

1 HB4
2 179089-2
3 By Representatives McMillan, Shiver, Williams (JW), Beckman,
4 Gaston, Davis and Faust
5 RFD: Agriculture and Forestry
6 First Read: 15-AUG-16

2
3
4
5
6
7
8 SYNOPSIS: Act 2016-153 of the 2016 Regular Session
9 defined nighttime for hunting purposes generally as
10 30 minutes after sunset and 30 minutes before
11 sunrise of the following day.

12 This bill would make technical corrections
13 for the purposes of defining nighttime for hunting
14 purposes.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 Relating to hunting; to amend Section 9-11-235 of
21 the Code of Alabama 1975, to make technical corrections to the
22 time period defined for nighttime hunting; and for this
23 purpose to add Section 9-11-230.1 to the Code of Alabama 1975,
24 to transfer the definition of nighttime for hunting purposes.
25 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 9-11-235 of the Code of Alabama
2 1975, as amended by Act 2016-153 of the 2016 Regular Session,
3 is amended to read as follows:

4 "§9-11-235.

5 "(a) It shall be unlawful, except as otherwise
6 provided by law or rule of the commissioner, for a person to
7 take, capture, or kill, or attempt to take, capture, or kill
8 any bird or animal protected by the laws of this state during
9 nighttime hours.

10 "(b) Any person violating this section shall be
11 guilty of a Class B misdemeanor and, upon conviction thereof,
12 shall be punished for the first offense by a fine of not less
13 than two thousand dollars (\$2,000) nor more than three
14 thousand dollars (\$3,000) and may be imprisoned in the county
15 jail for a period not to exceed six months. In addition, the
16 court shall revoke all hunting license privileges for a period
17 of three years from the date of conviction.

18 "~~(c) For purposes of this chapter, the words~~
19 ~~nighttime hours or between daylight and sunset shall be~~
20 ~~defined as 30 minutes after sunset and 30 minutes before~~
21 ~~sunrise of the following day, as sunrises and sunsets are~~
22 ~~recorded by the United States Naval Observatory."~~

23 Section 2. Section 9-11-230.1 is added to the Code
24 of Alabama 1975, to read as follows:

25 Section 9-11-230.1.

26 For purposes of this article, the words "nighttime
27 hours," "night," "between the hours of sunset and daylight,"

1 or similar words shall be defined as between 30 minutes after
2 sunset and 30 minutes before sunrise of the following day.

3 Section 3. This act shall become effective
4 immediately following its passage and approval by the
5 Governor, or its otherwise becoming law.