus carpio*); in the Sucker
117 family (*Catostomidae*) - river carpsucker (*Carpoides carpio*),
118 quillback (*Carpoides cyprinus*), highfin carpsucker (*Carpoides*
119 *velifer*), spotted sucker (*Minytrema melanops*), blacktail redhorse
120 (*Moxostoma poecilurum*), smallmouth buffalo (*Ictiobus bubalus*),
121 bigmouth buffalo (*Ictiobus cyprinellus*), black buffalo (*Ictiobus*
122 *niger*); in the Drum family (*Sciaenidae*) - freshwater drum
123 (*Aplodinotus grunniens*).



124 All fish native to Mississippi that are not classed as game
125 fish or nongame gross fish are classed as nongame fish.

126 All fish native to foreign countries and all fish native to
127 the United States but not native to Mississippi are classed as
128 nonnative fish.

129 (e) The following are classed as game birds: geese,
130 brant ducks, rails, coots, snipe, gallinules, moorhens, woodcock,
131 crow, mergansers, wild turkey, quail and doves.

132 All other species of wild resident or migratory birds are
133 classed as nongame birds.

134 (f) Closed season: the time during which birds,
135 animals or fish may not be taken.

136 (g) Open season: the time during which birds, animals
137 or fish may be lawfully taken.

138 (h) "Commission" means the Mississippi Commission on
139 Wildlife, Fisheries and Parks.

140 (i) "Department" means the Mississippi Department of
141 Wildlife, Fisheries and Parks.

142 (j) "Executive director" means the Executive Director
143 of the Department of Wildlife, Fisheries and Parks.

144 **SECTION 9.** Section 49-7-5, Mississippi Code of 1972, is
145 brought forward as follows:

146 49-7-5. (1) (a) Any resident, as defined in Section
147 49-7-3, upon application, shall receive a combination resident
148 hunting and fishing license for the sum of Twenty-five Dollars



149 (\$25.00). The license shall qualify the licensee to hunt under
150 this chapter all game and fowl, including deer and turkey, and to
151 fish in any county of the state.

152 (b) Any resident, as defined in Section 49-7-3, upon
153 application, shall receive a resident combination small game
154 hunting and fishing license for the sum of Ten Dollars (\$10.00)
155 together with the fee provided in Section 49-7-17 to the office or
156 agent issuing the license. The hunting license shall qualify the
157 licensee to hunt and fish under this chapter all game and fowl,
158 except deer and turkey, in any county in the state.

159 (c) Any resident, as defined in Section 49-7-3, upon
160 application, shall receive a sportsman's license for the sum of
161 Forty-five Dollars (\$45.00). The license shall qualify the
162 licensee to hunt under this chapter all game and fowl, including
163 deer and turkey, and to fish as provided by law, in any county in
164 the state, and to hunt using primitive weapons and bow and arrow
165 in the manner provided by law. The commission may notify the
166 licensee of the expiration of his license, and the licensee may
167 renew the license by mailing the sum of Forty-five Dollars
168 (\$45.00) to the commission. A licensee who has not renewed the
169 license within thirty (30) days after the expiration date shall be
170 removed from the commission's records, and the licensee must apply
171 to be placed on the renewal list.

172 (d) In addition to a hunting license allowing the
173 taking of turkey, a resident who hunts turkey during a fall turkey



174 season must purchase a fall turkey hunting permit for a fee of
175 Five Dollars (\$5.00) plus the fee provided in Section 49-7-17. A
176 resident sportsman's licensee or resident lifetime sportsman's
177 licensee may hunt during the fall turkey season without purchasing
178 a permit.

179 (e) The commission may offer a resident apprentice
180 hunting license for a resident who does not have the required
181 certificate of hunter education and may set the fee for the
182 apprentice hunting license. An apprentice license may be
183 purchased only one (1) time by a resident and the apprentice
184 hunting licensee must be accompanied by a licensed or exempt
185 resident hunter at least twenty-one (21) years of age when
186 hunting.

