

1 HB184  
2 182969-2  
3 By Representative Williams (JW)  
4 RFD: Agriculture and Forestry  
5 First Read: 09-FEB-17

1 ENGROSSED

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4 A BILL  
5 TO BE ENTITLED  
6 AN ACT  
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8 To amend Sections 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 and 9-11-245 of the  
15 Code of Alabama 1975, are amended to read as follows:

16 "§9-11-244.

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

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

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

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

27 "§9-11-245.

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

11                    Section 2. This act shall become effective  
12 immediately following its passage and approval by the  
13 Governor, or its otherwise becoming law.

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House of Representatives

Read for the first time and re-  
ferred to the House of Representa-  
tives committee on Agriculture and  
Forestry..... . . . . 09-FEB-17

Read for the second time and placed  
on the calendar 2 amendments ..... . . . . 16-FEB-17

Read for the third time and passed  
as amended..... . . . . 28-FEB-17

Yeas 69, Nays 18, Abstains 4

Jeff Woodard  
Clerk