

1 HB21
2 188467-2
3 By Representative Williams (JW)
4 RFD: Agriculture and Forestry
5 First Read: 09-JAN-18
6 PFD: 10/16/2017

1 ENGROSSED

2
3
4 A BILL
5 TO BE ENTITLED
6 AN ACT
7

8 To amend Section 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 when a person
11 purchases a baiting privilege license from the Department of
12 Conservation and Natural Resources.

13 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

14 Section 1. ~~Sections 9-11-244~~ Section 9-11-244 and
15 9-11-245 of the Code of Alabama 1975, are amended to read as
16 follows:

17 "§9-11-244.

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

1 take them; provided, that such birds or animals may be taken
2 under properly ~~shocked~~ ~~shucked~~ shucked corn and standing crops
3 of corn, wheat or other grain or feed and grains scattered
4 solely as a result of normal agricultural harvesting and
5 provided further, migratory birds may be hunted under the most
6 recent provisions established by the U.S. Fish and Wildlife
7 Service or regulations promulgated by the Commissioner of the
8 Department of Conservation and Natural Resources within the
9 limits of the federal regulations.

10 "(b) This section shall not apply to a person
11 hunting whitetail deer or feral swine with the aid of bait on
12 privately owned or leased lands; provided that the person has
13 purchased, and is in the possession of, a bait privilege
14 license from the Department of Conservation and Natural
15 Resources. The annual resident bait privilege license fee
16 shall be fourteen dollars (\$14), plus an issuance fee of one
17 dollar (\$1) and the annual nonresident bait privilege license
18 fee shall be fifty dollars (\$50). These fees shall be subject
19 to adjustment as provided in Section 9-11-68. The bait
20 privilege license shall be procured in the same manner as an
21 annual hunting license, with the issuance fee for the bait
22 privilege license paid to and retained by the issuing office
23 or agency. A person who is exempt from purchasing a hunting
24 license is not exempt from the requirement to purchase a bait
25 privilege license pursuant to this section.

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

4 ~~9-11-245~~

5 ~~"No person shall at any time make use of any~~
6 ~~pitfall, deadfall, baited field, cage, trap, net, pen, baited~~
7 ~~hook, snare, poison, explosive, or chemical for the purpose of~~
8 ~~injuring, capturing, or killing birds or animals protected by~~
9 ~~law or regulation of this state. This section shall not~~
10 ~~prevent the trapping of animals classified as fur-bearing~~
11 ~~animals by a duly licensed fur catcher. It shall be legal to~~
12 ~~use a scaffold for gun hunting of all legal game species~~
13 ~~except wild turkey and to use a scaffold for bow hunting of~~
14 ~~all legal game species."~~

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14

15
16
17
18

House of Representatives

Read for the first time and re-
ferred to the House of Representa-
tives committee on Agriculture and
Forestry..... 09-JAN-18

Read for the second time and placed
on the calendar 1 amendment 25-JAN-18

Read for the third time and passed
as amended..... 22-FEB-18

Yeas 79, Nays 14, Abstains 1

Jeff Woodard
Clerk