

1 SB163
2 145957-4
3 By Senators Holtzclaw, Taylor, Williams and Whatley
4 RFD: Veterans and Military Affairs
5 First Read: 07-FEB-13

1 SB163

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4 ENROLLED, An Act,

5 Relating to game and fish; to amend Section 9-11-44,
6 Code of Alabama 1975, to provide for a resident physically
7 disabled military veteran's appreciation hunting license; and
8 to amend Section 9-11-49, Code of Alabama 1975, to provide for
9 a special physically disabled military veteran's appreciation
10 three-day trip event hunting license.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. Sections 9-11-44 and 9-11-49, Code of
13 Alabama 1975, are amended to read as follows:

14 "§9-11-44.

15 (a) Any person who is age 16 years or older, but who
16 has not reached 65 years of age, who has resided in Alabama
17 continuously for a period of not less than 90 days next
18 preceding, and who is not serving as a member of the Armed
19 Forces of the United States of America during any period of
20 time in which the United States of America is in a state of
21 war, as declared by an act of Congress, shall procure an
22 annual resident all-game hunting license before the person is
23 entitled to hunt in this state by filing an application with
24 the person in any county of the state duly authorized to issue
25 the license, stating his or her name, age, place of residence,

1 post office address, and after paying to the person issuing
2 the license a license fee of twenty-three dollars (\$23), plus
3 an issuance fee of one dollar (\$1), which fees shall be
4 subject to adjustment as provided for in Section 9-11-68. Any
5 Alabama resident age 16 through 64 years, in lieu of
6 purchasing the resident all-game hunting license may procure
7 an annual resident small game hunting license to hunt all
8 legal game in this state except deer and turkey. The license
9 fee shall be fifteen dollars (\$15), plus an issuance fee of
10 one dollar (\$1), which fees shall be subject to adjustment as
11 provided for in Section 9-11-68. Notwithstanding the
12 foregoing, a member of the United States military stationed in
13 Alabama on active duty, and his or her spouse and their
14 dependents who reside with them, shall be deemed to be Alabama
15 residents for the purposes of procuring these licenses.
16 Notwithstanding the foregoing, effective with the license year
17 beginning September 1, 2013, U.S. military veterans otherwise
18 meeting the requirements of this section who are certified by
19 the U.S. Veterans' Administration as 50 percent or more
20 physically disabled shall be entitled to purchase an
21 alternative resident hunting license to be known as the
22 Physically Disabled Military Veteran's Appreciation Hunting
23 License for one-half of the cost of the annual resident
24 all-game hunting license plus the applicable issuance fee.
25 Persons obtaining the resident all-game hunting license or the

1 resident small game hunting license shall also be entitled to
2 all of the privileges of the wildlife heritage license.

3 (b) Notwithstanding any other provision of law, any
4 resident 64 years of age procuring a state resident hunting
5 license pursuant to this section shall be issued the license
6 on a lifetime basis. License fees from the sale of a lifetime
7 license pursuant to this subsection to a resident age 64 years
8 shall be deposited to the credit of the Alabama Game and Fish
9 Endowment Fund within the Game and Fish Fund.

10 (c) All persons making application for an annual
11 state hunting license as provided in this section shall
12 present a valid Alabama driver license or, in the case of
13 nondrivers, proof of permanent residence. All licenses
14 required by this section shall bear the Alabama driver license
15 number of the licensee, except in the case of nondrivers and
16 active duty military personnel stationed in Alabama and their
17 spouses and dependents who reside with them, and all licenses
18 shall bear proof of residence as required by the Commissioner
19 of Conservation and Natural Resources. Active duty military
20 personnel stationed in Alabama and their spouses and
21 dependents who reside with them shall provide military orders
22 that assign them to Alabama. Every person who obtains an
23 annual hunting license without presenting a valid Alabama
24 driver license or, in the case of nondrivers, proof of
25 permanent residence, or who provides any false information in

1 the process of procuring the license, shall be guilty of a
2 Class B misdemeanor punishable as provided by law.