187 (2) (a) Any resident citizen of the State of Mississippi
188 who has not reached the age of sixteen (16) years or who has
189 reached the age of sixty-five (65) years, or any resident citizen
190 who is blind, paraplegic, or a multiple amputee, or who has been
191 adjudged by the Veterans Administration as having a total
192 service-connected disability, or has been adjudged to be totally
193 disabled by the Social Security Administration shall not be
194 required to purchase or have in his possession, a hunting or
195 fishing license while engaged in such activities. A person exempt
196 by reason of total service-connected disability, as adjudged by
197 the Veterans Administration or who has been adjudged to be totally
198 disabled by the Social Security Administration or who is blind,



199 paraplegic or a multiple amputee, shall have in their possession
200 and on their person proof of their age, residency, disability
201 status or other respective physical impairment while engaged in
202 the activities of hunting or fishing.

203 (b) Any resident who is a member of the Armed Forces,
204 including the Reserves and National Guard, and on active duty
205 outside the State of Mississippi is not required to purchase or
206 have in his possession a hunting or fishing license while engaged
207 in such activities on leave from active duty. The resident shall
208 have in his possession and on his person any proof as may be
209 required by the commission.

210 (c) All exempt hunting and fishing licenses previously
211 issued for disabilities shall be null and void effective July 1,
212 1993.

213 (d) The commission may offer a youth all-game hunting
214 and fishing license for exempt youths who have a hunter education
215 certificate and an all-game hunting and fishing license for other
216 persons exempted under paragraph (a). Youths and other exempt
217 persons shall not be required to purchase this license or have it
218 in possession while hunting or fishing. The commission may
219 establish a fee not to exceed Five Dollars (\$5.00) for the
220 licenses.

221 (e) The requirement for purchasing and/or having a
222 hunting or fishing license authorized in subsection (1) of this
223 section may be waived for any resident or nonresident who is an



224 honorably discharged veteran with a combat-related disability and
225 who will be participating in a special hunt, fishing trip or other
226 outdoor recreational event that is available only to such persons
227 as determined by the entity sponsoring the event. The commission
228 is authorized to establish such criteria and/or procedures for an
229 organization to be recognized as a sanctioned entity that provides
230 unique outdoor recreational opportunities for wounded or disabled
231 veterans. Any events sponsored by a recognized organization, and
232 the persons participating in such event, shall be entitled to the
233 waiver set forth above without further action on the part of the
234 commission or the sponsoring organization.

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

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

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

244 **SECTION 10.** Section 49-7-26, Mississippi Code of 1972, is
245 brought forward as follows:

246 49-7-26. (1) (a) The department may develop, implement and
247 regulate a tagging and reporting program to collect harvest data



248 and monitor bag limit compliance by any means as provided in this
249 section.

250 (b) The department may charge a fee for the tagging
251 program.

252 (c) The department shall provide an annual report to
253 the Wildlife, Fisheries and Parks Committees of the Senate and the
254 House of Representatives.

255 (2) (a) The department may establish a tagging and
256 reporting program for deer harvested by nonresidents.

257 (b) A nonresident who violates any law or regulation of
258 the nonresident deer tagging program shall be subject to the fine
259 and forfeiture penalties provided for a nonresident hunting
260 without a license under Section 49-7-21. In addition, a
261 nonresident shall be assessed the administrative fee prescribed in
262 this section.

263 (3) (a) The department may establish a tagging and
264 reporting program for turkey.

265 (b) A person who violates any law or regulation of the
266 turkey tagging program is guilty of a Class III violation and
267 shall be subject to the fines provided in 49-7-101. In addition,
268 a person shall be assessed the administrative fee prescribed in
269 this section.

270 (4) (a) A person convicted of a first violation of the
271 tagging program shall be assessed an administrative fee of not
272 less than One Hundred Dollars (\$100.00) nor more than Five Hundred



273 Dollars (\$500.00), which shall be imposed and collected upon
274 conviction. A person convicted of a second or subsequent
275 violation shall be assessed an administrative fee of not less than
276 Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars
277 (\$1,000.00), which shall be imposed and collected upon conviction.

278 (b) The clerk of the court shall collect and deposit
279 the administrative fees with the State Treasurer, in the same
280 manner and in accordance with the same procedure, as nearly as
281 practicable, as required for the collection and deposit of state
282 assessments under Section 99-19-73.

283 (c) The administrative fees shall be credited to the
284 Department of Wildlife, Fisheries and Parks and may be expended by
285 the department upon appropriation by the Legislature.

286 (5) Each deer or turkey taken or possessed in violation of
287 the tagging program is a separate offense.

288 **SECTION 11.** This act shall take effect and be in force from
289 and after July 1, 2024.

