

4/13 11:00 am

Chapter No. 328  
12/HR12/R1191  
KB 1-ew

***HOUSE BILL NO. 368***

Originated in House  Clerk

HOUSE BILL NO. 368

AN ACT TO AMEND SECTION 49-15-315, MISSISSIPPI CODE OF 1972, TO REVISE THE RESTRICTIONS FOR COMMERCIAL HARVESTING OF OYSTERS; 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 licensed commercial oyster fisherman may harvest oysters from reefs approved by the commission.

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(2) 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.

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

(4) 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

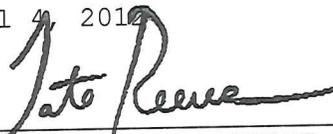
seize and confiscate all commercial nets, trawls, traps, tongs and boats used for such purpose and dispose of it at public sale and shall deposit the proceeds to the credit of the Seafood Fund. If the person in possession of or using the nets in the violation is not the owner or licensee of the nets, 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 July 1, 2012.

PASSED BY THE HOUSE OF REPRESENTATIVES  
March 8, 2012

  
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SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE  
April 4, 2012

  
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PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

  
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GOVERNOR

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