4/13 10:40am

Chapter No. 326
12/HR40/R73CS
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HOUSE BILL NO. 756

Originated in House _____ Clerk

HOUSE BILL NO. 756

AN ACT TO AMEND SECTION 49-7-58.3, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER FROM JULY 1, 2012, TO JULY 1, 2014, ON THE AUTHORITY OF THE MISSISSIPPI COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REGULATE THE HUNTING OF NONNATIVE CERVIDS IN NONCOMMERCIAL WILDLIFE ENCLOSURES; TO AMEND SECTION 49-7-58.4, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER FROM JULY 1, 2012, TO JULY 1, 2014, ON THE AUTHORITY OF THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS AND THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO REGULATE ALL COMMERCIAL AND NONCOMMERCIAL WILD ANIMAL ENCLOSURES; TO AMEND SECTION 49-11-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER FROM JULY 1, 2012, TO JULY 1, 2014, ON THE AUTHORITY OF THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO REGULATE HUNTING OF NONNATIVE CERVIDS IN COMMERCIAL WILDLIFE ENCLOSURES; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-7-58.3, Mississippi Code of 1972, is amended as follows:

49-7-58.3. (1) The Commission on Wildlife, Fisheries and Parks may regulate the hunting of nonnative cervids in noncommercial wildlife enclosures, and the Department of Wildlife, Fisheries and Parks may enforce such regulations and laws in the same manner as commercial wildlife enclosures as provided in Section 49-11-25.

(2) This section shall repeal on July 1, 2014.

SECTION 2. Section 49-7-58.4, Mississippi Code of 1972, is amended as follows:

49-7-58.4. (1) The Commission on Wildlife, Fisheries and Parks and the Department of Wildlife, Fisheries and Parks shall have plenary power to regulate all commercial and noncommercial wild animal enclosures in order to conserve and protect native wildlife for all citizens to enjoy and to protect our recreational economy dependent on native wildlife resources.

(2) The Commission on Wildlife, Fisheries and Parks shall regulate any facility that prevents the free ingress and egress of native or nonnative cervids as the same are defined by the commission. The commission may promulgate rules and regulations requiring the issuance of permits and the payment of a reasonable fee therefor. Regulations promulgated under this authority must have a majority vote of the commission to be adopted.

(3) This section shall repeal on July 1, 2014.

SECTION 3. Section 49-11-3, Mississippi Code of 1972, is amended as follows:

49-11-3. (1) The department may issue operating licenses to any person, partnership, association or corporation for the operation of shooting preserves or commercial wildlife enclosures that meet the following requirements and any applicable regulations:

(a) Each shooting preserve shall contain a minimum of one hundred (100) acres in one (1) tract of leased or owned land (including water area, if any) and shall be restricted to not more than six hundred forty (640) contiguous acres (including water area, if any), except that preserves confined to the releasing of ducks only may be authorized to operate with a minimum of fifty (50) contiguous acres (including water area).

(b) The boundaries of each shooting preserve shall be clearly defined and posted with signs erected at intervals of three hundred (300) feet or less.

(c) Each commercial wildlife enclosure shall contain a minimum of three hundred (300) acres in one (1) tract of leased or owned land (including water area, if any). No commercial wildlife enclosure shall be constructed in such a manner as to allow ingress of native wild animals without providing means of egress.

(d) The preserve or enclosure must be privately owned and operated.

(2) The commission may issue any rules or regulations necessary to regulate shooting preserves and commercial wildlife enclosures and to enforce this chapter.

(3) (a) The commission may regulate the hunting of nonnative cervids within a commercial wildlife enclosure, and the department may enter such enclosure as provided under Section 49-11-25 and enforce such regulations.

(b) This subsection (3) shall repeal on July 1, 2014.

SECTION 4. This act shall take effect and be in force from and after July 1, 2012.

PASSED BY THE HOUSE OF REPRESENTATIVES
February 23, 2012

SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 4, 2012

PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR

GOVERNOR

10:40AM