

1 HB43
2 172802-2
3 By Representatives Boothe and Williams (JW)
4 RFD: Agriculture and Forestry
5 First Read: 02-FEB-16
6 PFD: 02/01/2016

1 ENGROSSED

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4 A BILL
5 TO BE ENTITLED
6 AN ACT
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8 To amend Sections 9-11-244 and 9-11-245 of the Code
9 of Alabama 1975, relating to hunting; to allow the taking of
10 whitetail deer or feral swine by means of bait; and to require
11 that bait be contained.

12 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

15 "§9-11-244.

16 "(a) No person at any time shall take, catch, kill
17 or attempt to take, catch or kill any bird or animal protected
18 by law or regulation of the State of Alabama by means, aid or
19 use, directly or indirectly, of any bait such as shelled,
20 shucked or unshucked corn or of wheat or other grain, salt or
21 any other feed whatsoever that has been so deposited, placed,
22 distributed or scattered as to constitute for such birds or
23 animals a lure, attraction or enticement to, on or over the
24 area where such hunter or hunters are attempting to kill or
25 take them; provided, that such birds or animals may be taken
26 under properly ~~shocked~~ shucked corn and standing crops of
27 corn, wheat or other grain or feed and grains scattered solely

1 as a result of normal agricultural harvesting and provided
2 further, migratory birds may be hunted under the most recent
3 provisions established by the U.S. Fish and Wildlife Service
4 or regulations promulgated by the Commissioner of the
5 Department of Conservation and Natural Resources within the
6 limits of the federal regulations. This section shall not
7 apply to whitetail deer or feral swine.

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

15 "§9-11-245.

16 "No person shall at any time make use of any
17 pitfall, deadfall, ~~baited field,~~ baited field, cage, trap,
18 net, pen, baited hook, snare, poison, explosive, or chemical
19 for the purpose of injuring, capturing, or killing birds or
20 animals protected by law or regulation of this state. This
21 section shall not prevent the trapping of animals classified
22 as fur-bearing animals by a duly licensed fur catcher. It
23 shall be legal to use a scaffold for gun hunting of all legal
24 game species except wild turkey and to use a scaffold for bow
25 hunting of all legal game species. This section shall not
26 apply to whitetail deer or feral swine."

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

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House of Representatives

Read for the first time and re-ferred 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