

3/16/11 5:06pm

Chapter No. 417

11/HR40/R1189SG

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***HOUSE BILL NO. 768***

Originated in House Von Richardson Clerk

HOUSE BILL NO. 768

AN ACT TO AMEND SECTION 49-15-313, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE FIRST WEEKEND OF "NATIONAL FISHING AND BOATING WEEK" IN JUNE OF EACH YEAR AS "FREE FISHING WEEKEND"; TO PROVIDE THAT ANY PERSON MAY SALTWATER SPORT FISH WITHOUT A LICENSE DURING "FREE FISHING WEEKEND"; AND FOR RELATED PURPOSES.

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

**SECTION 1.** Section 49-15-313, Mississippi Code of 1972, is amended as follows:

49-15-313. (1) Any resident between the ages of sixteen (16) and sixty-five (65) years, as defined in Section 49-7-3, fishing in the marine waters of the state, shall obtain a saltwater sports fishing license for a fee of Ten Dollars (\$10.00). A resident sixty-five (65) years of age or older, fishing in the marine waters of the state, shall obtain a lifetime saltwater sports fishing license for a one-time fee of Five Dollars (\$5.00). These licenses shall be valid in any waters south of Interstate 10. Any resident citizen who is blind, paraplegic or a multiple amputee, or who has been adjudged by the Veterans Administration as having a total service-connected disability, or has been adjudged totally disabled by the Social Security Administration shall not be required to purchase or have in his possession a saltwater sports fishing license while engaged in such activities. Any resident exempt under this section shall have on his person while fishing proof of residency and age or disability. Any resident who is a member of the Armed Forces, including the Reserves and National Guard, and on active duty outside the State of Mississippi is not required to purchase or have in his possession a hunting or fishing license while engaged

in such activities on leave from active duty. Such resident shall have in his possession and on his person such proof as may be required by the commission.

(2) The commission shall prescribe the forms, types and fees for nonresident saltwater sports fishing licenses except that the fee for a nonresident saltwater sports fishing license shall not be less than Twenty Dollars (\$20.00). This minimum fee shall not apply to nonresidents sixty-five (65) years of age or older. The commission may enter into reciprocal agreements with adjacent states pertaining to fees and exemptions for persons sixty-five (65) years of age or older. The commission shall require a nonresident to purchase a nonresident freshwater fishing license and a nonresident saltwater sports fishing license if the nonresident's state requires both licenses for a nonresident to fish in its marine waters. Any nonresident sixty-five (65) years of age or older shall possess a saltwater sports fishing license.

(3) All resident vessels engaged in charter boat fishing, party boat fishing, head boat and guide boat fishing shall be issued a separate annual license by the commission at a fee of Two Hundred Dollars (\$200.00). All nonresident vessels engaged in charter boat fishing, party boat fishing, head boat and guide boat fishing shall be issued a separate annual license by the commission. In addition to other requirements for charter license eligibility, captains must show proof of participation in a Department of Transportation approved random drug testing program and proof of liability insurance as a charter boat captain. Crew members and customers of the licensed vessels shall not be required to purchase an individual resident or nonresident saltwater fishing license while sponsored by the licensed vessels. An operator of a licensed vessel shall be required to report the number of customers to the department as required by the commission and the information shall be kept confidential and shall not be released, except to other fisheries management

agencies or as statistical data. All nonresident vessels engaged in saltwater sport fishing tournaments, not to exceed an aggregate of twenty (20) days per calendar year, shall not be required to purchase an annual license as provided under this subsection.

(4) The saltwater sports fishing license is required for all recreational methods of finfish harvest.

(5) Any resident who purchases a lifetime sportsman's license, in accordance with Section 49-7-153, shall be entitled to fish in the marine salt waters of the state and shall be exempt from the purchase of a sport saltwater fishing license.

(6) Any person authorized to issue a license may collect and retain, for each saltwater fishing license issued, the additional fee authorized under Section 49-7-17.

(7) The fees collected from the sale of resident and nonresident saltwater sports fishing licenses shall be deposited into the Seafood Fund and shall be used solely for the management of marine resources.

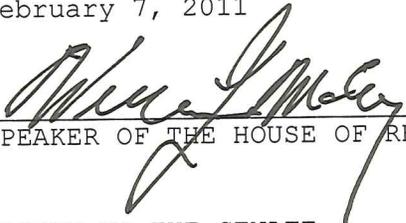
(8) Participants in the Very Special Fishing Olympics are exempt from this section.

(9) The first weekend of "National Fishing and Boating Week" in June of each year is designated as "Free Fishing Weekend," and July 4 of each year is designated as "Free Saltwater Sports Fishing Day." Any person may saltwater sport fish without a license on \* \* \* "Free Saltwater Sports Fishing Day" and during "Free Fishing Weekend."

(10) The department may exempt participants in an organized fishing event conducted by a qualified nonprofit charitable, governmental or civic organization from the requirements of this section for one (1) day per year if the organization files an exemption application with the department and the application is approved by the department.

**SECTION 2.** This act shall take effect and be in force from  
and after its passage.

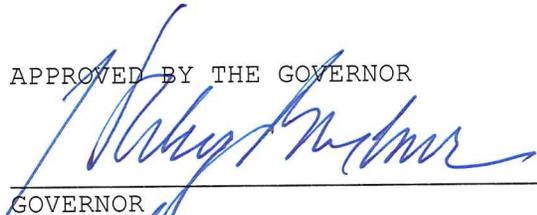
PASSED BY THE HOUSE OF REPRESENTATIVES  
February 7, 2011

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
March 2, 2011

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR

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