

House Amendments to Senate Bill No. 2648

TO THE SECRETARY OF THE SENATE:

THIS IS TO INFORM YOU THAT THE HOUSE HAS ADOPTED THE AMENDMENTS SET OUT BELOW:

AMENDMENT NO. 1

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

16 **SECTION 1.** Section 49-15-17, Mississippi Code of 1972, is
17 amended as follows:

18 49-15-17. (1) (a) All monies received or obtained by the
19 department under the provisions of this chapter shall be paid over
20 by the department to the State Treasurer and shall be deposited
21 into the fund known as the "Seafood Fund." All revenues collected
22 through the department, to include, but not limited to, commercial
23 saltwater licenses and taxes, permits, fines and penalties, and
24 confiscated catches, shall be deposited into the department
25 operating account (Seafood Fund) and expended for the operation of
26 the department, as authorized by the Legislature.

27 (b) There is established a special account to be known
28 as the "Artificial Reef Program Account" within the Seafood Fund.
29 Any funds received from any public or private source for the
30 purpose of promoting, constructing, monitoring or maintaining
31 artificial reefs in the marine waters of the state or in federal
32 waters adjacent to the marine waters of the state shall be

33 credited to the account. Any unexpended funds remaining in the
34 account at the end of the fiscal year shall not lapse into the
35 Seafood Fund, but shall remain in the account. The department may
36 expend any funds in the account, subject to appropriation by the
37 Legislature, to accomplish the purpose of the account.

38 (c) There is established a special account to be known
39 as the "Coastal Preserve Account" within the Seafood Fund. Any
40 funds received from any public or private source for the purpose
41 of management, improvement and acquisition of coastal preserves in
42 the state and money required to be deposited pursuant to Sections
43 27-19-56.10 and 27-19-56.27, shall be credited to the account.
44 Any unexpended funds remaining in the account at the end of the
45 fiscal year shall not lapse into the Seafood Fund, but shall
46 remain in the account. The department may expend any funds in the
47 account, subject to appropriation by the Legislature, for the
48 management, improvement and acquisition of coastal preserves.

49 (d) There is established a special account to be known
50 as the "Mississippi Seafood Marketing Program Account" within the
51 Seafood Fund. Monies required to be deposited into the account
52 under Section 27-19-56.27 and any funds received from any public
53 or private source for the purpose of promoting the Mississippi
54 seafood industry must be credited to the account. Any unexpended
55 funds remaining in the account at the end of the fiscal year do
56 not lapse into the Seafood Fund, but remain in the account. The
57 department may expend any funds in the account, subject to
58 appropriation by the Legislature, to accomplish the purposes of

59 this account, including, but not limited to, providing funds for
60 cobia stock enhancement programs.

61 (e) There is established a special account to be known
62 as the "Oyster Production Preserve Account" within the Seafood
63 Fund. Monies required to be deposited from oyster leasing and
64 licensing payments under Section * * * 49-15-27, sack fees, * * *
65 and any funds received from any public or private source for the
66 purpose of oyster production and propagation in this state, which
67 includes plantings of oysters and cultch materials, shall be
68 credited to the account. Any unexpended funds remaining in the
69 account at the end of the fiscal year shall not lapse into the
70 Seafood Fund, but shall remain in the account. The department may
71 expend any funds in the account, subject to specific appropriation
72 by the Legislature, for the management, improvement and
73 acquisition of permittable property for oyster production and
74 propagation in the state, which includes plantings of oysters and
75 cultch materials. The Department of Marine Resources shall
76 develop an annual report to the Legislature which describes the
77 annual expenditures from this fund for the purpose of furthering
78 oyster production and propagation in this state to be included in
79 the department's annual budget request to the Legislative Budget
80 Office and to be transmitted to the Chairmen of the Senate and
81 House Committees on Ports and Marine Resources.

82 (2) The fund shall be treated as a special trust fund and
83 interest earned on the principal shall be credited to the fund.

