

Hunting – Resident

Code of Alabama

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Section 9-11-44 HUNTING - RESIDENT

- (a) Any person who is age 16 or older, but who has not reached age 65, who has resided in Alabama continuously for a period of not less than 90 days next preceding, and who is not serving as a member of the Armed Forces of the United States of America during any period of time in which the United States of America is in a state of war, as declared by an act of Congress, shall procure an annual Resident All-Game Hunting License before the person is entitled to hunt in this state by filing an application with the person in any county of the state duly authorized to issue the license, stating his or her name, age, place of residence, post office address, and after paying to the person issuing the license a license fee of twenty-three dollars (\$23), plus an issuance fee of one dollar (\$1), which fees shall be subject to adjustment as provided for in Section 2 of the act adding this language. Any Alabama resident age 16 through 64, in lieu of purchasing the resident all-game hunting license may procure an annual Resident Small Game Hunting License to hunt all legal game in this state except deer and turkey. The license fee shall be fifteen dollars (\$15), plus an issuance fee of one dollar (\$1), which fees shall be subject to adjustment as provided for in Section 2 of the act adding this language. Notwithstanding the foregoing, a member of the United States military stationed in Alabama on active duty, and his or her spouse and their dependents who reside with them, shall be deemed to be Alabama residents for the purposes of procuring these licenses. Notwithstanding the foregoing, effective with the license year beginning September 1, 2013, U.S. military veterans otherwise meeting the requirement of this section who are certified by the U.S. Veterans' Administration as 50 percent or more physically disabled shall be entitled to purchase an alternative resident hunting license to be known as the Physically Disabled Military Veteran's Appreciation Hunting License for a fee of 50 percent of the annual resident all-game hunting license plus the issuance fee. Notwithstanding the foregoing, effective with the license year beginning September 1, 2014, U.S. military veterans otherwise meeting the requirements of this section who are certified by the U.S. Veterans' Administration as 100 percent, service-connected, permanently and totally disabled shall be entitled to purchase an alternative resident hunting license to be known as the 100 Percent Disabled Military Veteran's Appreciation Hunting License for a license fee of two dollars (\$2), plus the applicable issuance fee, which fees shall be subject to adjustment as provided for in Section 9-11-86. Persons obtaining the resident all-game hunting license or the resident small game hunting license shall also be entitled to all of the privileges of the wildlife heritage license.
- (b) Notwithstanding any other provision of law, any resident 64 years of age procuring a state resident hunting license pursuant to this section shall be issued the license on a lifetime basis. License fees from the sale of a lifetime license pursuant to this subsection to a resident age 64 shall be deposited to the credit of the Alabama Game and Fish Endowment Fund within the Game and Fish Fund.
- (c) All persons making application for an annual state hunting license as provided in this section shall present a valid Alabama driver license or in the case of nondrivers, proof of permanent residence. All licenses required by this section shall bear the Alabama driver license number of the licensee, except in the case of nondrivers and active duty military personnel stationed in Alabama and their spouses and dependents who reside with them, and all licenses shall bear proof of residence as required by the Commissioner of Conservation and Natural Resources. Active duty military personnel stationed in Alabama and their spouses and dependents who reside with them shall provide military orders that assign them to Alabama. "Every person who obtains an annual hunting license without presenting a valid Alabama driver license or in the case of nondrivers, proof of permanent residence, or who provides any false information in the process of procuring the license, shall be guilty of a Class B misdemeanor punishable as provided by law.
- (d) The licenses required by this section shall not apply to any resident or resident member of his or her immediate family who hunts on lands owned by him or her, nor shall it include any tenant or member of his or her immediate family who hunts on lands leased or rented by the tenant and who resides on the lands, nor any resident of this state on active military duty who is in this state on leave and who has proof of that status in his or her possession.
- (e) All persons under the age of 16 shall be exempted from the requirement of procuring the licenses. Any resident of this state 65 years of age and older shall be exempted from the requirement of procuring a hunting license as provided for in this section, provided that the resident has on his or her person while hunting, proof of age, or, in the case of nondrivers, proof of permanent Alabama residence and age.
- (f) The licenses shall not be transferable, and it shall be unlawful to borrow, lend, or alter any license, or for any license-issuing officer to falsify any license at the time of issuing this license. A violation of this subsection shall constitute a Class B misdemeanor punishable as provided by law.
- (g) There shall be provided on the license form for the licenses provided for in this section a check-off option whereby the licensee may voluntarily choose to donate an additional one dollar (\$1) to the Division of Wildlife and Freshwater Fisheries for the purpose of research on wildlife and wildlife habitat as approved by the Conservation Advisory Board.

Section 9-11-44.1 Persons 16 years of age or older required to present certification of completion of approved Hunter Education course prior to obtaining hunting license; penalty.

