

1 SB167
2 196981-4
3 By Senators Price, Givhan, Williams, Whatley, Gudger, Jones
4 and Sessions
5 RFD: Agriculture, Conservation and Forestry
6 First Read: 21-MAR-19

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4 ENGROSSED

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7 A BILL
8 TO BE ENTITLED
9 AN ACT

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

17 "§9-11-22.

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

1 number, home address, or other sensitive personally
2 identifying information.

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

5 "§9-11-59.

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

13 "(b) (1) Any person who has been a bona fide resident
14 of this state for 90 days next preceding may procure a
15 resident trapping license by paying the sum of twenty dollars
16 (\$20).

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

24 "(c) A trapping license shall be valid only during
25 the season when fur-bearing animals may be legally taken. The
26 license fees provided in this section and the issuance fees

1 for the issuance of licenses shall be subject to adjustment as
2 provided in Section 9-11-68.

3 ~~"(b)~~ (d)(1) It shall be unlawful for any person to
4 trap in the State of Alabama without identifying each trap
5 with a metal tag bearing ~~the name and address of~~ information
6 adequate to identify the owner. Should any law enforcement
7 officer of this state or employee of the Department of
8 Conservation and Natural Resources of the State of Alabama
9 discover any trapping device being used in violation of the
10 terms of this section, the officer shall confiscate the device
11 and it shall become the property of the Department of
12 Conservation and Natural Resources and shall be disposed of as
13 ordered by the Commissioner of Conservation and Natural
14 Resources.

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

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

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

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Senate

Read for the first time and referred to the Senate
committee on Agriculture, Conservation and For-
estry..... 21-MAR-19

Read for the second time and placed on the calen-
dar..... 03-APR-19

Read for the third time and passed as amended 02-MAY-19

Yeas 29
Nays 0

Patrick Harris,
Secretary.