

By: Representatives Kinkade, Faulkner, Ford
(73rd), Hale, Harris, Remak, Varner,
Carpenter

To: Wildlife, Fisheries and
Parks

COMMITTEE SUBSTITUTE
FOR
HOUSE BILL NO. 553

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 PROVIDE
15 PENALTIES FOR A VIOLATION OF THIS ACT; TO BRING FORWARD SECTIONS
16 49-7-1, 49-7-5 AND 49-7-26, MISSISSIPPI CODE OF 1972, FOR PURPOSE
17 OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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

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

22 (a) "Commission" means the Mississippi Commission on
23 Wildlife, Fisheries and Parks.

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



SECTION 2.

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

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

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

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

SECTION 3.

The fee for each wild turkey stamp issued under this act is Ten Dollars (\$10.00) for a resident, as defined in Section 49-7-3, and One Hundred Dollars (\$100.00) for a nonresident.



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

56 **SECTION 5.** Any person violating any of the provisions of
57 this act shall be guilty of a misdemeanor and, upon conviction,
58 shall be fined not less than Twenty-five Dollars (\$25.00) nor more
59 than One Hundred Dollars (\$100.00).

60 **SECTION 6.** Section 49-7-1, Mississippi Code of 1972, is
61 brought forward as follows:

62 49-7-1. For the purposes of this chapter, the following
63 definitions and interpretations shall govern unless otherwise
64 provided:

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

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

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

72 (d) All freshwater fish in the following families are
73 classed as game fish: Sunfish family (Centrarchidae) - including
74 largemouth bass (*Micropterus salmoides*), smallmouth bass



75 (Micropterus dolomieu), spotted bass (Micropterus punctulatus),
76 white crappie (Pomoxis annularis), black crappie (Pomoxis
77 nigromaculatus), redear sunfish (Lepomis microlophus), bluegill
78 (Lepomis macrochiris), warmouth (Lepomis gulosus), green sunfish
79 (Lepomis cyanellus), longear sunfish (Lepomis megalotis),
80 redbreast sunfish (Lepomis auritus) and shadow bass (Ambloplites
81 ariommus); Perch family (Percidae) - including walleye
82 (Stizostedion vitreum), sauger (Stizostedion canadense) and yellow
83 perch (Perca flavescens); Pike family (Esocidae) - including
84 redbfin pickerel (Esox americanus americanus), grass pickerel (Esox
85 americanus vermiculatus), chain pickerel (Esox niger); Temperate
86 bass family (Moronidae) including - white bass (Morone chrysops),
87 yellow bass (Morone mississippiensis), striped bass (Morone
88 saxatilis) and hybrid striped bass (Morone chrysops x Morone
89 saxatilis and/or Morone saxatilis x Morone chrysops).

90 The following fish are classed as nongame gross fish: in the
91 Herring family (Clupeidae) - gizzard shad (Dorosoma cepedianum),
92 threadfin shad (Dorosoma petenense); in the Catfish family
93 (Ictaluridae) - channel catfish (Ictalurus punctatus), blue
94 catfish (Ictalurus furcatus), flathead catfish (Pylodictus
95 olivaris), yellow bullhead (Ameiurus natalis), black bullhead
96 (Ameiurus melas), brown bullhead (Ameiurus nebulosus); in the Gar
97 family - spotted gar (Lepisosteus oculatus), longnose gar
98 (Lepisosteus osseus), shortnose gar (Lepisosteus platostomus),
99 alligator gar (Atractosteus spatula); in the Eel family



100 (Anguillidae) - American eel (*Anguilla rostrata*); in the Bowfin
101 family (Amiidae) - bowfin (*Amia calva*); in the Paddlefish family
102 (Polyodontidae) - paddlefish (*Polyodon spathula*); in the Minnow
103 family (Cyprinidae) - common carp (*Cyprinus carpio*); in the Sucker
104 family (Catostomidae) - river carpsucker (*Carpoides carpio*),
105 quillback (*Carpoides cyprinus*), highfin carpsucker (*Carpoides*
106 *velifer*), spotted sucker (*Minytrema melanops*), blacktail redhorse
107 (*Moxostoma poecilurum*), smallmouth buffalo (*Ictiobus bubalus*),
108 bigmouth buffalo (*Ictiobus cyprinellus*), black buffalo (*Ictiobus*
109 *niger*); in the Drum family (Sciaenidae) - freshwater drum
110 (*Aplodinotus grunniens*).

111 All fish native to Mississippi that are not classed as game
112 fish or nongame gross fish are classed as nongame fish.

113 All fish native to foreign countries and all fish native to
114 the United States but not native to Mississippi are classed as
115 nonnative fish.

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

119 All other species of wild resident or migratory birds are
120 classed as nongame birds.

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

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



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

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

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

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

49-7-5. (1) (a) Any resident, as defined in Section 49-7-3, upon application, shall receive a combination resident hunting and fishing license for the sum of Twenty-five Dollars (\$25.00). The license shall qualify the licensee to hunt under this chapter all game and fowl, including deer and turkey, and to fish in any county of the state.

