

1 HB52  
2 115271-1  
3 By Representative Martin  
4 RFD: Agriculture and Forestry  
5 First Read: 12-JAN-10  
6 PFD: 12/08/2009

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8 SYNOPSIS: Under existing law, traps used to trap  
9 fur-bearing animals are generally required to have  
10 a plastic or metal tag which contains the license  
11 number and name and address of the owner. Beaver  
12 traps are not required to have the license number  
13 of the owner on the tag.

14 This bill would delete the use of plastic  
15 tags on traps and delete the requirement that the  
16 license number of the owner of a trap be contained  
17 on any tag.

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19 A BILL  
20 TO BE ENTITLED  
21 AN ACT

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23 To amend Section 9-11-59 of the Code of Alabama  
24 1975, relating to licensing of persons for the trapping of  
25 fur-bearing animals, to further provide for the tags used to  
26 identify traps being used for trapping.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1           Section 1. Section 9-11-59 of the Code of Alabama  
2 1975, is amended to read as follows:

3           "§9-11-59.

4           "(a) It shall be unlawful for any person to take,  
5 capture, or kill, or to attempt to take, capture, or kill for  
6 commercial purposes by any means or device any of the  
7 fur-bearing animals protected by the laws or regulations of  
8 this state without first procuring a license therefor, to be  
9 issued in the same manner as is provided for hunting and  
10 fishing licenses. Any person who has been a bona fide resident  
11 of this state for six months next preceding may procure a  
12 resident trapping license by paying the sum of \$7.65. Any  
13 person who has not been a bona fide resident of this state for  
14 six months next preceding may procure a nonresident trapping  
15 license by paying the sum of \$500.15. Any resident or  
16 nonresident when trapping for beaver only shall not be  
17 required to pay a license fee. A trapping license shall be  
18 valid only during the season when fur-bearing animals may be  
19 legally taken.

20           "(b) It shall be unlawful for any person to trap in  
21 the State of Alabama without identifying each trap with a  
22 ~~plastic or metal tag bearing the license number, name, and~~  
23 ~~address of the owner; provided, however, that traps used~~  
24 ~~solely for beaver shall be identified in a like manner, but~~  
25 ~~the tag shall bear only the name and address of the owner.~~  
26 Should any law enforcement officer of this state or employee  
27 of the Department of Conservation and Natural Resources of the

1 State of Alabama discover any trapping device being used in  
2 violation of the terms of this section, ~~he or she~~ the officer  
3 shall confiscate the device and it shall become the property  
4 of the Department of Conservation and Natural Resources and  
5 shall be disposed of as ordered by the Commissioner of  
6 Conservation and Natural Resources.

7 "(c) A violation of this section or failure to fully  
8 comply therewith shall constitute a misdemeanor and, upon  
9 conviction, the person violating same or failing to comply  
10 therewith shall be punished by a fine of not less than two  
11 hundred fifty dollars (\$250) nor more than two thousand  
12 dollars (\$2,000) for each offense."

13 Section 2. This act shall become effective on the  
14 first day of the third month following its passage and  
15 approval by the Governor, or its otherwise becoming law.