

1 HB130
2 166991-5
3 By Representatives Wadsworth and Whorton (I)
4 RFD: Agriculture and Forestry
5 First Read: 05-MAR-15

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ENROLLED, An Act,

To amend Section 9-11-54, Code of Alabama 1975, to provide for the annual issuance of hunting licenses to persons with disabilities for a reduced license fee; and to require fishing licenses to be issued annually to persons with disabilities and to charge a reduced annual license fee.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 9-11-54, Code of Alabama 1975, is amended to read as follows:

"§9-11-54.

"(a) Any person who is totally and permanently disabled and receiving disability retirement from a public or private entity or a disability benefit from the federal Social Security Administration, the United States Railroad Retirement, the United States Office of Personnel Management, the Retirement Systems of Alabama, or a unit of federal, state, or local government designated by rule of the department and who has been a bona fide resident of this state for not less than ~~six months~~ 90 days next preceding the date of application may, upon the payment of an annual license fee as provided in subsection (b), plus an issuance fee of \$1.00 one dollar (\$1), procure a special ~~disabled person's~~ fishing or hunting license in the following manner: The applicant shall file with the person, in the county in which he or she

1 resides, who is duly authorized to issue licenses, an
2 application, stating his or her age, place of residence, post
3 office address, and length of residence in this state. The
4 application shall have attached ~~a sworn statement by a~~
5 ~~licensed physician or chiropractor of this state stating that~~
6 ~~the applicant is totally disabled~~ evidence of the receipt of
7 disability benefits as may be required by rule.

8 "(b) ~~The fishing licenses issued pursuant to this~~
9 ~~section shall be valid on a continuous basis during the period~~
10 ~~of total disability; provided, however, that any conservation~~
11 ~~enforcement officer may, upon reasonable belief that the~~
12 ~~license holder is no longer totally disabled, request the~~
13 ~~holder to obtain a recertification of disability, which~~
14 ~~request shall be in writing. Upon the failure of the holder to~~
15 ~~furnish the recertification of disability within 90 days of~~
16 ~~receipt of request, the holder's license shall be void and~~
17 ~~shall be confiscated by the Department of Conservation and~~
18 ~~Natural Resources, Division of Wildlife and Freshwater~~
19 ~~Fisheries.~~ For purposes of this section, annual license fees
20 shall be as follows:

21 "(1) Hunting license: five dollars (\$5).

22 "(2) Freshwater fishing license: two dollars (\$2).

23 "(3) Saltwater fishing license: two dollars (\$2).

1 "(c) The annual license and issuance fees provided
2 in this section shall be subject to adjustment as provided in
3 Section 9-11-68.

4 "(d) The license application process, including, but
5 not limited to, providing proof of residency and disability
6 status, may be established by rule.

7 "(e) (1)a. A fishing license issued pursuant to this
8 section shall be in lieu of the annual resident fishing
9 license in Section 9-11-53.

10 "b. A hunting license issued pursuant to this
11 section shall be in lieu of the annual resident hunting
12 license in Section 9-11-44, except for the disabled military
13 veterans hunting license provided in that section.

14 "c. A saltwater fishing license issued pursuant to
15 this section shall be in lieu of the annual resident saltwater
16 fishing license in Section 9-11-53.1.

17 "(2) This section does not supersede any additional
18 license or requirement to hunt on state-operated wildlife
19 management areas, as provided in Section 9-11-45 or to hunt
20 migratory waterfowl, as provided in Section 9-11-433.

21 "(3) An annual resident hunting or freshwater
22 fishing license for a person with a disability shall entitle
23 the license holder to all of the privileges of the wildlife
24 heritage license.

1 ~~"(c)~~ (f) The issuing officer or authority shall be
2 allowed an issuance fee of ~~\$1.00~~ one dollar (\$1) for each
3 license issued. In counties in which the probate judge or
4 issuing officer is on a fee system, the issuing fee shall be
5 retained by the probate judge or issuing officer, and in a
6 county in which the probate judge or issuing officer is on a
7 salary basis, the issuing fee shall be paid into the county
8 treasury. These licenses shall not be issued by special
9 agents. ~~The name of the physician certifying to the disability~~
10 ~~of the licensee shall be written upon the license.~~

11 ~~"(d)~~ ~~For the purposes of this section, the term~~
12 ~~"disabled" means inability to engage in any substantial~~
13 ~~gainful activity by reason of any medically determinable~~
14 ~~physical impairment which can be expected to result in death~~
15 ~~or in blindness or to be of long continued and indefinite~~
16 ~~duration. The term "blindness," as used in this section, means~~
17 ~~central visual acuity of 5/200 or less in the better eye with~~
18 ~~the use of a corrective lens. An eye in which the visual field~~
19 ~~is reduced to five degrees or less concentric contraction~~
20 ~~shall be considered for the purposes of this section as having~~
21 ~~a central visual acuity of 5/200 or less. No applicant shall~~
22 ~~be considered disabled unless he or she furnishes the required~~
23 ~~medical statement setting out the fact of such disability."~~

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

