

1 HB388
2 155967-2
3 By Representative Fincher
4 RFD: Agriculture and Forestry
5 First Read: 04-FEB-14

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8 SYNOPSIS: Under existing law, in order to trap
9 fur-bearing animals, a person is required to have
10 either a resident or nonresident trapping license
11 and to pay the required fee. In addition, the traps
12 used to trap fur-bearing animals are generally
13 required to have a plastic or metal tag which
14 contains the license number and name and address of
15 the owner. Beaver traps are not required to have
16 the license number of the owner on the tag.

17 This bill would further provide for resident
18 and nonresident trapping licenses and fees, would
19 delete the use of plastic tags on traps, would
20 require a license for trapping beaver, and would
21 delete the requirement that the license number of
22 the owner of a trap be contained on any tag.

23
24 A BILL
25 TO BE ENTITLED
26 AN ACT
27

1 To amend Section 9-11-59 of the Code of Alabama
2 1975, relating to licensing of persons for the trapping of
3 fur-bearing animals, to further provide for license fees and
4 for the tags used to identify traps being used for trapping.
5 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

6 Section 1. Section 9-11-59 of the Code of Alabama
7 1975, is amended to read as follows:

8 "§9-11-59.

9 "(a) It shall be unlawful for any person to take,
10 capture, or kill, or to attempt to take, capture, or kill for
11 commercial purposes by any means or device any of the
12 fur-bearing animals protected by the laws or regulations of
13 this state without first procuring a license therefor, to be
14 issued in the same manner as is provided for hunting and
15 fishing licenses. Any person who has been a bona fide resident
16 of this state for ~~six months~~ 90 days next preceding may
17 procure a resident trapping license by paying the sum of ~~\$7.65~~
18 twenty dollars (\$20). Any person who has not been a bona fide
19 resident of this state for ~~six months~~ 90 days next preceding
20 may procure a nonresident trapping license by paying the ~~sum~~
21 of \$500.15 amount charged a resident of Alabama for a similar
22 license in the nonresident state, except that the license fee
23 for a nonresident in no event shall be less than 10 times the
24 license fee charged by the department for a trapping license
25 for an Alabama resident. Any resident or nonresident when
26 ~~trapping for beaver only shall not be required to pay a~~
27 ~~license fee~~. A trapping license shall be valid only during the

1 season when fur-bearing animals may be legally taken. The
2 license fees provided in this section and the issuance fees
3 for the issuance of licenses shall be subject to adjustment as
4 provided in Section 9-11-68.

5 "(b) It shall be unlawful for any person to trap in
6 the State of Alabama without identifying each trap with a
7 ~~plastic or metal tag bearing the license number, name, and~~
8 ~~address of the owner; provided, however, that traps used~~
9 ~~solely for beaver shall be identified in a like manner, but~~
10 ~~the tag shall bear only the name and address of the owner.~~
11 Should any law enforcement officer of this state or employee
12 of the Department of Conservation and Natural Resources of the
13 State of Alabama discover any trapping device being used in
14 violation of the terms of this section, ~~he or she~~ the officer
15 shall confiscate the device and it shall become the property
16 of the Department of Conservation and Natural Resources and
17 shall be disposed of as ordered by the Commissioner of
18 Conservation and Natural Resources.

19 "(c) A violation of this section or failure to fully
20 comply therewith shall constitute a misdemeanor and, upon
21 conviction, the person violating same or failing to comply
22 therewith shall be punished by a fine of not less than two
23 hundred fifty dollars (\$250) nor more than two thousand
24 dollars (\$2,000) for each offense."

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

