

1 SB66
2 197513-2
3 By Senators Williams, Price, Barfoot, Sessions, Whatley,
4 Chesteen and Elliott
5 RFD: Agriculture, Conservation and Forestry
6 First Read: 05-MAR-19

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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11 To amend Section 9-11-244 of the Code of Alabama
12 1975, relating to hunting; to allow the taking of whitetail
13 deer or feral swine by means of bait when a person purchases a
14 baiting privilege license from the Department of Conservation
15 and Natural Resources; and to provide for the suspension of
16 the use of a baiting privilege license to prevent the spread
17 of diseases among wildlife under certain conditions.

18 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

19 Section 1. Section 9-11-244 of the Code of Alabama
20 1975, is amended to read as follows:

21 "§9-11-244.

22 "(a) No Except as provided in subsection (b), no
23 person at any time shall take, catch, kill, or attempt to
24 take, catch, or kill any bird or animal protected by law or
25 ~~regulation~~ rule of the State of Alabama by means, aid, or use,
26 directly or indirectly, of any bait, such as shelled, shucked,
27 or unshucked corn or of wheat or other grain, salt, or any

1 other feed whatsoever that has been so deposited, placed,
2 distributed, or scattered as to constitute for ~~such~~ the birds
3 or animals a lure, attraction, or enticement to, on, or over
4 the area where ~~such~~ a hunter or hunters are attempting to kill
5 or take them; provided, that ~~such~~ the birds or animals may be
6 taken under properly shocked corn and standing crops of corn,
7 wheat, or other grain or feed and grains scattered solely as a
8 result of normal agricultural harvesting; and provided
9 further, migratory birds may be hunted under the most recent
10 ~~provisions~~ regulations established by the U.S. Fish and
11 Wildlife Service or ~~regulations~~ rules ~~promulgated~~ adopted by
12 the Commissioner of the Department of Conservation and Natural
13 Resources within the limits of the federal regulations.

14 "(b) (1) This section shall not apply to a person
15 hunting whitetail deer or feral swine with the aid of bait on
16 privately owned or leased lands; provided, that the person has
17 purchased, and is in possession of, a bait privilege license
18 issued by the Department of Conservation and Natural Resources
19 as follows:

20 "a. The annual resident bait privilege license fee
21 shall be fourteen dollars (\$14), plus an issuance fee of one
22 dollar (\$1).

23 "b. The annual nonresident bait privilege license
24 fee shall be fifty dollars (\$50), plus an issuance fee of one
25 dollar (\$1).

26 "(2) The fees provided for by this section shall be
27 subject to adjustment as provided in Section 9-11-68.

1 "(3) A bait privilege license required by this
2 section shall be procured in the same manner as an annual
3 hunting license, with the issuance fee for the bait privilege
4 license paid to and retained by the issuing office or agency.

5 "(4) A person who is exempt from purchasing a
6 hunting license shall not be exempt from the requirement to
7 purchase a bait privilege license pursuant to this section.

8 "(c) The commissioner may, without refund, suspend
9 the use of a baiting privilege license and adopt rules to
10 manage the feeding of wild game animal populations on a
11 county, regional, or statewide basis to prevent the spread of
12 diseases among wildlife by announcing the suspension in a news
13 release.

14 "(d) The Department of Conservation and Natural
15 Resources may adopt rules to implement the act adding this
16 amendatory language."

17 Section 2. This act shall become effective
18 immediately following its passage and approval by the
19 Governor, or its otherwise becoming law.

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Senate

Read for the first time and referred to the Senate
committee on Agriculture, Conservation and For-
estry..... 05-MAR-19

Read for the second time and placed on the calen-
dar 1 amendment..... 19-MAR-19

Read for the third time and passed as amended 04-APR-19

Yeas 25
Nays 8

Patrick Harris,
Secretary.