

1 HB356  
2 150257-4  
3 By Representatives Jones and Fincher  
4 RFD: Agriculture and Forestry  
5 First Read: 23-JAN-14

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ENROLLED, An Act,

Relating to game and fish; to provide for a resident daily state lake fishing license, a nonresident state lake fishing license, a nonresident family three-day fishing license; a disabled three-day fishing event license, and to amend Section 9-11-56.3, Code of Alabama 1975, to further provide for the public fishing pier and annual saltwater pier fishing licenses.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Effective with the license year beginning September 1, 2014, a person otherwise meeting the requirements of Section 9-11-53, Code of Alabama 1975, for the resident annual fishing license, who fishes the state public fishing lakes owned and operated by the Division of Wildlife and Freshwater Fisheries may purchase an alternative license to the annual freshwater fishing license to be known as the resident daily state lake fishing license for a fee of five dollars (\$5) plus the same issuance fee as provided for the resident annual fishing license, which fees shall be subject to adjustment as provided for in Section 9-11-68, Code of Alabama 1975, and which shall entitle the person to fish at state public fishing lakes, but shall not grant any other privileges of the annual fishing license or wildlife heritage license.

1           Section 2. Effective with the license year beginning  
2           September 1, 2014, a nonresident of any state who fishes the  
3           state public fishing lakes owned and operated by the Division  
4           of Wildlife and Freshwater Fisheries may purchase an  
5           alternative license to the nonresident freshwater fishing  
6           license to be known as the nonresident state lake fishing  
7           license for a fee of five dollars (\$5) per day or ten dollars  
8           (\$10) per license year, plus the same issuance fees, which  
9           fees shall be subject to adjustment as provided for in Section  
10          9-11-68, Code of Alabama 1975.

11          Section 3. Effective with the license year beginning  
12          September 1, 2014, nonresidents of any state, in lieu of any  
13          otherwise required fishing licenses, may procure a nonresident  
14          three-day family fishing license, for a period of three  
15          consecutive days or less by paying the same license fee and  
16          issuance fee as the nonresident seven-day trip fishing license  
17          provided for in Section 9-11-56, Code of Alabama 1975, which  
18          license will authorize the holder thereof and up to four other  
19          members of his or her immediate family, comprised of his or  
20          her parent, spouse, children, and grandchildren, which names  
21          shall be designated on the license, to fish in any of the  
22          otherwise legally available fresh waters of this state during  
23          those hours occurring during the then current license year for  
24          a period not to exceed 72 consecutive hours from the beginning

1 date and time, as selected and designated by the licensee to  
2 the issuing agent at the time of issuance.

3 Section 4. Effective with the license year beginning  
4 September 1, 2014, there shall be a disabled three-day fishing  
5 event license, for events sanctioned by the Commissioner of  
6 Conservation and Natural Resources. Except as otherwise  
7 provided herein for additional persons, the license shall  
8 permit up to 20 disabled residents or non-resident persons  
9 plus up to 20 resident and non-resident assistants, in such  
10 numbers as determined to be reasonably necessary by the  
11 Department of Conservation and Natural Resources, to purchase  
12 the license as an alternative to any recreational fishing  
13 license otherwise applicable under Chapter 11 of Title 9, Code  
14 of Alabama 1975, which shall permit such persons, for a period  
15 not to exceed 72 consecutive hours, to engage in those same  
16 activities as the holders of the annual freshwater fishing  
17 license in Section 9-11-53, Code of Alabama 1975. The license  
18 fee shall be one hundred dollars (\$100). Notwithstanding the  
19 foregoing, any additional disabled persons over the 20-person  
20 limit shall be charged an additional five dollars (\$5) per  
21 person, which amount, subject to the approval of the  
22 Department of Conservation and Natural Resources, may include  
23 an additional assistant.

24 Section 5. Section 9-11-56.3, Code of Alabama 1975,  
25 is amended to read as follows:

1           "§9-11-56.3.

2           "(a) A person, firm, or corporation that operates a  
3 fishing pier open to the general public in the inside waters  
4 of the State of Alabama as defined by Rule 220-3-.04 of the  
5 Alabama Department of Conservation and Natural Resources, may  
6 purchase a public fishing pier license to be issued by the  
7 Marine Resources Division of the Department of Conservation  
8 and Natural Resources. The fee for a public fishing pier  
9 license shall be one thousand dollars (\$1,000) per year, which  
10 fee shall be subject to adjustment as provided for in Section  
11 9-11-69. Any law or regulation to the contrary  
12 notwithstanding, a resident of the State of Alabama may fish  
13 from a licensed public fishing pier in the inside waters of  
14 the State of Alabama without purchasing a fishing license. A  
15 licensed public fishing pier shall be open to the general  
16 public. This section shall not be construed to prohibit the  
17 operator of a licensed public fishing pier from charging a fee  
18 for the use of the pier.

19           "(b) A person who has been a bona fide resident of  
20 this state for a period of not less than 90 days next  
21 preceding and who is age 16 through 64, may fish from piers  
22 open to the general public in the Gulf of Mexico or the inside  
23 waters of the State of Alabama as defined by Rule 220-3-.04 of  
24 the Alabama Department of Conservation and Natural Resources  
25 by angling with rod and reel or by use of any artificial bait,

1 fly, ~~or~~ lure, gig, cast net, bow, or crab trap that is not  
2 required to be licensed by Section 9-12-124, after purchasing  
3 an annual saltwater pier fishing license at a cost of five  
4 dollars (\$5), which fee shall be subject to adjustment as  
5 provided for in Section 9-11-69. A nonresident may fish from  
6 piers open to the general public in the Gulf of Mexico or the  
7 inside waters of the State of Alabama as defined by Rule  
8 220-3-.04 of the Alabama Department of Conservation and  
9 Natural Resources by angling with rod and reel or by use of  
10 any artificial bait, fly, ~~or~~ lure, gig, cast net, bow, or crab  
11 trap that is not required to be licensed by Section 9-12-124,  
12 after purchasing an annual saltwater pier fishing license at a  
13 cost of ten dollars (\$10), which fee shall be subject to  
14 adjustment as provided for in Section 9-11-69. Alabama  
15 residents and nonresidents possessing a current saltwater  
16 fishing license, residents and nonresidents under age 16, and  
17 residents age 65 or over are expressly exempt from the  
18 requirements of this subsection.

19 "(c) The licenses provided for in this section may  
20 be purchased from any judge of probate, license commissioner,  
21 revenue commissioner, or other officer authorized to issue  
22 licenses upon application on forms furnished by the Division  
23 of Marine Resources of the Department of Conservation and  
24 Natural Resources and payment of the required fee for the

1 license plus a one dollar (\$1) issuance fee, which fee shall  
2 be subject to adjustment as provided for in Section 9-11-69.

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

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

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

17 Section 6. This act shall become effective on the  
18 first day of the third month following its passage and  
19 approval by the Governor, or its otherwise becoming law.

