

1 HB395
2 196981-3
3 By Representatives Sullivan, South, Kitchens, Brown (K),
4 Stadthagen, Crawford, Ledbetter, Dismukes, Marques, Brown (C),
5 Stringer and McCampbell
6 RFD: Agriculture and Forestry
7 First Read: 09-APR-19

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ENROLLED, An Act,

To amend Sections 9-11-22 and 9-11-59, Code of Alabama 1975, to protect the sensitive personally identifying information of commercial freshwater fishermen and trappers.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Sections 9-11-22 and 9-11-59 of the Code of Alabama 1975, are amended to read as follows:

"§9-11-22.

"(a) Notwithstanding any other provision of law, all commercial fishing equipment used in the waters of this state shall be affixed with a tag which has ~~the name, address, and Social Security number or tax identification number of~~ information adequate to identify the commercial fisherman owning the equipment imprinted on the tag. The Commissioner of Conservation and Natural Resources shall adopt rules requiring the use of a unique identification number or license number to identify the owner of commercial fishing equipment without requiring the disclosure of the owner's Social Security number, home address, or other sensitive personally identifying information.

"(b) A violation of this section shall be a Class B misdemeanor."

"§9-11-59.

1 "(a) It shall be unlawful for any person to take,
2 capture, or kill, or to attempt to take, capture, or kill for
3 commercial purposes by any means or device any of the
4 fur-bearing animals protected by the laws or regulations of
5 this state without first procuring a license therefor, to be
6 issued in the same manner as is provided for hunting and
7 fishing licenses.

8 "(b) (1) Any person who has been a bona fide resident
9 of this state for 90 days next preceding may procure a
10 resident trapping license by paying the sum of twenty dollars
11 (\$20).

12 "(2) Any person who has not been a bona fide
13 resident of this state for 90 days next preceding may procure
14 a nonresident trapping license by paying the amount charged a
15 resident of Alabama for a similar license in the nonresident
16 state, except that the license fee for a nonresident in no
17 event shall be less than 10 times the license fee charged by
18 the department for a trapping license for an Alabama resident.

19 "(c) A trapping license shall be valid only during
20 the season when fur-bearing animals may be legally taken. The
21 license fees provided in this section and the issuance fees
22 for the issuance of licenses shall be subject to adjustment as
23 provided in Section 9-11-68.

24 "~~(b)~~ (d) (1) It shall be unlawful for any person to
25 trap in the State of Alabama without identifying each trap

1 with a metal tag bearing ~~the name and address of~~ information
2 adequate to identify the owner. Should any law enforcement
3 officer of this state or employee of the Department of
4 Conservation and Natural Resources of the State of Alabama
5 discover any trapping device being used in violation of the
6 terms of this section, the officer shall confiscate the device
7 and it shall become the property of the Department of
8 Conservation and Natural Resources and shall be disposed of as
9 ordered by the Commissioner of Conservation and Natural
10 Resources.

11 "(2) The Commissioner of Conservation and Natural
12 Resources shall adopt rules requiring the use of a unique
13 identification number or license number to identify the owner
14 of trapping equipment without requiring the disclosure of the
15 owner's Social Security number, home address, or other
16 sensitive personally identifying information.

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

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