- (a) It shall be unlawful for any person born on or after August 1, 1977, and of 16 years of age or older, or his or her agent, to procure any annual, trip, or wildlife heritage hunting license unless the person has been issued and exhibits

to the issuing agent at the time of purchasing any annual, trip, or wildlife heritage hunting license, a certification of satisfactory completion by the person of a hunter education course approved by the Department of Conservation and Natural Resources. The person shall only be required to exhibit the certification at the time of purchase of his or her initial license. The exhibition of the certification shall not be required at the time of purchase of subsequent licenses if the person exhibits to the issuing agent at the time of purchase a license which was issued by this state to him or her in a previous year. Notwithstanding the foregoing, active duty U.S. military personnel, Alabama residents who are active members of the National Guard of the United States, and persons certified by the Alabama Peace Officers Standards and Training Commission as law enforcement officers who are employed by a law enforcement agency, as the terms are defined in Section 36-21-40, upon submission of proof of that status, shall be exempt from this requirement. The Commissioner of Conservation and Natural Resources may provide by regulation for the specific proof requirements.

- (b) Except as otherwise provided in subsection (a), it shall be unlawful for any person authorized to issue hunting licenses in this state to issue any annual, trip, or wildlife heritage hunting license to any person born on or after August 1, 1977, or his or her agent, unless that license agent shall have been provided with a certification of satisfactory completion by the person of a hunter education course approved by the Department of Conservation and Natural Resources or in lieu of a certification a license issued by the state to the person in a previous year.
- (c) Except as otherwise provided in subsection (a), it shall be unlawful for any person born on or after August 1, 1977, of 16 years of age or older, to hunt in the State of Alabama pursuant to any Alabama lifetime hunting or Alabama lifetime hunting and fishing license, without the person first obtaining a certification of satisfactory completion by the person of a hunter education course approved by the Department of Conservation and Natural Resources.
- (d) It shall be unlawful for any person or his or her agent to wrongfully or fraudulently obtain or issue this certification.
- (e) The Commissioner of the Department of Conservation and Natural Resources may provide by regulation the procedure whereby the department may revoke or cancel any hunting license and/or hunter education certification upon determination that the holder thereof was not entitled to issuance or obtained the license or certification by any fraudulent means. Upon revocation or cancellation, the holder thereof shall surrender the license and/or certification to the Department of Conservation and Natural Resources.
- (f) The Department of Conservation and Natural Resources, Division of Wildlife and Freshwater Fisheries, shall prescribe a course of instruction in competency and safety in hunting and in the handling of firearms and archery equipment. The Division of Wildlife and Freshwater Fisheries shall also prescribe procedures whereby competent residents of this state shall be certified as hunter education instructors. The Division of Wildlife and Freshwater Fisheries may approve hunter education courses from other jurisdictions.
- (g) Any person violating any provision of this section shall be guilty of a Class B misdemeanor.
- (h) Notwithstanding the foregoing provisions of this section, a person may obtain any required trip, annual, or wildlife heritage hunting license without the above-required certification, but shall only be entitled to hunt under a "supervision required" status, which shall be noted on the face of the license, under which the person may only hunt under the supervision of another person otherwise meeting the requirements of subsection (a) as a licensed or otherwise lawful hunter aged 21 years or older who is not the holder of the "supervision required" license. For the purposes of this subsection, "supervision" shall mean under the normal voice control, not to exceed 30 feet, of the supervising person.

Section 9-11-45 License to hunt deer or wild turkey on wildlife management areas; fee of issuing authority; disposition of fees.

- (a) Whoever hunts on state operated wildlife management areas in this state shall pay a special annual license fee of fifteen dollars (\$15) in addition to the amount of the state, county, or nonresident's licenses specified in Sections 9-11-44 to 9-11-49, inclusive, payment of which shall be evidenced by a stamp, license, big game tag system, or other appropriate method as the Commissioner of Conservation and Natural Resources may prescribe.
- (b) The issuing officer or authority shall be allowed a fee of one dollar (\$1) for each special license issued by him or her, which issuing fee shall be in addition to the cost of the special license. In counties where the judge of probate or issuing officer is on the fee system, the issuing fee shall be retained by the judge of probate or issuing officer, and in counties where the issuing officer or judge of probate is on a salary basis, the fee shall be paid to the county treasury; provided, that the license established by this section shall not be required of any Alabama resident who is 65 years of age or older or who is 15 years of age or younger.
- (c) All license fees collected under this section shall be deposited in the State Treasury to the credit of the Game and Fish Fund and shall be expended in the operation of the Division of Wildlife and Freshwater Fisheries program, including the acquiring of additional conservation officers and the expansion of public hunting areas.
- (d) Whoever uses a shooting range on state-operated wildlife management areas and who is required to have a valid hunting license in order to hunt shall hold a valid license issued pursuant to this section or a valid license issued pursuant to Sections 9-11-44 to 9-11-49, inclusive.
- (e) Whoever hunts on state-operated wildlife management areas without first obtaining the proper hunting license and the special license required in this section, or whoever utilizes a shooting range on state-operated wildlife management areas in this state in violation of this section, is guilty of a misdemeanor, punishable as prescribed in Section 9-11-51.

