

By: Representatives Parker, Aldridge, Bell, Bounds, Chism, Eaton, Evans (91st), Frierson, Hamilton (109th), Lane, Morgan, Nicholson, Patterson, Pigott, Shows, Staples, Stringer, Walley, Zuber, Palazzo	To: Wildlife, Fisheries and Parks
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HOUSE BILL NO. 1089
 (As Sent to Governor)

1 AN ACT TO AMEND SECTION 49-7-33, MISSISSIPPI CODE OF 1972, TO
 2 ALLOW THE BAITING OF DEER ON PRIVATE LANDS AND ALLOW THE HUNTING
 3 OF DEER OVER BAIT UNDER CERTAIN CONDITIONS; TO REQUIRE THE
 4 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO STUDY THE EFFECTS
 5 OF BAITING AND REPORT TO THE LEGISLATURE; TO AMEND SECTION
 6 49-7-33.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED
 7 PURPOSES.

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

9 **SECTION 1.** Section 49-7-33, Mississippi Code of 1972, is
 10 amended as follows:

11 49-7-33. (1) It is unlawful to hunt, trap or kill any wild
 12 bird or wild animal of any kind with the aid of bait, recordings
 13 of bird or animal calls, or electrically amplified imitations of
 14 calls of any kind, except a person:

15 (a) May use electrically amplified sound devices for
 16 hunting crow;

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

18 (c) May use lures for trapping fur-bearing animals,
 19 according to regulations adopted by the commission;

20 (d) May take nuisance animals as provided in Section
 21 49-7-31.5; and

22 (e) May take deer with the aid of bait as provided
 23 under Section 49-7-33.1. * * *

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



29 **SECTION 2.** Section 49-7-33.1, Mississippi Code of 1972, is
30 amended as follows:

31 49-7-33.1. (1) * * * (a) The Commission on Wildlife,
32 Fisheries and Parks shall regulate the taking of deer with the aid
33 of bait and may establish a zone or zones of contiguous counties
34 for the management and regulation of * * * the taking of deer with
35 the aid of bait.

36 (b) The commission shall allow the taking of deer with
37 the aid of bait on private lands only.

38 (c) Feeders may be placed no closer than one hundred
39 (100) yards from any property boundary.

40 (d) Feed may only be provided from aboveground covered
41 feeders or stationary spin-cast feeders.

42 (2) The commission may take any action it deems necessary
43 and use its emergency powers to prevent the introduction of
44 disease, to control disease, to eradicate disease, and to manage
45 the taking of deer with the aid of bait.

46 (3) (a) * * * The Department of Wildlife, Fisheries and
47 Parks shall study and analyze all relevant data and issues with
48 regard to the taking of deer with the aid of bait * * *,
49 including, but not limited to, the impact that baiting has upon
50 the health and density of deer populations and other wildlife, its
51 effect on surrounding habitat, the effectiveness of wildlife law
52 enforcement, the extent to which hunters who participate in
53 baiting are successful in harvesting deer and are supportive of
54 the program, the perception of the program by the general public,
55 and the extent to which the program has a favorable impact on
56 economic development and tourism.

57 (b) The department shall file annual progress reports
58 with the Legislature. * * *

59 (4) A violation of this section or any regulation of the
60 commission promulgated under this section shall be a Class II
61 violation and is punishable as provided in Section 49-7-143.



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63 **SECTION 3.** This act shall take effect and be in force from
64 and after July 1, 2008.