84 (3) The department shall keep accurate reports of monies
85 handled as a part of the permanent records of the department, and
86 the State Treasurer shall furnish the department such forms as may
87 be needed, and the department shall account for such forms in
88 reports to the Treasurer.

89 **SECTION 2.** Section 49-15-27, Mississippi Code of 1972, is
90 amended as follows:

91 49-15-27. The department is hereby granted full and complete
92 authority to lease the bottoms within its jurisdiction upon the
93 following terms and conditions:

94 (1) All areas within the department's jurisdiction, not
95 designated state-owned reefs by this chapter, including natural
96 reefs and all areas not within the boundaries of riparian property
97 owners may be leased by the department.

98 (2) All individual lessees shall be residents of the State
99 of Mississippi, or if a firm or corporation, such firm or
100 corporation shall be organized under the laws of the State of
101 Mississippi and owned by a resident of the State of Mississippi.

102 (3) No individual, corporation, partnership or association
103 may lease less than one (1) acre nor more than two thousand five
104 hundred (2,500) acres total; however, in the case of an individual
105 there shall be counted towards such limitation any lands leased by
106 a corporation, partnership or association in which such individual
107 owns ten percent (10%) or less interest and, in the case of a
108 corporation, partnership or association, there shall be counted
109 toward such limitation any lands leased by an individual

110 stockholder, partner or associate thereof who owns ten percent
111 (10%) or less interest in such corporation, partnership or
112 association.

113 (4) Individuals, firms or corporations desiring to lease
114 bottoms shall make application to the department in writing,
115 describing the area to be leased. Applications must include a
116 plat showing the proposed lease area and description of cultch
117 material type and amount to be deployed on the leased area.

118 (5) (a) Any person who qualifies and who desires to lease a
119 part of the bottom or bed of any of the waters of this state as
120 provided in this section shall present to the department a written
121 application, and pay an application fee in the amount of Fifty
122 Dollars (\$50.00). This application shall contain the name and
123 address of the applicant and a reasonably definite description of
124 the location and amount of land covered by water desired by the
125 applicant. The department has the authority to establish a system
126 to determine qualifications of applicants. Upon receipt of the
127 application, the department shall * * * determine the
128 qualifications of the applicant. Applicants will be prioritized
129 based upon their demonstrated level of experience in oyster
130 cultivation and their financial stability. The department shall
131 then order an examination to determine whether the water bottoms
132 applied for are leasable * * *. If the applicant is found to be
133 qualified and the area is found to be leasable, the department
134 shall * * * determine the acreage upon which the rent shall be
135 fixed and enter into a lease with the applicant * * *, who shall

136 pay the prorated annual rent in advance for the remainder of the
137 calendar year. If the applicant is not eligible for a lease, the
138 department shall issue a written notice declining the application
139 with specific reasons for same * * *. The department has the
140 authority to lease an area to an applicant that has no experience
141 in oyster cultivation as long as the applicant can demonstrate
142 their financial stability and the area applied for has not been
143 requested by another applicant with demonstrated experience. The
144 department has the authority to reconfigure the lease areas from
145 that requested by the applicant in the manner that promotes
146 maximum utilization of the state's resources. In the event the
147 area requested by the applicant has to be reconfigured, the
148 applicant has the right to refuse the reconfigured area and
149 withdraw their application and receive a refund of their
150 application fee.

151 * * *

152 (* * *b) The department shall require that the bottoms
153 of water areas to be leased be as definable as possible, taking
154 into consideration such factors as the shape of the body of water,
155 permitted areas, and the condition of the bottom as to hardness or
156 softness which would render it desirable or undesirable for the
157 purpose of oyster cultivation.

158 * * *

159 (* * *c) A lease applicant may withdraw a lease
160 application and receive a full refund from the department of all
161 application fees, by submitting a written request for withdrawal

162 to the department within ninety (90) days after the
163 department * * * received the application.

