

1 HB386  
2 115979-2  
3 By Representatives McMillan, McDaniel, Sanderford and Jackson  
4 RFD: Agriculture and Forestry  
5 First Read: 21-JAN-10

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ENROLLED, An Act,

To amend Section 9-11-56.3 of the Code of Alabama 1975, relating to public pier fishing licenses and resident saltwater pier fishing licenses; to authorize nonresidents to purchase a saltwater pier fishing license; and to change the expiration date of public pier fishing licenses and saltwater pier fishing licenses.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 9-11-56.3 of the Code of Alabama 1975, is amended to read as follows:

"§9-11-56.3.

"(a) A person, firm, or corporation that operates a fishing pier open to the general public in the inside waters of the State of Alabama as defined by Rule 220-3-.04 of the Alabama Department of Conservation and Natural Resources, may purchase a public fishing pier license to be issued by the Marine Resources Division of the Department of Conservation and Natural Resources. The fee for a public fishing pier license shall be one thousand dollars (\$1,000) per year. Any law or regulation to the contrary notwithstanding, a resident of the State of Alabama may fish from a licensed public fishing pier in the inside waters of the State of Alabama without purchasing a fishing license. A licensed public fishing pier shall be open to the general public. This section

1 shall not be construed to prohibit the operator of a licensed  
2 public fishing pier from charging a fee for the use of the  
3 pier.

4 "(b) A person who has been a bona fide resident of  
5 this state for a period of not less than 90 days next  
6 preceding and who is age 16 through 64, may fish from piers  
7 open to the general public in the Gulf of Mexico or the inside  
8 waters of the State of Alabama as defined by Rule 220-3-.04 of  
9 the Alabama Department of Conservation and Natural Resources  
10 by angling with rod and reel or by use of any artificial bait,  
11 fly, or lure after purchasing an annual saltwater pier fishing  
12 license at a cost of five dollars (\$5). A nonresident may fish  
13 from piers open to the general public in the Gulf of Mexico or  
14 the inside waters of the State of Alabama as defined by Rule  
15 220-3-.04 of the Alabama Department of Conservation and  
16 Natural Resources by angling with rod and reel or by use of  
17 any artificial bait, fly, or lure after purchasing an annual  
18 saltwater pier fishing license at a cost of ten dollars (\$10).  
19 Alabama residents and nonresidents possessing a current  
20 saltwater fishing license, ~~and~~ residents and nonresidents  
21 under age 16, ~~and over~~ residents age 65 or over are expressly  
22 exempt from the requirements of this subsection.

23 "(c) The licenses provided for in this section may  
24 be purchased from any judge of probate, license commissioner,  
25 revenue commissioner, or other officer authorized to issue

1 licenses upon application on forms furnished by the Division  
2 of Marine Resources of the Department of Conservation and  
3 Natural Resources and payment of the required fee for the  
4 license plus a one dollar (\$1) issuance fee.

5 "(d) The licenses provided for in this section shall  
6 be issued on an annual basis and shall expire on ~~July~~ August  
7 31 of each year.

8 "(e) Any revenue derived from the sale of these  
9 licenses shall be remitted to the Department of Conservation  
10 and Natural Resources on the first day of each month by the  
11 issuing officer and shall be deposited in the State Treasury  
12 to the credit of the Marine Resources Fund.

13 "(f) Any violation of this section shall be a Class  
14 C misdemeanor punishable as provided by law except that the  
15 minimum fine shall not be less than fifty dollars (\$50). In  
16 addition, the punishment for a violation of subsection (a) of  
17 this section shall include an additional mandatory fine of  
18 twice the amount of the license."

19 Section 2. This act shall become effective June 1,  
20 2010.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 03-MAR-10.

Greg Pappas  
Clerk

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Senate

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14-APR-10

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Passed