MISSISSIPPI LEGISLATURE REGULAR SESSION 2021

By: Representative Holloway (By Request)

To: Wildlife, Fisheries and Parks

HOUSE BILL NO. 973

AN ACT TO PROHIBIT USING DOGS FOR HUNTING DEER; TO AMEND SECTIONS 49-7-31 AND 49-7-37, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

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

SECTION 1. (1) It is unlawful to hunt or kill deer with dogs.

(2) A violation of this section shall be punishable as a Class I violation as defined in Section 49-7-141.

SECTION 2. Section 49-7-31, Mississippi Code of 1972, is amended as follows:

49-7-31. (1) The open season on deer shall be as follows:

(a) With bow and arrow: October 1 through the Friday prior to Thanksgiving.

(b) With guns *** * ***: from the Saturday prior to Thanksgiving through December 1, and from December 16 through a date fixed by the commission that will provide a total of thirty-nine (39) days of hunting deer with guns.

(c) With primitive weapons * * *: December 2 through December 15.

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(* * *d) The commission shall establish an extended season with primitive weapons and bow and arrow * * * from February 1 through February 15 for the area south of U.S. Highway 84 and east of Mississippi Highway 35 only for legal bucks. Any antlered deer taken in this area during any open season under this section must be a legal buck as defined in this paragraph. For purposes of this paragraph, the term "legal buck" means a deer with antlers of four (4) points or more with a minimum inside spread of ten (10) inches or a minimum main beam length of thirteen (13) inches. The commission may regulate the taking of deer with antlers of four (4) points or less under this paragraph for the proper management of antlered deer. The commission may delay the opening date and change the length of bow and arrow season in * * * paragraph (a) in this area.

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(2) The commission may set and regulate the deer seasons on wildlife management areas which it administers.

(3) (a) The commission may allow the harvesting of antlerless deer in the districts or zones upon the recommendation of the executive director based upon good and substantial quantitative data and research evaluations that demonstrate that the harvesting is necessary to properly manage the herd.

(b) The commission, only upon the recommendation of the executive director, may allow the harvesting of antlerless deer during the deer season with guns * * * by a majority vote of the commission.

(c) Nothing in this subsection prohibits the harvesting of either-sex deer by landowners or leaseholders on private lands under the deer management assistance program prescribed or approved by the executive director.

(4) The commission may provide a special permit for the harvesting of deer when they are depredating and destroying crops. The department shall supervise the harvesting and provide for the salvaging of the meat of the animals. The commission may authorize the department to assist any farmer in this state, who sustains crop damage by wildlife, in eradication of the problem wildlife.

(5) (a) During any open season on deer with primitive weapons after November 30, a person may use any legal weapon of choice on private lands only, if the person is:

(i) The title owner of the land;

(ii) The lessee of the hunting rights on the land;

(iii) A member of a hunting club leasing the hunting rights on the land; or

(iv) A guest of a person specified in subparagraph (i), (ii) or (iii).

(b) If the person is required to have a hunting license, the person must have a primitive weapon license, Sportsman's License or a Lifetime Sportsman's License.

SECTION 3. Section 49-7-37, Mississippi Code of 1972, is amended as follows:

49-7-37. (1) Any resident of this state licensed to hunt or otherwise take any legal game bird or game animal in this state by or with the use of firearms, may hunt, kill, shoot or otherwise take game animals or game birds by the use of falcons or hawks as may be prescribed by the commission and in compliance with federal guidelines.

(2) The commission may extend the special archery seasons on any public hunting projects, game refuges or prescribed areas having surplus deer populations.

(3) The killing by primitive firearms of an antlerless deer or any other deer protected during the regular deer season is prohibited, but the commission may designate areas of the state in which the killing of antlerless deer may be permitted or limited.

(4) The commission may make reasonable rules and regulations concerning the special seasons with falcons and hawks, bow and arrow and primitive firearms which it deems necessary and proper. The commission shall define the term "primitive firearm" for purposes of this section and other law or regulation.

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(* * *5) In addition to a hunting license allowing the taking of deer, any resident desiring to hunt deer with bow and arrow or primitive firearm during primitive weapon or archery season or special hunts established by the commission shall purchase a special resident archery and/or primitive firearms license at a fee of Fourteen Dollars ($14.00) for each license plus the fee provided in Section 49-7-17.

(* * *6) Any person violating this section is guilty of a Class II violation and shall be punished as provided in Section 49-7-143.

(* * *7) All seasons provided for herein shall begin on Saturday.

SECTION 4. This act shall take effect and be in force from and after July 1, 2021.