164 (6) Such leases shall be for an initial term of fifteen (15)
165 years, with the lessee having the right of first renewal of the
166 lease for an additional fifteen (15) years, and continue to renew
167 at fifteen-year intervals, at the same ground rental rate so long
168 as lessee actively cultivates and gathers oysters, and complies
169 with the provisions of this chapter. No lease may be transferred
170 without approval by the department of the transfer.

171 (7) The terms of every lease issued hereunder shall ensure
172 the maximum cultivation and propagation of oysters. Throughout
173 the term of every lease issued hereunder, each lessee shall add
174 cultch and make other necessary efforts to ensure the maximum
175 cultivation and propagation of oysters. The department shall
176 promulgate regulations to set forth guidelines for lessees to
177 follow to ensure the maximum cultivation and propagation of
178 oysters under the lease. The lessee shall submit a written report
179 with supporting documentation to the department of efforts to
180 cultivate and propagate oysters for the previous year. If the
181 department finds a lessee is not making efforts to cultivate and
182 propagate oysters, and the lessee fails to take remedial steps to
183 address same, such lease shall be subject to termination as
184 provided for hereunder.

185 (8) The department shall fix a ground rental rate at Three
186 Dollars (\$3.00) per acre per year. The annual rental payments
187 shall be due by December 31 for the next calendar year.

188 (9) Any lessee who pays the rent on or after the first day
189 of January shall pay the rent due plus an additional ten percent
190 (10%) penalty. The failure of the lessee to pay the rent
191 punctually on or before the first of each March, ipso facto and
192 without demand or putting in default, terminates and cancels the
193 lease and forfeits to the department all the works, improvements,
194 betterments, and oysters on the leased water bottom. The
195 department may at once enter on the water bottom and take
196 possession thereof. Such water bottom shall then be open for
197 lease in accordance with subsections (5) through (8) of this
198 section. Ten (10) days thereafter the department shall enter the
199 termination, cancellation, and forfeiture on its books and give
200 public notice thereof by publication in one (1) local paper in the
201 county where the formerly leased water bottoms are located. On or
202 before the first day of each February, the department shall issue
203 a written notice of delinquency by certified mail to each lessee
204 who has not yet paid the rent. The department shall also publish
205 notice of such delinquency on its website.

206 (10) The department shall keep an accurate chart of the
207 areas within its jurisdiction and shall mark on such chart those
208 areas which are under lease. All leases shall be marked by
209 appropriate poles, stakes or buoys of such material as will not
210 injure watercraft, at the expense of the leaseholder. The
211 department shall keep an accurate book, designated "Mississippi
212 Oyster Farms" which shall contain copies of all leases. The
213 department shall maintain a map of designated state-owned, leased

214 areas, and areas available for lease on the department's website.
215 If any lease be cancelled or expire, such fact shall be noted on
216 the face of such lease. Lessees shall be "oyster farmers" for the
217 purposes of any grants, aid, subsidies or other assistance from
218 the federal government or other governmental or private agencies.

219 (11) All funds derived from leasing shall be paid into the
220 Seafood Fund under Section 49-15-17, for use by the department to
221 further oyster production in this state, which includes plantings
222 of oysters and cultch materials.

223 (12) All leases made by the department under the authority
224 of this section shall be subject to the paramount right of the
225 state and any of its political subdivisions authorized by law, to
226 promote and develop ports, harbors, channels, industrial or
227 recreational projects, and all such leases shall contain a
228 provision that in the event such authorized public body shall
229 require the area so leased or any part thereof for such public
230 purposes, that the lease shall be terminated on reasonable notice
231 fixed by the department in such lease. On the termination of any
232 lease, the lessees shall have the right to remove any oysters
233 within the leased area within such time as may be fixed by the
234 department and in accordance with such reasonable rules and
235 regulations as the department may adopt.