3 (d) The licenses required by this section shall not
4 apply to any resident or resident member of his or her
5 immediate family who hunts on lands owned by him or her, nor
6 shall it include any tenant or member of his or her immediate
7 family who hunts on lands leased or rented by the tenant and
8 who resides on the lands, nor any resident of this state on
9 active military duty who is in this state on leave and who has
10 proof of that status in his or her possession.

11 (e) All persons under the age of 16 years shall be
12 exempted from the requirement of procuring the licenses. Any
13 resident of this state 65 years of age and older shall be
14 exempted from the requirement of procuring a hunting license
15 as provided for in this section, provided that the resident
16 has on his or her person while hunting, proof of age, or, in
17 the case of nondrivers, proof of permanent Alabama residence
18 and age.

19 (f) The licenses shall not be transferable, and it
20 shall be unlawful to borrow, lend, or alter any license, or
21 for any license-issuing officer to falsify any license at the
22 time of issuing the license. A violation of this subsection
23 shall constitute a Class B misdemeanor punishable as provided
24 by law.

1 (g) There shall be provided on the license form for
2 the licenses provided for in this section a check-off option
3 whereby the licensee may voluntarily choose to donate an
4 additional one dollar (\$1) to the Division of Wildlife and
5 Freshwater Fisheries for the purpose of research on wildlife
6 and wildlife habitat as approved by the Advisory Board of
7 Conservation and Natural Resources.

8 "§9-11-49.

9 Any nonresident of this state who is 16 years or
10 older shall, in lieu of the all game license provided for in
11 Section 9-11-47, procure one of the following "trip all game"
12 hunting licenses to hunt all legal game in this state, the
13 procurement of which shall be in the same manner as provided
14 for procuring the nonresident annual hunting licenses provided
15 for in Sections 9-11-46 and 9-11-47, by paying the license
16 fees herein specified, which licenses will authorize the
17 holder of the license to hunt in this state for a period of
18 days specified on the license from the day the license was
19 issued:

20 (1) A "nonresident all game 10-day trip hunting
21 license," the cost of which shall be one hundred sixty-eight
22 dollars (\$168), plus a two dollar (\$2) issuance fee, which
23 fees shall be subject to adjustment as provided for in Section
24 9-11-68. This license shall be valid for those legal hunting
25 hours occurring during the then current license year for a

1 period not to exceed 240 consecutive hours from the beginning
2 date and time, as selected and designated by the licensee to
3 the issuing agent at the time of issuance.

4 (2) A "nonresident all game 3-day trip hunting
5 license," the cost of which shall be one hundred eighteen
6 dollars (\$118), plus a two dollar (\$2) issuance fee, which
7 fees shall be subject to adjustment as provided for in Section
8 9-11-68. This license shall be valid for those legal hunting
9 hours occurring during the then current license year for a
10 period not to exceed 72 consecutive hours from the beginning
11 date and time, as selected and designated by the licensee to
12 the issuing agent at the time of issuance. In addition,
13 effective with the license year beginning September 1, 2013,
14 there shall be a Physically Disabled Military Veteran's
15 Appreciation three-day trip event license, for events
16 sanctioned by the Commissioner of Conservation and Natural
17 Resources, that shall permit up to 10 U.S. military veterans,
18 resident or non-resident, which names shall be designated on
19 the license, otherwise meeting the requirements of this
20 section who are certified by the U.S. Veterans' Administration
21 as 50 percent or more physically disabled, to purchase the
22 license as an alternative to the trip hunting license for a
23 fee equal to the nonresident all game three-day hunting
24 license, plus the applicable issuance fee. The duration of

1 this license shall be the same as that of the nonresident all
2 game three-day hunting license.

3 (3) There shall be provided on the license form for
4 the licenses provided for in this section a check-off option
5 whereby the licensee may voluntarily choose to donate an
6 additional one dollar (\$1) to the Division of Wildlife and
7 Freshwater Fisheries for the purpose of research on wildlife
8 and wildlife habitat as approved by the Advisory Board of
9 Conservation and Natural Resources.

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

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President and Presiding Officer of the Senate

Speaker of the House of Representatives

SB163

Senate 18-APR-13

I hereby certify that the within Act originated in and passed the Senate.

Patrick Harris
Secretary

House of Representatives
Passed: 07-MAY-13

By: Senator Holtzclaw