

1 HB235
2 127290-1
3 By Representatives Weaver and Fincher
4 RFD: Agriculture and Forestry
5 First Read: 10-MAR-11

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8 SYNOPSIS: Under existing law, traps used to trap
9 fur-bearing animals are generally required to have
10 a plastic or metal tag which contains the license
11 number and name and address of the owner. Beaver
12 traps are not required to have the license number
13 of the owner on the tag.

14 This bill would delete the use of plastic
15 tags on traps and delete the requirement that the
16 license number of the owner of a trap be contained
17 on any tag.

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19 A BILL
20 TO BE ENTITLED
21 AN ACT

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23 To amend Section 9-11-59 of the Code of Alabama
24 1975, relating to licensing of persons for the trapping of
25 fur-bearing animals, to further provide for the tags used to
26 identify traps being used for trapping.

27 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 9-11-59 of the Code of Alabama
2 1975, is amended to read as follows:

3 "§9-11-59.

4 "(a) It shall be unlawful for any person to take,
5 capture, or kill, or to attempt to take, capture, or kill for
6 commercial purposes by any means or device any of the
7 fur-bearing animals protected by the laws or regulations of
8 this state without first procuring a license therefor, to be
9 issued in the same manner as is provided for hunting and
10 fishing licenses. Any person who has been a bona fide resident
11 of this state for six months next preceding may procure a
12 resident trapping license by paying the sum of \$7.65. Any
13 person who has not been a bona fide resident of this state for
14 six months next preceding may procure a nonresident trapping
15 license by paying the sum of \$500.15. Any resident or
16 nonresident when trapping for beaver only shall not be
17 required to pay a license fee. A trapping license shall be
18 valid only during the season when fur-bearing animals may be
19 legally taken.

20 "(b) It shall be unlawful for any person to trap in
21 the State of Alabama without identifying each trap with a
22 ~~plastic or metal tag bearing the license number, name, and~~
23 ~~address of the owner; provided, however, that traps used~~
24 ~~solely for beaver shall be identified in a like manner, but~~
25 ~~the tag shall bear only the name and address of the owner.~~
26 Should any law enforcement officer of this state or employee
27 of the Department of Conservation and Natural Resources of the

1 State of Alabama discover any trapping device being used in
2 violation of the terms of this section, ~~he or she~~ the officer
3 shall confiscate the device and it shall become the property
4 of the Department of Conservation and Natural Resources and
5 shall be disposed of as ordered by the Commissioner of
6 Conservation and Natural Resources.

7 "(c) A violation of this section or failure to fully
8 comply therewith shall constitute a misdemeanor and, upon
9 conviction, the person violating same or failing to comply
10 therewith shall be punished by a fine of not less than two
11 hundred fifty dollars (\$250) nor more than two thousand
12 dollars (\$2,000) for each offense."

13 Section 2. This act shall become effective on the
14 first day of the third month following its passage and
15 approval by the Governor, or its otherwise becoming law.