236 Any person convicted of taking oysters from leased land or
237 from waters that are not of a safe sanitary quality without a
238 permit as provided in Section 49-15-37 shall, on the first
239 offense, forfeit all equipment used, exclusive of any boat or

240 boats; and be fined not to exceed Two Thousand Dollars (\$2,000.00)
241 or sentenced not to exceed one (1) year in the county jail, or
242 both. Subsequent convictions shall be punishable by forfeiture of
243 all equipment, including any boat or boats; and a fine not to
244 exceed Five Thousand Dollars (\$5,000.00) or not to exceed two (2)
245 years in prison, or both such fine and imprisonment.

246 The department is enjoined to cooperate with the Jackson
247 County Port Authority, the Harrison County Development Commission,
248 the municipal port commission and other port and harbor agencies,
249 so that oyster beds shall not be planted in close proximity to
250 navigable channels. The department or lessee shall have no right
251 of action as against any such public body for damages accruing to
252 any natural reef or leased reef by any necessary improvement of
253 such channel in the interest of shipping, commerce, navigation or
254 other purpose authorized by law.

255 (13) A lessee has the exclusive use of the water bottoms
256 leased and all oysters and cultch grown or placed thereon.
257 However, this exclusive right is subordinate to the rights and
258 responsibilities of the state, any political subdivision of the
259 state, the United States, or any agency or agent thereof, to take
260 action in furtherance of coastal protection, conservation or
261 restoration.

262 (14) In order to protect the health and safety of the
263 residents of the State of Mississippi, the terms and conditions
264 relating to the leasing of bottoms provided in this section shall
265 be fully applicable to any lease executed by the Mississippi

266 Department of Marine Resources prior to April 17, 2023, and the
267 department shall revise any lease issued prior to April 17, 2023,
268 as necessary in order to comply with the provisions of this
269 section.

270 **SECTION 3.** Section 49-15-37, Mississippi Code of 1972, is
271 amended as follows:

272 49-15-37. The department may employ boats, crews and
273 laborers to cultivate the state-owned reefs of the state, and
274 dredge the oysters in the Mississippi Sound from places where they
275 are too thick, and spread them on reefs where they are too thin,
276 and carry shells from the factories and spread them in places
277 where the oyster beds can be improved and enlarged. The
278 department may open state-owned reefs to the public for harvest.
279 The department may purchase other materials as may be equally
280 suitable for the propagation of oysters. The department in
281 cultivating the reefs, transplanting and spreading oysters and
282 shells and other suitable materials, may expend any funds
283 available for that purpose, as provided by Section 49-15-17(1)(e).
284 In taking seed oysters, care shall be used to not injure or
285 destroy the merchantable oysters on the reefs from which they are
286 taken. The seed oysters shall be tonged from the "conner" or seed
287 reefs, unless it is practicable and safe to dredge those oysters.
288 The department may establish new bedding grounds at those places
289 within the boundaries of the state as it may determine, on advice
290 of the director, or on advice of technical governmental experts,
291 or competent aquatic biologists. On existing state-owned reefs in

292 which oysters exist and in waters not of a safe sanitary quality
293 as determined by the department, the department shall prohibit any
294 person, firm or corporation from taking oysters from those areas.
295 The department shall from time to time remove the oysters from the
296 areas and relay or replant them in an approved area for a period
297 of time under Section 49-15-36 before they may be harvested. Any
298 funds received from the sale of the oysters shall be used in a
299 like manner as those funds received under Section * * *
300 49-15-17(1) (e).

301 The department may issue permits to persons to remove oysters
302 by dredging or otherwise from water bottoms which are not of a
303 safe sanitary quality for oysters for human consumption. These
304 areas may be designated as seed grounds, and permits to persons
305 shall be issued only for the purpose of transplanting oysters to
306 privately leased Mississippi territorial waters. The department
307 may permit the transplanting of these seed oysters by a duly
308 authorized public agency.

