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Chapter No. 510
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HOUSE BILL NO. 864

Originated in House  Clerk

HOUSE BILL NO. 864

AN ACT TO AMEND SECTIONS 49-7-31.5 AND 49-7-140, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE TRANSPORTATION OR RELOCATION OF LIVE WILD HOGS WITHIN THE STATE; TO PRESCRIBE THE MANNER BY WHICH LIVE WILD HOGS MAY BE CAUGHT OR TRAPPED AND TRANSPORTED WITHIN THE STATE WITH A PERMIT ISSUED BY THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO PROMULGATE RULES AND REGULATIONS FOR THE ISSUANCE OF HOG TRANSPORTATION PERMITS; TO PRESCRIBE THE PENALTIES FOR VIOLATIONS; TO PROVIDE THAT THE LAWS SHALL NOT BE CONSTRUED TO PROHIBIT THE TRANSPORTATION OF DOMESTIC SWINE; AND FOR RELATED PURPOSES.

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

SECTION 1. Section 49-7-31.5, Mississippi Code of 1972, is amended as follows:

49-7-31.5. (1) The hunting, trapping and taking of nuisance animals shall be regulated by the commission. The commission may adopt regulations to regulate the hunting, trapping and taking of nuisance animals and to control the population of nuisance animals.

(2) (a) Landowners, agricultural leaseholders or their designated agents may take predatory and nuisance animals year-round on lands owned or leased by them.

(b) Landowners, agricultural leaseholders or their designated agents may take nuisance animals with any type of weapon and may take nuisance animals during the night after legal hunting hours on lands owned or leased by them with a permit issued by the department.

(c) No license is required for a resident landowner hunting or trapping nuisance animals on his own land. An agricultural leaseholder, designated agent and any other person must possess either an all-game hunting license or trapping license, unless otherwise exempt.

(3) The taking of any animal or animals other than nuisance animals by the use of a trap or traps is unlawful except during the time the season is open for the taking of fur-bearing animals.

(4) Nuisance animals may be run, chased or pursued with dogs, except as provided in Section 49-7-32, year-round by licensed hunters.

(5) Nuisance animals may be hunted with the aid of electronic calls.

(6) Nuisance animals may be hunted or trapped with the aid of bait and lures, on private lands, according to regulations adopted by the commission.

(7) Any part of a nuisance animal may be bought and sold year-round.

(8) (a) Wild hogs may not be caught or trapped and released into the wild at a location different from the location where the wild hog was caught or trapped.

(b) A violation of this subsection is a Class I violation and is punishable as provided under Section 49-7-141.

(9) (a) Wild hogs may be caught or trapped and transported within the State of Mississippi, with a permit, issued by the Mississippi Department of Wildlife, Fisheries and Parks. Wild hogs may not be released or removed alive from any mobile device or vehicle, except that wild hogs may be released alive for the purpose of slaughter into an enclosure no larger than five hundred (500) square feet in size and constructed in a manner that prevents the escape of any wild hog, or to a facility where the hog may be immediately prepared for slaughter. The commission shall promulgate rules and regulations for the issuance of a hog transportation permit consistent with this subsection, provided that the authority to issue such a permit is based on the determination that the individuals, at the time of requesting such permit:

(i) Does not have a history of repeat hunting offenses; or

(ii) Has not had his or her hunting privileges revoked.

(b) Any person transporting a live wild hog within the State of Mississippi must first obtain from the Mississippi

Department of Wildlife, Fisheries and Parks, a live wild hog transportation permit, as provided above, for each wild hog being transported.

(c) A violation of any regulation of the commission promulgated under the authority provided in this section shall be a Class II violation, per each animal in violation, and punishable as provided in Section 49-7-143. In addition to the penalties provided therein, upon conviction, the violator shall forfeit all hunting, trapping and fishing privileges for a period of one (1) year from the date of conviction.

(* * *10) When hunting wild hogs during any open gun season on deer, a hunter must wear in full view at least five hundred (500) square inches of solid unbroken fluorescent orange.

(11) This section shall stand repealed on July 1, 2016.

SECTION 2. Section 49-7-140, Mississippi Code of 1972, is amended as follows:

49-7-140. (1) No person may import into the state or release into the wild, any live feral hog, wild swine or Russian Boar.

(2) No person may transport on public roads or off of the property of record where captured or relocate within the state any live feral hog, wild swine or Russian Boar * * *, except as permitted by the department.

(3) For the purposes of this section, "feral hogs, wild swine or Russian Boar" are defined as any hog that is not a domesticated pet or livestock * * *.

(4) A violation of this section is a Class I violation punishable as provided in Section 49-7-141.

(5) (a) Wild hogs may be caught or trapped and transported within the State of Mississippi, with a permit, issued by the Mississippi Department of Wildlife, Fisheries and Parks. Wild hogs may not be released or removed alive from any mobile device or vehicle, except that wild hogs may be released alive for the purpose of slaughter into an enclosure no larger than five hundred (500) square feet in size and constructed in a manner that prevents the escape of any wild hog, or to a facility where the hog may be immediately prepared for slaughter. The commission shall promulgate rules and regulations for the issuance of a hog transportation permit consistent with this subsection, provided that the authority to issue such a permit is based on the determination that the individuals, at the time of requesting such permit:

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(b) Any person transporting a live wild hog within the State of Mississippi must first obtain from the Mississippi

Department of Wildlife, Fisheries and Parks, a live wild hog transportation permit, as provided above, for each wild hog being transported.

(c) A violation of any regulation of the commission promulgated under the authority provided in this section shall be a Class II violation, per each animal in violation, and punishable as provided in Section 49-7-143. In addition to the penalties provided therein, upon conviction, the violator shall forfeit all hunting, trapping and fishing privileges for a period of one (1) year from the date of conviction.

(6) Nothing in this section shall be construed to prohibit the lawful transport of domestic swine for customary and ordinary purposes of intrastate or interstate commerce, or agricultural practices.

(7) This section shall stand repealed on July 1, 2016.

SECTION 3. This act shall take effect and be in force from and after July 1, 2014.

PASSED BY THE HOUSE OF REPRESENTATIVES
April 1, 2014



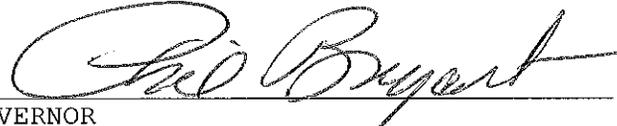
SPEAKER OF THE HOUSE OF REPRESENTATIVES

PASSED BY THE SENATE
April 1, 2014



PRESIDENT OF THE SENATE

APPROVED BY THE GOVERNOR



GOVERNOR

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