

2015 Regular Session

SENATE BILL NO. 254

BY SENATOR CROWE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

WILDLIFE/FISHERIES DEPT. Authorizes an alternative for identification for the purchase of a resident fishing and hunting license. (8/1/15)

AN ACT

To amend and reenact R.S. 56:8(16)(a)(ii), 104(A)(1)(a), and 302.4(D), relative to resident fishing and hunting licenses; to authorize the Department of Wildlife and Fisheries to accept alternative forms of identification from residents purchasing a fishing or hunting license; to provide for the promulgation of rules for the issuance of alternative forms of identification; to provide, terms, conditions, and requirements; and to provide for related matters.

Be it enacted by the Legislature of Louisiana:

Section 1. R.S. 56:8(16)(a)(ii), 104(A)(1)(a), and 302.4(D) are hereby amended and reenacted to read as follows:

§8. Definitions

For purposes of this Chapter, the following words and phrases have the meaning ascribed to them in this Section, unless the context clearly shows a different meaning:

* * *

(16)(a) Except as specified in Subparagraph (b) of this Paragraph, "bona fide resident" means any person who is a United States citizen or resident alien and has

1 resided in this state continuously during the twelve months immediately prior to the
2 date on which he applies for any license and who has manifested his intent to remain
3 in this state by establishing Louisiana as his legal domicile, as demonstrated by
4 compliance with all of the following, as applicable:

5 * * *

6 (ii) If licensed to drive a motor vehicle, he is in possession of a Louisiana
7 driver's license, or, if over the age of fifteen years and not licensed to drive, he is in
8 possession of a special identification card issued by the Department of Public Safety
9 and Corrections under the provisions of R.S. 40:1321, **or if sixteen years of age or**
10 **older, he is in possession of an alternative form of identification that meets the**
11 **requirements of rules and regulations promulgated and adopted by the**
12 **commission in accordance with the Administrative Procedure Act.**

13 * * *

14 §104. License fees; reciprocity; exceptions

15 A. No license shall be issued under this Part unless there has been previously
16 paid a fee or fees as hereinafter set forth:

17 (1)(a) Except as specified in Subsection B of this Section, a resident who is
18 sixteen years of age or older shall purchase and possess a basic hunting license for
19 a fee of fifteen dollars in order to hunt, take, possess, or transport wild birds and
20 quadrupeds on which open seasons are declared. Special additional licenses are
21 required to hunt, take, possess, or transport deer, turkey, or migratory waterfowl
22 within the limits of the state. In order to obtain these licenses, a resident must meet
23 residency requirements as specified in R.S. 56:8 ("Bona fide resident") and present
24 either a Louisiana driver's license, ~~or~~ a special identification card issued by the
25 Department of Public Safety and Corrections under the provisions of R.S. 40:1321,
26 **or an alternative form of identification that meets the requirements of rules and**
27 **regulations promulgated by the commission in accordance with the**
28 **Administrative Procedure Act.**

29 * * *

1 §302.4. Recreational fishing licenses: license year; purchase period

2 * * *

3 D. A license may be issued to a bona fide resident upon presentation of a
4 Louisiana driver's license, ~~or~~ a special identification card issued by the Department
5 of Public Safety and Corrections under the provisions of R.S. 40:1321, **or an**
6 **alternative form of identification that meets the requirements of rules and**
7 **regulations promulgated and adopted by the commission in accordance with the**
8 **Administrative Procedure Act.**

9 * * *

The original instrument and the following digest, which constitutes no part
of the legislative instrument, were prepared by McHenry Lee.

DIGEST

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Present law provides for the definition of a "bona fide resident".

Proposed law adds an alternative form of identification to the list of items used to establish legal domicile for purposes of satisfying the definition of a "bona fide resident".

Present law requires that a resident who is 16 years of age or older must present either a La. driver's license or a special identification card issued by the Dept. of Safety and Corrections to receive a basic hunting license.

Present law provides for the issuance of a fishing license to a bona fide resident upon presentation of either a La. driver's license or special identification card issued by the Dept. of Public Safety and Corrections to receive a fishing license.

Proposed law authorizes the commission to promulgate rules to allow residents to present alternative forms of identification to receive a resident fishing or hunting license.

Effective August 1, 2015.

(Amends R.S. 56:8(16)(a)(ii), 104(A)(1)(a), 302.4(D))