309 The department may, upon determining the water bottom from
310 which oysters are to be removed is not of a safe, sanitary quality
311 for oyster production for human consumption and has been unsafe
312 for a period of at least one (1) year immediately preceding
313 certification, and upon complying with the following requirements,
314 permit the dredging of oysters from restricted public areas and
315 relaying the oysters to private leased grounds in the State of
316 Mississippi:

317 (a) Permittee must hold valid lease of oyster bedding
318 grounds in the State of Mississippi;

319 (b) Permittee must be bonded in compliance with the
320 permit system established by the department;

321 (c) Permittee must fulfill all permit requirements as
322 established by the department;

323 (d) Permittee shall not move oysters from one
324 restricted area to another restricted area;

325 (e) Permittee shall move oysters only to an area leased
326 by the department; and

327 (f) Permittee shall not move oysters from the
328 restricted area without the presence of an employee of the
329 department at all times, from the dredging of the oysters from the
330 restricted areas to their deposit on private leased grounds or to
331 an onshore, molluscan depuration facility.

332 Harvesting of oysters shall be permitted only during daylight
333 hours and with the most efficient gear possible consistent with
334 conservation requirements of not damaging the reefs. This shall
335 include permission to use two (2) dredges per boat on restricted
336 areas and on private leased grounds.

337 Any person obtaining a permit to remove oysters from seed
338 grounds shall post a penal bond of One Hundred Dollars (\$100.00)
339 per leased acre with the department to be forfeited upon any
340 violation of this section. The bond may be approved by the
341 director of the department if the director finds the bond to be
342 secured by sufficient property or sureties.

343 The department shall regulate the amount and time of taking
344 of oysters from seed areas and shall supervise the removal,
345 planting and harvesting of oysters from the areas. The time set
346 for the taking of oysters from restricted seed areas for relaying
347 or replanting and the time set for the taking of oysters from
348 private leased grounds shall be separated by not less than a
349 period of time determined under Section 49-15-36 during which
350 neither activity may be allowed.

351 **SECTION 4.** Section 49-15-38, Mississippi Code of 1972, is
352 amended as follows:

353 49-15-38. (1) (a) Unless otherwise permitted by the
354 department, no oysters shall be taken from state-owned reefs
355 unless culled, and all oysters less than three (3) inches from end
356 to end, and all dead shells, shall be replaced, scattered and
357 broadcast immediately on the reefs from which they are taken. It
358 is unlawful for any captain or person in charge of any vessel, or
359 any canner, packer, commission man, dealer or other person to
360 purchase, sell or to have in that person's possession or under
361 that person's control any oysters off the state-owned reefs or
362 private bedding grounds not culled according to this section, or
363 any oysters under the legal size. A ten percent (10%) tolerance
364 shall be allowed in relation to any culling.

365 (b) The department may authorize the culling of oysters
366 of a lesser measure. That authorization shall be in response to
367 special circumstances or extreme natural conditions affecting the
368 habitat, including, but not limited to, flooding. The department

369 may establish checkpoints in any area within its jurisdiction to
370 conduct inspections, collect fees and issue tags in the
371 enforcement of this chapter and regulations adopted by the
372 commission.

373 (2) The department shall acquire and replant shells, seed
374 oysters and other materials, when funding is available, for the
375 purpose of growing oysters.

376 (3) Any person, firm or corporation failing or refusing to
377 pay the shell retention fee required under Section 49-15-46 to the
378 department when called for by the department, is guilty of a
379 misdemeanor and, upon conviction, shall be fined not more than One
380 Hundred Dollars (\$100.00) for each * * * sack of shells for which
381 they fail or refuse to tender the shell retention fee. In
382 addition to the fine, the violator shall pay the reasonable value
383 of the oyster shells and shall be ineligible to be licensed for
384 any activity set forth in this chapter for a period of two (2)
385 years from the date of conviction.

386 (4) The planting of oyster shells as provided under this
387 chapter shall be under the direction and supervision of the
388 executive director of the department.

