SB66

197513-2

By Senators Williams, Price, Barfoot, Sessions, Whatley, Chesteen and Elliott

RFD: Agriculture, Conservation and Forestry

First Read: 05-MAR-19
A BILL

TO BE ENTITLED

AN ACT

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

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

"§9-11-244.

"(a) Except as provided in subsection (b), 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 the birds or animals a lure, attraction, or enticement to, on, or over the area where such a hunter or hunters are attempting to kill or take them; provided, that such the birds or animals may be taken under properly shocked 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 regulations established by the U.S. Fish and Wildlife Service or regulations rules promulgated adopted by the Commissioner of the Department of Conservation and Natural Resources within the limits of the federal regulations.

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

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

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

"(2) The fees provided for by this section shall be subject to adjustment as provided in Section 9-11-68.
"(3) A bait privilege license required by this section shall be procured in the same manner as an annual hunting license, with the issuance fee for the bait privilege license paid to and retained by the issuing office or agency.

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

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

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

Section 2. This act shall become effective immediately following its passage and approval by the Governor, or its otherwise becoming law.
Read for the first time and referred to the Senate committee on Agriculture, Conservation and Forestry.......................... 05-MAR-19

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

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

Yeas 25
Nays 8

Patrick Harris,
Secretary.