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

(c) Any resident, as defined in Section 49-7-3, upon application, shall receive a sportsman's license for the sum of Forty-five Dollars (\$45.00). The license shall qualify the licensee to hunt under this chapter all game and fowl, including



150 deer and turkey, and to fish as provided by law, in any county in
151 the state, and to hunt using primitive weapons and bow and arrow
152 in the manner provided by law. The commission may notify the
153 licensee of the expiration of his license, and the licensee may
154 renew the license by mailing the sum of Forty-five Dollars
155 (\$45.00) to the commission. A licensee who has not renewed the
156 license within thirty (30) days after the expiration date shall be
157 removed from the commission's records, and the licensee must apply
158 to be placed on the renewal list.

159 (d) In addition to a hunting license allowing the
160 taking of turkey, a resident who hunts turkey during a fall turkey
161 season must purchase a fall turkey hunting permit for a fee of
162 Five Dollars (\$5.00) plus the fee provided in Section 49-7-17. A
163 resident sportsman's licensee or resident lifetime sportsman's
164 licensee may hunt during the fall turkey season without purchasing
165 a permit.

166 (e) The commission may offer a resident apprentice
167 hunting license for a resident who does not have the required
168 certificate of hunter education and may set the fee for the
169 apprentice hunting license. An apprentice license may be
170 purchased only one (1) time by a resident and the apprentice
171 hunting licensee must be accompanied by a licensed or exempt
172 resident hunter at least twenty-one (21) years of age when
173 hunting.



174 (2) (a) Any resident citizen of the State of Mississippi
175 who has not reached the age of sixteen (16) years or who has
176 reached the age of sixty-five (65) years, or any resident citizen
177 who is blind, paraplegic, or a multiple amputee, or who has been
178 adjudged by the Veterans Administration as having a total
179 service-connected disability, or has been adjudged to be totally
180 disabled by the Social Security Administration shall not be
181 required to purchase or have in his possession, a hunting or
182 fishing license while engaged in such activities. A person exempt
183 by reason of total service-connected disability, as adjudged by
184 the Veterans Administration or who has been adjudged to be totally
185 disabled by the Social Security Administration or who is blind,
186 paraplegic or a multiple amputee, shall have in their possession
187 and on their person proof of their age, residency, disability
188 status or other respective physical impairment while engaged in
189 the activities of hunting or fishing.

190 (b) Any resident who is a member of the Armed Forces,
191 including the Reserves and National Guard, and on active duty
192 outside the State of Mississippi is not required to purchase or
193 have in his possession a hunting or fishing license while engaged
194 in such activities on leave from active duty. The resident shall
195 have in his possession and on his person any proof as may be
196 required by the commission.



197 (c) All exempt hunting and fishing licenses previously
198 issued for disabilities shall be null and void effective July 1,
199 1993.

200 (d) The commission may offer a youth all-game hunting
201 and fishing license for exempt youths who have a hunter education
202 certificate and an all-game hunting and fishing license for other
203 persons exempted under paragraph (a). Youths and other exempt
204 persons shall not be required to purchase this license or have it
205 in possession while hunting or fishing. The commission may
206 establish a fee not to exceed Five Dollars (\$5.00) for the
207 licenses.

208 (e) The requirement for purchasing and/or having a
209 hunting or fishing license authorized in subsection (1) of this
210 section may be waived for any resident or nonresident who is an
211 honorably discharged veteran with a combat-related disability and
212 who will be participating in a special hunt, fishing trip or other
213 outdoor recreational event that is available only to such persons
214 as determined by the entity sponsoring the event. The commission
215 is authorized to establish such criteria and/or procedures for an
216 organization to be recognized as a sanctioned entity that provides
217 unique outdoor recreational opportunities for wounded or disabled
218 veterans. Any events sponsored by a recognized organization, and
219 the persons participating in such event, shall be entitled to the
220 waiver set forth above without further action on the part of the
221 commission or the sponsoring organization.



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

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

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

SECTION 8. Section 49-7-26, Mississippi Code of 1972, is brought forward as follows:

49-7-26. (1) (a) The department may develop, implement and regulate a tagging and reporting program to collect harvest data and monitor bag limit compliance by any means as provided in this section.

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

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

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

(b) A nonresident who violates any law or regulation of the nonresident deer tagging program shall be subject to the fine and forfeiture penalties provided for a nonresident hunting



247 without a license under Section 49-7-21. In addition, a
248 nonresident shall be assessed the administrative fee prescribed in
249 this section.

250 (3) (a) The department may establish a tagging and
251 reporting program for turkey.

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

257 (4) (a) A person convicted of a first violation of the
258 tagging program shall be assessed an administrative fee of not
259 less than One Hundred Dollars (\$100.00) nor more than Five Hundred
260 Dollars (\$500.00), which shall be imposed and collected upon
261 conviction. A person convicted of a second or subsequent
262 violation shall be assessed an administrative fee of not less than
263 Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars
264 (\$1,000.00), which shall be imposed and collected upon conviction.

265 (b) The clerk of the court shall collect and deposit
266 the administrative fees with the State Treasurer, in the same
267 manner and in accordance with the same procedure, as nearly as
268 practicable, as required for the collection and deposit of state
269 assessments under Section 99-19-73.



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

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

275 **SECTION 9.** This act shall take effect and be in force from
276 and after July 1, 2025.

