

1 HB386
2 115979-1
3 By Representatives McMillan, McDaniel, Sanderford and Jackson
4 RFD: Agriculture and Forestry
5 First Read: 21-JAN-10

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8 SYNOPSIS: Under existing law, a resident of this
9 state for 90 days or more who is age 16 to 64 may
10 purchase an annual saltwater pier fishing license
11 for a cost of \$5.

12 This bill would authorize a nonresident to
13 purchase an annual saltwater pier fishing license
14 for a cost of \$10.

15 Under existing law, public fishing pier
16 licenses and saltwater pier fishing licenses expire
17 on July 31 of each year.

18 This bill would change the expiration date
19 of the licenses to August 31 of each year.

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21 A BILL

22 TO BE ENTITLED

23 AN ACT

24
25 To amend Section 9-11-56.3 of the Code of Alabama
26 1975, relating to public pier fishing licenses and resident
27 saltwater pier fishing licenses; to authorize nonresidents to

1 purchase a saltwater pier fishing license; and to change the
2 expiration date of public pier fishing licenses and saltwater
3 pier fishing licenses.

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

5 Section 1. Section 9-11-56.3 of the Code of Alabama
6 1975, is amended to read as follows:

7 "§9-11-56.3.

8 "(a) A person, firm, or corporation that operates a
9 fishing pier open to the general public in the inside waters
10 of the State of Alabama as defined by Rule 220-3-.04 of the
11 Alabama Department of Conservation and Natural Resources, may
12 purchase a public fishing pier license to be issued by the
13 Marine Resources Division of the Department of Conservation
14 and Natural Resources. The fee for a public fishing pier
15 license shall be one thousand dollars (\$1,000) per year. Any
16 law or regulation to the contrary notwithstanding, a resident
17 of the State of Alabama may fish from a licensed public
18 fishing pier in the inside waters of the State of Alabama
19 without purchasing a fishing license. A licensed public
20 fishing pier shall be open to the general public. This section
21 shall not be construed to prohibit the operator of a licensed
22 public fishing pier from charging a fee for the use of the
23 pier.

24 "(b) A person who has been a bona fide resident of
25 this state for a period of not less than 90 days next
26 preceding and who is age 16 through 64, may fish from piers
27 open to the general public in the Gulf of Mexico or the inside

1 waters of the State of Alabama as defined by Rule 220-3-.04 of
2 the Alabama Department of Conservation and Natural Resources
3 by angling with rod and reel or by use of any artificial bait,
4 fly, or lure after purchasing an annual saltwater pier fishing
5 license at a cost of five dollars (\$5). A nonresident may fish
6 from piers open to the general public in the Gulf of Mexico or
7 the inside waters of the State of Alabama as defined by Rule
8 220-3-.04 of the Alabama Department of Conservation and
9 Natural Resources by angling with rod and reel or by use of
10 any artificial bait, fly, or lure after purchasing an annual
11 saltwater pier fishing license at a cost of ten dollars (\$10).
12 Alabama residents and nonresidents possessing a current
13 saltwater fishing license, ~~and~~ residents and nonresidents
14 under age 16, ~~and~~ ~~over~~ residents age 65 or over are expressly
15 exempt from the requirements of this subsection.

16 "(c) The licenses provided for in this section may
17 be purchased from any judge of probate, license commissioner,
18 revenue commissioner, or other officer authorized to issue
19 licenses upon application on forms furnished by the Division
20 of Marine Resources of the Department of Conservation and
21 Natural Resources and payment of the required fee for the
22 license plus a one dollar (\$1) issuance fee.

23 "(d) The licenses provided for in this section shall
24 be issued on an annual basis and shall expire on ~~July~~ August
25 31 of each year.

26 "(e) Any revenue derived from the sale of these
27 licenses shall be remitted to the Department of Conservation

1 and Natural Resources on the first day of each month by the
2 issuing officer and shall be deposited in the State Treasury
3 to the credit of the Marine Resources Fund.

4 "(f) Any violation of this section shall be a Class
5 C misdemeanor punishable as provided by law except that the
6 minimum fine shall not be less than fifty dollars (\$50). In
7 addition, the punishment for a violation of subsection (a) of
8 this section shall include an additional mandatory fine of
9 twice the amount of the license."

10 Section 2. This act shall become effective June 1,
11 2010.