

1 HB395  
2 196981-2  
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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8 SYNOPSIS: Existing law requires certain sensitive  
9 personally identifying information to be affixed to  
10 commercial freshwater fishing equipment used in  
11 waters of this state, as well as equipment used to  
12 trap fur-bearing animals.

13 This bill would remove the requirement that  
14 sensitive personally identifying information be  
15 affixed to fishing equipment and trapping  
16 equipment. This bill would also authorize the  
17 Department of Conservation and Natural Resources to  
18 adopt rules requiring the use of a unique  
19 identification number or license number to identify  
20 the owner of commercial fishing equipment and  
21 trapping equipment.

22  
23 A BILL  
24 TO BE ENTITLED  
25 AN ACT  
26

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

4 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

7 "§9-11-22.

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

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

22 "§9-11-59.

23 "(a) It shall be unlawful for any person to take,  
24 capture, or kill, or to attempt to take, capture, or kill for  
25 commercial purposes by any means or device any of the  
26 fur-bearing animals protected by the laws or regulations of  
27 this state without first procuring a license therefor, to be

1 issued in the same manner as is provided for hunting and  
2 fishing licenses.

3 "(b) (1) Any person who has been a bona fide resident  
4 of this state for 90 days next preceding may procure a  
5 resident trapping license by paying the sum of twenty dollars  
6 (\$20).

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

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

19 "~~(b)~~ (d) (1) It shall be unlawful for any person to  
20 trap in the State of Alabama without identifying each trap  
21 with a metal tag bearing ~~the name and address of~~ information  
22 adequate to identify the owner. Should any law enforcement  
23 officer of this state or employee of the Department of  
24 Conservation and Natural Resources of the State of Alabama  
25 discover any trapping device being used in violation of the  
26 terms of this section, the officer shall confiscate the device  
27 and it shall become the property of the Department of

1 Conservation and Natural Resources and shall be disposed of as  
2 ordered by the Commissioner of Conservation and Natural  
3 Resources.

4 "(2) The Commissioner of Conservation and Natural  
5 Resources shall adopt rules requiring the use of a unique  
6 identification number or license number to identify the owner  
7 of trapping equipment without requiring the disclosure of the  
8 owner's Social Security number, home address, or other  
9 sensitive personally identifying information.

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

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