

1 HB107
2 196947-1
3 By Representatives Brown (C) and Simpson
4 RFD: Ways and Means Education
5 First Read: 05-MAR-19

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8 SYNOPSIS: This bill would provide for a permit to be
9 issued without costs by the Department of Public
10 Health for persons engaged in the recreational
11 growing and harvesting of oysters for personal use
12 in the salt and brackish waters of the state. The
13 applicant for a permit would be required to submit
14 contact information to the department in order for
15 the permittee to receive public health notices
16 concerning the consumption of oysters harvested by
17 the permittee. The permittee would be entitled to
18 an income tax credit on his or her individual
19 income tax return for each tax year of
20 participation in the program.

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22 A BILL
23 TO BE ENTITLED
24 AN ACT

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26 To provide for the Department of Public Health to
27 establish a permit to be issued without costs for persons

1 growing and harvesting oysters for personal use in the salt
2 and brackish waters of the state adjacent to his or her
3 residence; to require the applicant for a permit to submit
4 contact information in order for the permittee to receive
5 public health notices concerning the consumption of oysters
6 harvested by the permittee; and to provide an income tax
7 credit for the permittee on his or her individual income tax
8 return.

9 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

10 Section 1. (a) The Department of Public Health shall
11 establish a special permit for the recreational growing and
12 harvesting of oysters for personal use in the salt and
13 brackish waters of the state under the jurisdiction of the
14 Division of Marine Resources of the Department of Conservation
15 and Natural Resources.

16 (b) The person applying for the permit shall sign a
17 statement under oath that he or she is engaged on a regular
18 basis in the recreational growing and harvesting of oysters in
19 the waters adjacent to his or her residence. The application
20 shall include an email address or telephone number and a
21 mailing address where the permittee may be contacted by the
22 Department of Public Health to receive public health notices
23 when the consumption of oysters would be a public health risk.

24 (c) The permit shall be issued without costs to the
25 applicant. Only one permit may be issued for any one location.
26 The permit shall be valid for one year, but may be renewed
27 upon the filing of a new statement each year that the

1 permittee is continuing to engage in recreational growing and
2 harvesting of oysters.

3 (d) The holder of the permit shall be entitled to an
4 income tax credit of two hundred dollars (\$200) on his or her
5 individual income tax return for each tax year the permittee
6 participates in the program.

7 (e) The Department of Public Health may adopt rules
8 to administer this section.

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