

1 HB490
2 138086-2
3 By Representatives Jones and Chesteen
4 RFD: Agriculture and Forestry
5 First Read: 06-MAR-12

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8 SYNOPSIS: Under existing law, a landowner may lawfully
9 provide supplemental feed for birds and animals on
10 his or her private land. Also, existing law
11 prohibits whitetail deer from being hunted over
12 bait.

13 This bill would allow whitetail deer to be
14 hunted on private property within a certain area in
15 relation to supplemental feeding. The bill would
16 also require an additional license fee to be paid
17 by persons hunting where supplemental feeding is
18 being used.

19
20 A BILL
21 TO BE ENTITLED
22 AN ACT

23
24 Relating to hunting; to amend Section 9-11-244 of
25 the Code of Alabama 1975, to allow whitetail deer to be hunted
26 on private property under certain conditions within areas
27 where supplemental feeding is being used; and to provide an

1 additional license fee from persons hunting as authorized in
2 this act.

3 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

4 Section 1. Section 9-11-244 of the Code of Alabama
5 1975, is amended to read as follows:

6 "§9-11-244.

7 "(a) Except as otherwise provided for whitetail deer
8 in subsection (b), no ~~No~~ person at any time shall take, catch,
9 kill, or attempt to take, catch, or kill any bird or animal
10 protected by law or regulation of the State of Alabama by
11 means, aid, or use, directly or indirectly, of any bait such
12 as shelled, shucked, or unshucked corn or of wheat or other
13 grain, salt, or any other feed whatsoever that has been so
14 deposited, placed, distributed, or scattered as to constitute
15 for such birds or animals a lure, attraction, or enticement
16 to, on or over the area where such hunter or hunters are
17 attempting to kill or take them; provided, that such birds or
18 animals may be taken under properly shocked corn and standing
19 crops of corn, wheat, or other grain or feed and grains
20 scattered solely as a result of normal agricultural harvesting
21 and provided further, migratory birds may be hunted under the
22 most recent provisions established by the U.S. Fish and
23 Wildlife Service or regulations promulgated by the
24 Commissioner of the Department of Conservation and Natural
25 Resources within the limits of the federal regulations.

26 "(b) (1) A person may hunt whitetail deer on private
27 property on which a supplemental feeder is located provided

1 the feeder is outside of the line of sight of the hunter. Any
2 hunter shall be properly licensed to hunt upon paying the
3 additional fee required by this subsection. For purposes of
4 this subsection, "outside of the line of sight" means "hidden
5 from view by natural vegetation or naturally occurring terrain
6 features."

7 "(2) This subsection shall not apply on public
8 lands.

9 "(3) Any person shall pay an additional license fee
10 of twenty-four dollars (\$24) in order to hunt on private
11 property where a supplemental feeder is being used as
12 authorized in this subsection. A license stamp or other
13 notation shall be issued to the person indicating that the
14 hunter may hunt as authorized in this subsection.

15 "(4) The Department of Conservation and Natural
16 Resources may adopt rules to implement this subsection."

17 Section 2. 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.