389 **SECTION 5.** Section 49-15-46, Mississippi Code of 1972, is
390 amended as follows:

391 49-15-46. (1) Each vessel used to catch, take, carry or
392 transport oysters from the reefs of the State of Mississippi, or
393 engaged in transporting any oysters in any of the waters within
394 the territorial jurisdiction of the State of Mississippi, for

395 commercial use, shall annually, before beginning operations, be
396 licensed by the department and pay the following license fee:

397 (a) Fifty Dollars (\$50.00) on each in-state vessel or
398 boat used for tonging oysters or gathering oysters by hand;

399 (b) One Hundred Dollars (\$100.00) on each in-state
400 vessel or boat used for dredging oysters;

401 (c) One Hundred Dollars (\$100.00) on each out-of-state
402 vessel or boat used for tonging oysters or gathering oysters by
403 hand, or the license fee charged by the out-of-state licensing
404 entity to Mississippi vessels or boats for tonging or gathering
405 oysters, whichever is greater; or

406 (d) Two Hundred Dollars (\$200.00) on each out-of-state
407 vessel or boat used for dredging oysters, or the license fee
408 charged by the out-of-state licensing entity to Mississippi
409 vessels or boats for dredging oysters, whichever is greater.

410 (2) Each molluscan shellfish aquaculture operation shall
411 annually, before beginning operations, be licensed by the
412 department and pay the following license fee:

413 (a) Fifty Dollars (\$50.00) on each resident molluscan
414 shellfish aquaculture operation; or

415 (b) One Hundred Dollars (\$100.00) on each nonresident
416 molluscan shellfish aquaculture operation.

417 (3) The department may authorize the transfer of a vessel
418 license to a different vessel provided that the owner of both
419 vessels is the same titled owner.

420 (4) All oysters harvested in the State of Mississippi shall
421 be tagged. Tags shall be issued by the department and shall bear
422 the catcher's name, the date and origin of the catch, the shell
423 stock dealer's name and permit number. The department shall
424 number all tags issued and shall maintain a record of those tags.
425 The department, in its discretion, may adopt any regulations
426 regarding the tagging of oysters and other shellfish.

427 (5) Each person catching or taking oysters from the waters
428 of the State of Mississippi for personal use shall obtain a permit
429 from the department and pay an annual recreational oyster permit
430 fee of Ten Dollars (\$10.00). Oysters caught under a recreational
431 permit shall not be offered for sale. The limits on the allowable
432 catch of oysters for recreational purposes shall be three (3)
433 sacks per week. The department shall issue tags of a
434 distinguishing color to designate recreationally harvested
435 oysters, which shall be tagged on the same day of harvest in the
436 manner prescribed in subsection (4) of this section for
437 commercially harvested oysters or by regulation of the department.

438 (6) The department shall assess and collect a shell
439 retention fee for the shells taken from waters within the
440 territorial jurisdiction of the State of Mississippi as follows:

441 (a) Commercial and recreational harvesters - Fifteen
442 Cents (15¢) per sack paid to the department on the day of harvest;

443 (b) Initial oyster processor, dealer or factory first
444 purchasing the oysters - Fifteen Cents (15¢) per sack paid to the

445 department no later than the tenth day of the month following the
446 purchase, on forms submitted by the department;

447 (c) Commercial harvesters transporting their catch out
448 of the state - Fifty Cents (50¢) per sack paid to the department
449 on the day of harvest, in addition to the fees paid in paragraph
450 (a) of this subsection; and

451 (d) Commercial harvesters not selling their oysters to
452 a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the
453 department on the day of harvest, in addition to fees paid in
454 paragraph (a) of this subsection.

455 Funds received from the shell retention fee shall be paid
456 into * * * the Oyster Production Preserve Account within the
457 Seafood Fund pursuant to Section 49-15-17(1)(e) for use by the
458 department to further oyster production in this state, which
459 includes plantings of oysters and/or cultch materials.

460 (7) During open seasons, oysters may be taken only by hands,
461 tongs and dredges.

462 (8) Vessels licensed under Section 49-15-46 may keep in
463 whole, for personal consumption up to thirty-six (36) blue crabs
464 (portunidae family), per day. This exemption for personal
465 consumption does not apply to fish or crabs that are otherwise
466 illegal to possess or catch.

