HB43

172802-2

By Representatives Boothe and Williams (JW)

RFD: Agriculture and Forestry

First Read: 02-FEB-16

PFD: 02/01/2016
A BILL
TO BE ENTITLED
AN ACT

To amend Sections 9-11-244 and 9-11-245 of the Code of Alabama 1975, relating to hunting; to allow the taking of whitetail deer or feral swine by means of bait; and to require that bait be contained.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 9-11-244 and 9-11-245 of the Code of Alabama 1975, are amended to read as follows:

"§9-11-244.

"(a) No person at any time shall take, catch, kill or attempt to take, catch or kill any bird or animal protected by law or regulation of the State of Alabama by means, aid or use, directly or indirectly, of any bait such as shelled, shucked or unshucked corn or of wheat or other grain, salt or any other feed whatsoever that has been so deposited, placed, distributed or scattered as to constitute for such birds or animals a lure, attraction or enticement to, on or over the area where such hunter or hunters are attempting to kill or take them; provided, that such birds or animals may be taken under properly shocked shucked corn and standing crops of corn, wheat or other grain or feed and grains scattered solely
as a result of normal agricultural harvesting and provided
further, migratory birds may be hunted under the most recent
provisions established by the U.S. Fish and Wildlife Service
or regulations promulgated by the Commissioner of the
Department of Conservation and Natural Resources within the
limits of the federal regulations. This section shall not
apply to whitetail deer or feral swine.

"(b) A landowner or an agent, servant, employee, or
another person authorized by the landowner in writing may
lawfully bait the landowner's property for white tail deer or
feral swine in accordance with the act adding this subsection.
Placement of bait may not be on the ground but must be in a
container, tub, trough-type feeder, or timed mechanical
feeder.

"§9-11-245.

"No person shall at any time make use of any
pitfall, deadfall, baited field, baited field, cage, trap,
net, pen, baited hook, snare, poison, explosive, or chemical
for the purpose of injuring, capturing, or killing birds or
animals protected by law or regulation of this state. This
section shall not prevent the trapping of animals classified
as fur-bearing animals by a duly licensed fur catcher. It
shall be legal to use a scaffold for gun hunting of all legal
game species except wild turkey and to use a scaffold for bow
hunting of all legal game species. This section shall not
apply to whitetail deer or feral swine."
Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.
House of Representatives

Read for the first time and referred to the House of Representatives committee on Agriculture and Forestry......................... 02-FEB-16

Read for the second time and placed on the calendar...................... 03-FEB-16

Read for the third time and passed as amended............................ 18-FEB-16

Yeas 62, Nays 35, Abstains 2

Jeff Woodard
Clerk