

1 SB64
2 197340-1
3 By Senator Holley
4 RFD: Agriculture, Conservation and Forestry
5 First Read: 05-MAR-19

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8 SYNOPSIS: Under existing law, the Commissioner of
9 Conservation and Natural Resources enforces and
10 administers all laws providing for the
11 preservation, protection, propagation, and
12 development of all species of wildlife.

13 This bill would prohibit the Commissioner of
14 Conservation and Natural Resources and the Advisory
15 Board of Conservation and Natural Resources from
16 prohibiting or limiting the use of any species of
17 rattlesnake used in certain events hosted in
18 certain municipalities.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 Relating to the Department of Conservation and
25 Natural Resources; to provide legislative findings; to
26 prohibit the commissioner and the Advisory Board of
27 Conservation and Natural Resources from prohibiting or

1 limiting the use of any species of rattlesnake used in certain
2 events hosted by municipalities.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. The Legislature finds and declares the
5 following:

6 (1) All species of rattlesnake in the family of
7 Viperidae are entitled to zones of protection and refuge in
8 designated ares of the State of Alabama.

9 (2) In those zones of refuge the Department of
10 Conservation and Natural Resources and the Advisory Board of
11 Conservation and Natural Resources shall have no authority to
12 prohibit or otherwise limit in any way the use or display of
13 rattlesnakes.

14 (3) The first zone of refuge shall be the City of
15 Opp which is home to the Rattlesnake Rodeo which has been in
16 continuous annual operation since 1960.

17 Section 2. Notwithstanding the Commissioner of
18 Conservation and Natural Resources' authority to enforce and
19 administer all laws providing for the preservation,
20 protection, propagation, and development of all species of
21 wildlife as provided in Section 9-2-7, Code of Alabama 1975,
22 and notwithstanding the commissioner's rulemaking authority to
23 carry out these duties and the Advisory Board of Conservation
24 and Natural Resource's authority to amend rules of the
25 commissioner, the commissioner or the advisory board may not
26 prohibit or otherwise limit in any way the use of any species
27 of rattlesnake in the family of Viperidae used for the

1 purposes of a festival or community event hosted in a
2 municipality with a population of less than 7,000 residents
3 according to the 2010 federal census that features all of the
4 following:

5 (1) Exhibitions or educational or other activities
6 using, or relating to, rattlesnakes.

7 (2) Entertainment.

8 (3) Arts and crafts.

9 (4) Food vendors.

10 Section 3. This act shall become effective
11 immediately following its passage and approval by the
12 Governor, or its otherwise becoming law.