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Chapter No. 326
11/SS02/R851PS
JW / AS / SG

SENATE BILL NO. 2958

Originated in Senate *Armin D. Hernandez* Secretary

SENATE BILL NO. 2958

AN ACT TO AMEND SECTION 49-15-315, MISSISSIPPI CODE OF 1972, TO CLARIFY BOUNDARY OF MARINE WATERS WHERE COMMERCIAL FISHING IS PROHIBITED; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-15-315, Mississippi Code of 1972, is amended as follows:

49-15-315. (1) It is unlawful for any person, firm or corporation to engage in commercial harvesting of crabs, oysters, shrimp, bait shrimp or saltwater fish in the marine waters north of the CSX bridge in the three (3) coastal counties, except for the following:

(a) A person may take any euryhaline species of minnow; and

(b) A person may take live bait shrimp between the hours of sunrise and sunset on Friday, Saturday and Sunday in the West Pascagoula River System when opened by the department after sampling studies.

(2) A person may take live bait shrimp between the hours of sunrise and 12:00 noon in the Back Bay of Biloxi when opened by the department after sampling studies.

(3) The Gulf Coast Research Laboratory shall study all estuaries and bays deemed to be nurseries. The Gulf Coast Research Laboratory may recommend the establishment of nursery grounds in the estuaries and bays if necessary to protect the state's fishing resources.

(4) The department shall set the limits on all catches for noncommercial use.

(5) A person, firm or corporation found guilty of violating this section is guilty of a misdemeanor and shall be fined as provided in Section 49-15-100(2), or imprisoned not more than three (3) months or both; and in addition, the commission shall seize and confiscate all commercial nets, trawls, traps, tongs and boats used for such purpose and dispose of it at public sale and shall deposit the proceeds to the credit of the Seafood Fund. If the person in possession of or using the nets in the violation is not the owner or licensee of the nets, the department shall notify the owner or licensee of the nets. The nets shall be subject to forfeiture unless the nets were stolen and prosecution for the theft is initiated.

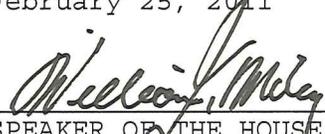
SECTION 2. This act shall take effect and be in force from and after its passage.

PASSED BY THE SENATE
February 3, 2011



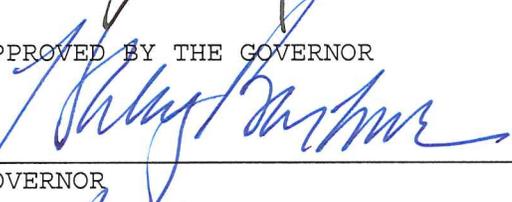
PRESIDENT OF THE SENATE

PASSED BY THE HOUSE OF REPRESENTATIVES
February 25, 2011



SPEAKER OF THE HOUSE OF REPRESENTATIVES

APPROVED BY THE GOVERNOR



GOVERNOR

2/9/11

2/12/11