Section 9-11-68**Cost adjustments - Hunting and fishing licenses.**

Beginning with the license year October 1, 2010, and each license year thereafter, those license fees and issuance fees specified in Act 2007-418 shall be subject to a possible cost adjustment based on the following procedure: By the end of November of 2009, and each November thereafter, the Director of the Division of Wildlife and Freshwater Fisheries of the Department of Conservation and Natural Resources, with the approval of the Commissioner of the Department of Conservation and Natural Resources, may submit to the Chair of the Advisory Board of Conservation and Natural Resources, a recommendation of an increase in both the license fees and issuance fees for the licenses, based on the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U) (All Items - U.S. City Average) maintained by the U.S. Department of Labor, Bureau of Labor Statistics, for the immediately preceding yearly period of October to October, rounded down to the nearest nickel. The recommendation shall be subject to the approval of the Advisory Board of Conservation and Natural Resources on or before the end of March of each year. If the increase is approved by the Advisory Board of Conservation and Natural Resources, the board through its secretary, by the end of March of each year, shall submit the board's recommendation to the Chair of the Legislative Council, for the Legislative Council's review and approval. In the event the recommendation is not disapproved by the Legislative Council by the end of April of each year, the recommendation of the board shall be deemed to be approved. In the event one or more years elapses during which there is no adjustment as provided for herein, the same procedure may be followed to obtain a net cumulative increase since the previous increase.

Section 9-11-417**Hunting licenses required of preserve patrons; seven-day license; operators as agent vendors of licenses.**

- (a) Alabama hunting licenses shall be required of all persons hunting on licensed hunting preserves. Alabama residents shall be licensed under the regularly established game laws. Each non-resident hunting on a licensed preserve shall be required to possess a regular non-resident annual hunting license or a non-resident trip hunting license.
- (b) In lieu of a regular hunting license as provided in subsection (a), either a resident or a non-resident may purchase a seven-day commercial fowl hunting preserve license that allows that person the privilege of hunting only artificially propagated or pen-raised fowl as designated by the Commissioner of Conservation and Natural Resources as legal to hunt on a licensed commercial fowl hunting preserve. The cost of a seven-day commercial fowl hunting preserve license shall be \$8.00, plus a \$2.00 issuance fee. The license shall be valid for seven consecutive days from the date of issuance.
- (c) To better serve the public and in order that the state will not lose revenue from the loss of sale of licenses to out-of-state visitors arriving on weekends, each hunting preserve operator licensed pursuant to this article shall be an agent vendor of all non-resident and resident hunting licenses with any issuance fees collected therefor to be remitted to the judge of probate of the county in which the preserve is located.

Regulation 220-2-.06 Game Animals Designated

The following animals are hereby designated as game animals: Bear, Beaver, Coyote, Deer, Opossum, Eastern Cottontail and Swamp Rabbit, Raccoon, Squirrel, Nutria, Fox, Mountain Lion (Cougar), Groundhog, Bobcat, Red Wolf, Feral Swine (Wild Hog or Wild Pig).

Regulation 220-2-.85**Hunter Orange Requirement for Hunting and Definition of Open Permit-Public Land**

- (1) During dates and in areas open by regulation to gun deer season, including youth deer season and muzzleloader season, all persons hunting any wildlife species, except foxes, raccoons and opossums during legal nighttime hours or turkey or migratory birds (including crows), are required to wear an outer garment above the waist with a minimum of 144 square inches of hunter orange or either a full size hunter orange hat or cap. Hunters are not required to wear hunter orange when hunting from a stand elevated twelve (12) feet or more from the ground, when hunting in an enclosed box stand, when traveling in an enclosed vehicle, or when traveling on foot no more than twenty feet directly between an operating enclosed vehicle and a stand where the hunter is exempt from the hunter orange requirement. The hunter orange must be worn when traveling on foot between an operating enclosed vehicle and exempt stand when the distance is more than a direct distance of twenty feet. A small logo and/or printing is permitted on the front of hunter orange caps; otherwise, hunter orange must be of solid color and visible from any angle. Only hunter orange, commonly called blaze orange, ten mile cloth, etc., is legal. The various shades of red as well as camo orange are not legal.
- (2) "Open Permit-Public Land" is defined as governmentally owned land open for public hunting and/or lands made available to the public on an individual basis whether for a fee or not. Examples of such lands would be national forest lands, lands owned by lumber companies and utility companies available for use by hunters either through free permits, fee permits or no permit requirement.