467 **SECTION 6.** Section 49-15-47, Mississippi Code of 1972, is
468 amended as follows:

469 49-15-47. (1) It is unlawful for any person, firm or
470 corporation to discharge solid or human waste from any vessel

471 while the vessel is used to harvest or transport oysters in the
472 marine waters of the state.

473 (2) Each vessel used to harvest or transport oysters is
474 required to have an approved functional marine sanitation device
475 (MSD), portable toilet or other sewage disposal receptacle
476 designed to contain human sewage. The approved marine sanitation
477 device (MSD), portable toilet or other sewage disposal receptacle
478 shall:

479 (a) Be used only for the purpose intended.

480 (b) Be secured while on board and located to prevent
481 contamination of shell stock by spillage or leakage.

482 (c) Be emptied only into an approved sewage disposal
483 system.

484 (d) Be cleaned before being returned to the vessel.

485 (e) Not be cleaned with equipment used for washing or
486 processing food.

487 (3) The use of other receptacles for sewage disposal may be
488 approved by the department if the receptacles are:

489 (a) Constructed of impervious, cleanable materials and
490 have tight-fitting lids; and

491 (b) Meet the requirements listed in subsection (2).

492 (4) * * * Any person, firm or corporation violating the
493 provisions of this chapter, shall, on conviction, be fined not
494 less than Five Thousand Dollars (\$5,000.00), and the license of
495 the convicted party shall be revoked for one (1) year. For
496 conviction of a second offense, the fine shall be not less than

497 Ten Thousand Dollars (\$10,000.00), and the license of the
498 convicted party shall be revoked for two (2) years. For a
499 conviction of a third offense, the fine shall be not less than One
500 Hundred Thousand Dollars (\$100,000.00), and the license of the
501 convicted party shall be permanently revoked.

502 (5) Upon issuance of a citation for a violation of this
503 section, the vessel shall be removed from the oyster reef and any
504 oysters on board the vessel shall be confiscated and disposed of
505 by the department. The vessel shall not be permitted to harvest
506 from any state-owned or private reefs until the vessel is properly
507 equipped as determined by an inspection by the department.

508 **SECTION 7.** Section 27-19-56.27, Mississippi Code of 1972,
509 which provides for a special license tag for supporters of the
510 Mississippi seafood industry, is repealed.

511 **SECTION 8.** This act shall take effect and be in force from
512 and after July 1, 2024, and shall stand repealed on June 30, 2024.

**Further, amend by striking the title in its entirety and
inserting in lieu thereof the following:**

1 AN ACT TO AMEND SECTIONS 49-15-17, 49-15-27, 49-15-37,
2 49-15-38, 49-15-46 AND 49-15-47, MISSISSIPPI CODE OF 1972, TO
3 PROVIDE TECHNICAL REVISIONS TO THE POWERS AND DUTIES OF THE
4 MISSISSIPPI DEPARTMENT OF MARINE RESOURCES RELATING TO OYSTER
5 CULTIVATION LEASES, THE SEAFOOD FUND, THE OYSTER PRODUCTION
6 PRESERVE ACCOUNT AND THE COASTAL PRESERVE ACCOUNT; TO AUTHORIZE
7 THE DEPARTMENT OF MARINE RESOURCES TO RECONFIGURE OYSTER LEASE
8 AREAS AND TO REVISE PERMITTED AREAS AND TO PROVIDE PROTEST
9 PROCEDURES BY OYSTER LEASE APPLICANTS; TO PRESCRIBE CRIMINAL
10 PENALTIES FOR ANY PERSON VIOLATING THE PROVISIONS OF THE OYSTER
11 BOTTOM LEASE PROGRAM; TO REPEAL SECTION 27-19-56.27, MISSISSIPPI
12 CODE OF 1972, WHICH AUTHORIZES A SPECIAL LICENSE TAG FOR
13 SUPPORTERS OF THE MISSISSIPPI SEAFOOD INDUSTRY; AND FOR RELATED
14 PURPOSES.

HR26\SB2648A.J

Andrew Ketchings
Clerk of the House of Representatives